



20231116132308
Kansas Corporation
Commission
Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

1500 SW Arrowhead Road
Topeka, KS 66604-4027

Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Laura Kelly, Governor

NOTICE OF PENALTY ASSESSMENT
24-TRAM-365-PEN

November 16, 2023

Mark Augustine, CEO
Triplett Inc.
P.O. Box 647
Salina, KS 67401

This is a notice of a penalty assessment against Triplett Inc. for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on October 17, 2023, by Kansas Corporation Commission Special Investigator Greg Askren. Penalties are assessed in accordance with the FY 2024 Uniform Penalty Assessment Matrix, approved by the Commission on June 29, 2023. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

IF YOU ACCEPT THE PENALTY: Triplett Inc. has been assessed a \$1,500 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$1,500, through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (KTRAN) system located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed.

IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing. A request for a hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Triplett Inc. must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at <https://puc.kcc.ks.gov/e-filing/e-express/>, and mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven copies of the request to the Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel.¹

IF YOU FAIL TO ACT: Failure to pay the penalty of \$1,500 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully,

/s/ Carly R. Masenthin
Carly R. Masenthin
Senior Litigation Counsel
(785) 271-3265
c.masenthin@kcc.ks.gov

¹ K.A.R. 82-1-215; K.S.A. 77-542.

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

Before Commissioners: Andrew J. French, Chairperson
Dwight D. Keen
Annie Kuether

In the Matter of the Investigation of **Triplett**)
Inc. of Salina, Kansas, Regarding the)
Violation(s) of the Motor Carrier Safety Statutes,)
Rules and Regulations and the Commission’s) Docket No. 24-TRAM-365-PEN
Authority to Impose Penalties, Sanctions and/or)
the Revocation of Motor Carrier Authority.)
)

PENALTY ORDER

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

1. On October 17, 2023, Commission Staff Special Investigator (SI) Greg Askren completed a safety compliance investigation of the operations of Triplett Inc. (or, Carrier). Triplett Inc. is a motor carrier as defined in 49 C.F.R. 390.5, and operates under USDOT number 569403.

2. On October 27, 2023, Staff submitted its Report and Recommendation (R&R), attached hereto as Attachment “A” and is hereby incorporated by reference, recommending a penalty of \$1,500 to be issued to Triplett Inc. based on the frequency, timeline and severity of the violations discovered. Staff’s R&R indicates that as a result of the safety compliance investigations, SI Greg Askren identified three (3) violations, accounting for three (3) counts, of

the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix.²

3. Staff further recommends Triplett Inc. submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining Carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.³

4. Finally, Staff recommends that Triplett Inc. submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order.⁴ Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

5. Pursuant to K.S.A 66-1,108b, 66-1,111, 66-1,112, and 66-1,114b, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in 49 C.F.R. Part 390.5 as adopted by K.A.R. 82-4-3f, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

6. Pursuant to K.S.A. 66-1,129a, 66-1,130 and 66-1,142b, the Commission may suspend operations, revoke or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

² Order Designating Guidance Document and Approving Staff's Use of the Transportation Division's Uniform Penalty Assessment Table, pp. 11 – 26 (Jun. 29, 2023) ("Penalty Matrix").

³ See Staff's Report and Recommendation, p. 3 (Oct. 27, 2023).

⁴ See *id.*

7. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and issue an order on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:

A. Triplett Inc., of Salina, Kansas is hereby assessed a \$1,500 civil penalty for three (3) violations, accounting for three (3) counts, 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.

B. Triplett Inc. is hereby ordered to submit a written, comprehensive corrective action plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in this Penalty Order, including specific and detailed information explaining its efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

C. Triplett Inc. is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact Triplett Inc. to set up the appointment.

D. Pursuant to K.S.A. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issue(s) by submitting a written request setting forth the specific grounds upon which relief is sought. The request may be electronically filed with the Commission's electronic filing system at <https://puc.kcc.ks.gov/e-filing/e-express/>, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven copies of the request to the

Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Triplett Inc.'s right to a hearing, and this Penalty Order will become a Final Order.

E. If a request for hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest.⁵

F. If you do not request a hearing, the payment of the civil penalty of \$1,500 is due in thirty (30) days from the date of service of this Order. Payment of \$1,500 must be made through your personal account with the Kansas Corporation Commission's Kansas Trucking Regulatory Assistance Network (KTRAN) system located at <https://puc.kcc.ks.gov/ktran/>. You must have an account through KTRAN to pay the penalty.

G. Failure to pay the \$1,500 civil penalty within thirty (30) days from the date of service of this Penalty Order and/or failure to comply with the provisions of this Order may result in suspension of Triplett Inc.'s motor carrier operating authority without further notice.⁶ Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

⁵ . K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a).

⁶ K.S.A. 66-1,105.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 11/16/2023



Lynn M. Retz
Executive Director

CRM

ATTACHMENT “A”

**REPORT AND RECOMMENDATION
TRANSPORTATION DIVISION**

TO: Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

FROM: Gary Davenport, Deputy Director of Transportation
Jared Smith, Public Service Executive

DATE: October 27, 2023

SUBJECT: Docket No. 24-TRAM-365-PEN
In the Matter of the Investigation of Triplett Inc of Salina, Kansas Regarding the Violation of the Motor Carrier Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority

EXECUTIVE SUMMARY:

Triplett Inc is a motor carrier (MC) possessing public for-hire operating authority from the Commission, primarily hauling liquids and gases. Triplett Inc operates under USDOT 569403. On October 17, 2023, Commission Staff Special Investigator (SI) Greg Askren completed a safety compliance investigation of the operations of Triplett Inc. A copy of the safety compliance report is attached hereto as **Exhibit 1** and is hereby incorporated by reference. As a result of this investigation, the SI identified three (3) violations, accounting for three (3) specific counts, of the Motor Carrier Safety Regulations (MCSRs), which carry a penalty according to the FY2024 Uniform Penalty Assessment Matrix approved by the Commission. Based on the frequency, timeline and severity of the violations discovered by the SI, Staff recommends penalty of \$1,500 be issued to the MC.

