

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

In the Matter of the Investigation of Cargo Solution Inc,)
of Lenexa, Kansas, Regarding the Violation(s) of the)
Motor Carrier Safety Statutes, Rules and Regulations)
and the Commission's Authority to Impose Penalties,) Docket No. 23-TRAM-771-PEN
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 Cargo Solution Inc (Carrier). In support of its Motion, Staff states as follows:

1. On July 24, 2023, 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 1, 2023, 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 Carrier activated its USDOT Number on December 14, 2022, but did not operate in that year. Additionally Carrier stated it had paid its 2022 UCR fees.

4. Staff after reviewing available records determined Carrier had paid its 2022 UCR fees. Additionally, Staff could not find evidence the carrier was found operating in interstate commerce in 2022. 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. 24, 2023).

5. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on August 1, 2023.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to Cargo Solution Inc in this docket on August 1, 2023.

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-771-PEN

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on November 9, 2023.

GURBACHAN KAUR
CARGO SOLUTION INC
14231 W 84TH TER
LENEXA, KS 66215-4100
cargosolutions22@gmail.com

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

/S/ Kiley McManaman
Kiley McManaman
