

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

In the Matter of the Investigation of **Sunjoy Trucking**)
LLC, of Wichita, Kansas, of Olathe, Kansas,)
Regarding the Violation(s) of the Motor Carrier Safety)
Statutes, Rules and Regulations and the Commission's) Docket No. 23-TRAM-322-PEN
Authority to 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 Sunjoy Trucking LLC (Carrier). In support of its Motion, Staff states as follows:

1. On October 26, 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 November 1, 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 Carrier never began operations. Carrier requested Staff inactivate Carrier's USDOT number.

4. Staff after reviewing available records inactivated Carrier's USDOT number. Additionally, Staff reviewed available records and could not find evidence the carrier was found operating in interstate commerce. Staff therefore determined the Penalty Order issued for not paying their 2022 UCR fees should be vacated.

¹ Staff's R&R, p. 1 (Oct. 26, 2022).

5. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on November 1, 2022.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to Sunjoy Trucking LLC in this docket on November 1, 2022.

Respectfully submitted,

/s/ Ahsan Latif

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For Commission Staff

CERTIFICATE OF SERVICE

23-TRAM-322-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion to Vacate Penalty Order was placed in the United States mail, postage prepaid, or hand-delivered this 16th day of November, 2022, to the following:

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