BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Investigation of Danny G.)	
Lambeth, d/b/a Truck Wholesale of Wellsville,)	
Kansas, Pursuant to the Kansas Highway Patrol)	Docket No. 20-GIMM-211-KHP
Issuance of a Notice of Violation(s) and Invoice for the)	Docket No. 20-GIMM-211-KHF
Violations of the Kansas Motor Carrier Safety Statutes,)	
Rules and Regulations.)	

STAFF'S MOTION FOR PROCEDURAL SCHEDULE

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 Procedural Schedule. In support, Staff states as follows:

- 1. On September 20, 2019, the Kansas Highway Patrol issued a Notice of Violation(s) against Danny G. Lambeth d/b/a Truck Wholesale (Respondent), for alleged violations found during a September 13, 2019, routine motor carrier stop and inspection, Driver/Vehicle Inspection Report No. KSHP04200689, conducted by the Kansas Highway Patrol (KHP). Respondent was assessed \$450 in civil fines, comprised of the following violations: a \$150.00 fine for No or defective brake warning device, citing 393.51, a \$150.00 fine for Tire-flat and/or audible air leak, citing 393.75A3 and a \$150.00 fine for Inspection/repair and maintenance of parts & accessories, citing 396.3A1.
 - 2. On October 15, 2019, Respondent initiated a formal challenge with the KHP.
- 3. On October 22, 2019, the Kansas Highway Patrol denied Respondent's challenge and advised Respondent of its right to an administrative hearing before the Commission.
- 4. In a letter hand delivered on November 3, 2019, Respondent requested a hearing before the Commission.

- 5. On December 31, 2019, the Commission issued its Order Designating Prehearing Officer and Setting Prehearing Conference, which set a Prehearing Conference for Thursday, January 9, 2020 at 9 a.m.
- 6. By agreement of the parties, the prehearing conference was rescheduled for Friday, January 10, 2020.
- 7. On January 10, 2020 a Prehearing Conference was held, wherein Staff and Respondent agreed that Staff would obtain dates from the Commission and then informally agree to a procedural schedule with Respondent.
- 8. On January 23, 2020, after confirming the availability of witnesses for a proposed hearing date, Counsel for Staff contacted Respondent about a hearing date. Respondent agreed to the proposed hearing date.
 - 9. The schedule proposed by Staff is as follows:

Date	Time	Location	Action
Friday, March 20, 2020	5 p.m.	Commission's E-filing system	Staff's Pre-filed Testimony
Friday, March 27, 2020	5 p.m	Commission's E-filing system	Danny Lambeth's Pre-filed Testimony
Friday, April 3, 2020	5 p.m.	Commission's E-filing system	Rebuttal Testimony
Wednesday, April 15, 2020	10 a.m.	First Floor Conference Room	Evidentiary Hearing

WHEREFORE, Staff respectfully requests the Commission issue an order establishing the above procedural schedule.

Respectfully submitted,

Ahsan A. Latif, S. Ct. #24709

Litigation Counsel

Kansas Corporation Commission

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Attorney for Commission Staff

VERIFICATION

STATE OF KANSAS)
) ss
COUNTY OF SHAWNEE)

Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Staff's Motion for Procedural Schedule*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.

Ahsan A. Latif, S. Ct. # 24709

Litigation Counsel

The State Corporation Commission of the State of Kansas

SUBSCRIBED AND SWORN to before me this 30th day of January, 2020

VICKI D. JACOBSEN

Notary Public - State of Kansas

My Appt. Expires 6-30-22

Notary Public

My Appointment Expires: June 30, 2022

CERTIFICATE OF SERVICE

20-GIMM-211-KHP

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion for Procedural Schedule was served via electronic service this 30th day of January, 2020, to the following:

DANNY G. LAMBETH D/B/A TRUCK WHOLESALE PO BOX 501 22640 PLEASANT VALLEY RD WELLSVILLE, KS 66092 Fax: 913-262-8155 truckwholesale@gmail.com

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Vicki Jacobsen