

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

Before Commissioners: Shari Feist Albrecht, Chair
Jay Scott Emler
Pat Apple

In the Matter of the Application of DAVID)
BRANDYBERRY, of LENORA KS, for Authority for a) 15-TRAM-5168-TRA
Certificate of Public Service.)

ORDER GRANTING APPLICATION
FOR CERTIFICATE OF PUBLIC SERVICE

The above entitled matter comes before the State Corporation Commission of the State of Kansas ("Commission") for consideration and determination. Having examined its files and records, and being duly advised in the premises, the Commission makes the following findings:

I. JURISDICTION

1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, and amendments thereto, the Commission is given full power, authority and jurisdiction to license, supervise and regulate public and private motor carriers in this state to the full extent not preempted by federal law.

2. Pursuant to K.S.A. 66-1,129a, 66-1,130 and 66-1,142b, and amendments thereto, the Commission may suspend operations, revoke or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

3. Pursuant to K.S.A. 66-1,115a and 66-1,119, the Commission has the power and

authority to authorize a change in a motor carrier's service.

II. STAFF'S STATEMENT OF FACTS

4. Pursuant to K.A.R. 82-4-32, each applicant filing an application for an intrastate common carrier certificate shall provide the Commission with all information required to complete the application within 30 days of the original filing date or the application may be dismissed.

5. On October 6, 2014, the Kansas Corporation Commission received an application from DAVID BRANDYBERRY for a Certificate of Public Service that would authorize the operation as a common motor carrier in the transportation of general commodities between all points and places in the State of Kansas. The carrier provided all information required to complete the application within 30 days of its submission.

6. Proper notice of the DAVID BRANDYBERRY's application for Certificate of Public Service was given pursuant to K.S.A. 66-1,114b, and no objections were received.

III. STAFF'S RECOMMENDATION

7. Staff recommends that the Commission grant the application of DAVID BRANDYBERRY for a Certificate of Public Service to operate as a common motor carrier in the transportation of general commodities between all points and places in the state of Kansas.

IV. CONCLUSIONS OF LAW

8. Based upon the available facts, the Commission finds that Staff's recommendation to grant the application of DAVID BRANDYBERRY for a Certificate of Public Service, is reasonable under the circumstances

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) The application of DAVID BRANDYBERRY of LENORA KS, for a Certificate of Public Service is hereby granted.

(B) The Certificate of Public Service designated as KSMCID No. 170655 is hereby issued to DAVID BRANDYBERRY of LENORA KS.

(C) This authority is granted upon the further condition that the carrier shall conform to the rules and regulations pertaining to publications and filing of tariff, rates and charges.

(D) The authority granted herein does not become effective prior to the date on which the tariff covering the operation authorized becomes effective.

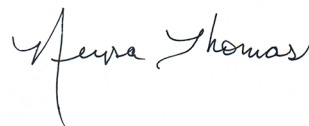
(E) A party may file a petition for reconsideration of this Order within thirty (30) days of the date of this Order. If the service is by mail, three (3) additional days may be added to the thirty (30) day time limit to petition for reconsideration. K.S.A. 66-118b; K.S.A. 66-1,105; K.S.A. 77-529(a)(1).

(F) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Feist Albrecht, Chr; Emler, Com.; Apple, Com.

Dated: MAR 20 2015



Neysa Thomas
Acting Executive Director

ORDER MAILED MAR 20 2015