

**BEFORE THE STATE CORPORATION COMMISSION⁵
OF THE STATE OF KANSAS**

In the Matter of the Investigation of **Fierros Trucking,**)
of Ulysses, Kansas, Regarding the Violation(s) of the)
Motor Carrier Safety Statutes, Rules and Regulations)
and the Commission's Authority to Impose Penalties,) Docket No. 22-TRAM-130-PEN
Sanctions and/or the Revocation of Motor Carrier)
Authority.)

**STAFF'S MOTION TO REINSTATE MOTOR CARRIER OPERATIONS AND
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 Fierros Trucking (Carrier). In support of its Motion, Staff states as follows:

1. On September 14, 2021, Commission Staff UCR Manager Verna Jackson submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for years 2020 and 2021. As explained by Ms. Jackson, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹

2. On September 21, 2021, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for one (1) violation of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.²

3. On November 30, 2021, Transportation Staff filed a Motion to Suspend Carrier's Intrastate Motor Carrier Operations due to its failure to comply with the Commission's Penalty Order.

¹ Staff's R&R, p. 1 (Sep. 14, 2021).

² Penalty Order in Docket No. 22-TRAM-130-PEN, ¶5.

4. On December 7, 2021, the Commission issued an Order Suspending Motor Carrier Operations of Carrier.

5. On January 24, 2022, Carrier communicated with Staff stating they only operate intrastate.

6. Therefore, based on the facts in paragraph 5, above, Staff requests the Commission reinstate Carrier's operating authority and vacate the Penalty Order issued to Carrier on September 21, 2021.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission reinstate Carrier's motor carrier operations and vacate the Penalty Order issued to Fierros Trucking in this docket on September 21, 2021

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

22-TRAM-130-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing motion was placed in the United States mail, postage prepaid, this 25th day of January, 2022, to the following:

Cesar Ivan Fierro Amaya, MEMBER
Fierros Trucking LLC
817 S Cheyenne St
Ulysses, KS 67880
jr-fierro@icloud.com

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

Abigail Emery
Abigail Emery

* Denotes those receiving the Confidential version