

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

In the Matter of the Investigation of **Shields Logistics**)
LLC, of Mulvane, Kansas, Kansas, Regarding the)
Violation(s) of the Motor Carrier Safety Statutes, Rules)
and Regulations and the Commission's Authority to) Docket No. 23-TRAM-069-PEN
Impose Penalties, Sanctions and/or the Revocation of)
Motor Carrier Authority.)
)

STAFF'S MOTION TO VACATE PENALTY ORDER

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its Motion to Vacate the Penalty Order issued to Shields Logistics LLC (Carrier). In support of its Motion, Staff states as follows:

1. On August 4, 2022, Commission Staff UCR Manager Verna Jackson submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2022. As explained by Ms. Jackson, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹
2. On August 9, 2022, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for failure to pay its 2022 UCR fees.
3. Carrier contacted Staff after the issuance of the Penalty Order stating that the carrier never operated due to complications as a result of the pandemic. After contacting Staff, Carrier sent a written request to Staff asking for its USDOT Number to be inactivated.
4. Staff after reviewing available records determined that Carrier had not been found operating in 2022. Staff also inactivated Carrier's USDOT Number. Staff therefore determined the Penalty Order issued for not paying their 2022 UCR fees should be vacated.

¹ Staff's R&R, p. 1 (Jul. 5, 2022).

5. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on August 9, 2022.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to Shields Logistics LLC in this docket on August 9, 2022.

Respectfully submitted,

/s/ Ahsan Latif

Ahsan Latif, S. Ct. #24709
Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604
(785) 271-3118 (Telephone)
(785) 271-3124 (Facsimile)
a.latif@kcc.ks.gov (E-mail)

For Commission Staff

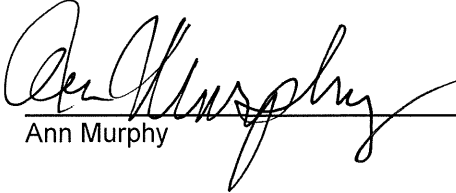
CERTIFICATE OF SERVICE

23-TRAM-069-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion to Vacate Penalty Order was served via First Class US Mail and electronic service this 13th day of September, 2022, to the following:

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
a.latif@kcc.ks.gov

JACK A SHIELDS
SHIELDS LOGISTICS LLC
1525 N ROCKWOOD BLVD
MULVANE, KS 67110



Ann Murphy