

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

Before Commissioners: Mark Sievers, Chairman  
Ward Loyd  
Thomas E. Wright

In the Matter of the Investigation of **John** )  
**C. Tipton of Meriden, Kansas**, Regarding )  
the Violation of the Motor Carrier Safety )  
Statutes, Rules and Regulations and the ) Docket No. 12-TRAM-656-PEN  
Commission's Authority to Impose )  
Penalties, Sanctions and/or the Revocation )  
of Motor Carrier Authority. )

**ORDER GRANTING STAFF'S MOTION FOR CONTINUANCE**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised on the premises, the Commission finds and concludes as follows:

1. On March 16, 2012, the Commission entered a Penalty Order against John C. Tipton (Respondent) assessing civil penalties for violations of the motor carrier statutes, rules and regulations enforceable by the Commission
2. On March 30, 2012, Respondent filed a Request for a Hearing.
3. On April 2, 2012, Staff issued a Notice of Hearing which set the matter for hearing before the Commission on May 10, 2012, and established deadlines for prefiled testimony.
4. On April 23, 2012, Staff filed a Motion for Continuance stating that the continuance requested is necessary due to conflicts in Commissioners' schedules and their

unavailability for a hearing on May 10, 2012, and requested a continuance to June 14, 2012, at 1:30 p.m.

5. The Commission finds that it is reasonable to grant Staff's Motion and continues the evidentiary hearing on this matter from May 10, 2012, at 9:00 a.m. to June 14, 2012, at 1:30 p.m.; extends the filing date for the parties' prefiled direct testimony to ten days prior to the extended hearing date; and any rebuttal testimony of the parties shall be presented at the hearing.

**IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:**

A. Staff's Motion for Continuance is granted and the hearing will be continued to June 14, 2012, at 1:30 p.m. The parties' prefiled testimony will be due ten (10) days prior to that date and any rebuttal testimony of the parties will be presented at the hearing.

B. The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 77-529.

C. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

**BY THE COMMISSION IT IS SO ORDERED.**

Sievers, Chmn; Loyd, Com.; Wright, Com.

Dated:     MAY 01 2012    

  
ORDER MAILED MAY 01 2012

Patrice Petersen-Klein  
Executive Director

AS

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
John C. Tipton, OWNER 9491 X Rd Meriden, KS 66512-9454		
AMBER SMITH, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD ROAD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED MAY 01 2012

The Docket Room hereby certified that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.