

**BEFORE THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

In the Matter of the Investigation of **Affordable**)
Movers LLC of Kansas City, Missouri, Pursuant to)
the Kansas Highway Patrol Issuance of a Notice of)
Violation(s) and Invoice for the Violations of the) Docket No. 25-GIMM-220-KHP
Kansas Motor Carrier Safety Statutes, Rules and)
Regulations.)

STAFF'S MOTION FOR DEFAULT JUDGMENT

The Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), by and through its counsel, Ahsan A. Latif, hereby files its Motion for Default Judgment. In Support, Staff states as follows:

1. Affordable Movers LLC (Affordable Movers or Carrier) is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2826489.

2. On October 1, 2024, the Kansas Highway Patrol (KHP) issued a Notice of Violation(s) to Affordable Movers, for an alleged violation found during a September 26, 2024, routine motor carrier stop and inspection conducted by the KHP. Affordable Movers was assessed \$150.00 in civil fines, comprised of the following violation, a \$150.00 fine for “Failing to secure vehicle equipment,” citing 49 C.F.R. 392.9(a)(2).

3. On November 11, 2024, Affordable Movers submitted a formal challenge to the KHP.

4. On November 15, 2024, the KHP denied Affordable Movers’ challenge and advised Affordable Movers of its right to an administrative hearing before the Commission.

5. On November 18, 2024, the Kansas Corporation Commission received Affordable Movers' request for hearing before the Commission.

6. On February 4, 2025, the Commission issued an order designating Brian G. Fedotin, General Counsel of the Commission, as Presiding Officer and set a prehearing conference to be held by Zoom videoconferencing on Monday, March 3, 2025, at 1:30 p.m. Central Time.

7. Although there was initial communication between Staff and Affordable Movers through December 12, 2024, the Carrier failed to respond to subsequent communication after that date. The following attempts were made to contact Affordable Movers regarding its Request for Hearing:

a. December 16, 2024: Litigation Counsel sent an email to Affordable Movers at email address the company used to make its Request for Hearing, to which no response was received;

b. January 14, 2025: Litigation Counsel sent an email to Affordable Movers at email address the company used to make its Request for Hearing, to which no response was received;

c. February 4, 2025: The Commission sent written notice of the prehearing conference to Affordable Movers to the Carrier's email address as well as by First Class U.S. Mail, which was not returned to the Commission.

d. February 24, 2025: The Commission sent information on how to access the prehearing conference, including a Zoom link and instructions on how to attend by phone, to the Carrier's email address on file with the Commission.

8. At the prehearing conference on March 3, 2025, Staff appeared by the undersigned counsel. Affordable Movers failed to appear.

9. Under K.S.A. 77-520(a), “[i]f a party fails to attend...a prehearing conference, ... the presiding officer may serve upon all parties written notice of a proposed default order, including a statement of the grounds.”

10. Litigation Counsel and the Office of General Counsel have made attempts in good faith to contact Affordable Movers to discuss its request for hearing and held a prehearing conference. However, Affordable Movers has not been responsive to communications or events in this docket since at least December 12, 2024.

WHEREFORE, for the reasons more fully described above, Staff respectfully moves the Commission for an Order: (1) finding Carrier in default for failing to appear and participate in the prehearing conference; (2) dismissing the request for hearing filed by the Carrier; (3) affirming the violations and civil penalty assessed against the Carrier; (4) that the Carrier be ordered to pay the \$150.00 civil fine; and (5) any such further relief as the Commission deems necessary and proper.

Respectfully submitted,

Ahsan A. Latif

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Attorney for Commission Staff

CERTIFICATE OF SERVICE

25-GIMM-220-KHP

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on March 4, 2025.

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/S/ Kiley McManaman
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