DISCUSSION AND ANALYSIS:

On October 17, 2023, Commission Staff SI Greg Askren conducted a safety compliance investigation of the operations of Triplett Inc. The investigation covers a 365-day period. Each specific count is detailed below.

Count One (1 of 3)

Jurisdiction: 49 C.F.R. 367 – Failure to Pay Unified Carrier Registration (UCR) Fees

Intent of Law: Requires the MC to pay the appropriate UCR fees as set out in 49 C.F.R. 367.

Supporting Documents: On August 26, 2023, Triplett Inc required or permitted its driver to operate a commercial driver’s license (CDL) required commercial motor vehicle (CMV) a 2020 Freightliner Cascadia, VIN ending in 6185, GVWR 52350 lbs., pulling a 2012 Heil tanker trailer, VIN ending in 7364 , GVWR 68000 lbs) without having paid the appropriate UCR fees prior to the transport. This violation was discovered in the course of SI Askren’s investigation and is evidenced in the safety compliance report attached as **Exhibit 1**. Driver operated in intrastate commerce from Wichita Ks to Salina Ks. This transport is evidenced by driver Patricia Bussart’s Bill of Lading (BOL), with load number WB1178471003, attached hereto as **Exhibit 2**. A copy of the MC’s USDOT Profile is attached hereto as **Exhibit 3**. Although Triplett Inc has declared itself to be an intrastate carrier, its USDOT Profile states that it also possesses an MC Number. An MC Number is a unique identifier assigned by the Federal Motor Carrier Safety Administration (FMCSA) to MCs that transport interstate cargo both inside their state and crossing over state lines. MCs possessing an MC Number are required to pay UCR fees. Triplett Inc did not pay its UCR fees until October 13, 2023, after the date of this transport. A copy of the MC’s UCR payment receipt is attached hereto as **Exhibit 4**.

Violation: At the time of the above-described transport, Triplett Inc had not paid the appropriate Unified MC Registration (UCR) fees as set out in 49 C.F.R. 367 (**Exhibit 1, Page 3**). (One 1) violation was discovered.

Recommendation: Staff recommends a fine of \$500.

Count Two (2 of 3)

Jurisdiction: 49 C.F.R. 382.701(a), adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 66-1,129.

Intent of Law: The MC must conduct a pre-employment inquiry into its drivers with the FMCSA Drug and Alcohol Clearinghouse (DACH). The MC must conduct a full inquiry for a pre-employment check.

Supporting Documents: This violation took place during the transport described in Count One, above, and is detailed further in the safety compliance report attached as **Exhibit 1**. The MC allowed Driver Patricia Bussart to conduct transport without having conducted a full pre-employment inquiry with the DACH. A copy of the MC DACH search, attached hereto as **Exhibit 5**, evidences Triplett Inc’s failure to conduct a pre-employment inquiry. The MC DACH search confirms only a “limited” inquiry was conducted, which is not sufficient under 49 C.F.R. 382.701(a).

Violation: Triplett Inc failed to conduct a pre-employment inquiry in DACH (**Exhibit 1, Page 3**). One (1) violation was discovered.

Recommendation: Staff recommends a fine of \$500.

Count Three (3 of 3)

Jurisdiction: K.S.A. 66-1,111 and 49 C.F.R. 392.2, adopted by K.A.R. 82-4-3h, and authorized by K.S.A. 66-1,129.

Intent of Law: The MC must obtain proper KCC authority to operate as a Public (For-Hire) MC before conducting intrastate commercial operations.

Supporting Documents: This violation took place during the transport described in Count One, above and is supported by the safety compliance report attached as **Exhibit 1**. Triplett, Inc conducted transport without proper KCC Motor Carrier operating authority.

Violation: During the course of the investigation, SI Askren discovered Triplett, Inc had failed to obtain proper KCC Public Motor Carrier operating authority Inc prior to the transport described in Count One (**Exhibit 1, Page 3 to 4**). One (1) violations was discovered.

Recommendation: Staff recommends a fine of \$500.

RECOMMENDATION:

Transportation Staff recommends the Commission find Triplett Inc committed three (3) violation(s), accounting for three (3) specific counts, of Kansas law that governs MCs, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations (K.A.R.s), and is therefore subject to sanctions or fines imposed by the Commission.


Due to the frequency, timeline and severity of the violations, Staff recommends a civil penalty of \$1,500 for three (3) violation(s) of the MC Safety Statutes, Rules and Regulations, in accordance with the recommended penalties listed in the applicable Uniform Penalty Assessment Matrix.

Staff further recommends Triplett Inc submit a written, comprehensive Corrective Action Plan (CAP) to Transportation Staff within thirty (30) days of the date of this order, documenting the violation(s) described in the Penalty Order, including specific and detailed information explaining the carrier's efforts and concrete steps taken to ensure the violation(s) do not occur in the future.

Finally, Staff recommends that Triplett Inc submit to one follow-up safety compliance review within eighteen (18) months from the date of the Penalty Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for the review.

EXHIBIT 1

UNITED STATES DEPARTMENT OF TRANSPORTATION

	U.S. DOT#: 569403 MC/MX#: 828637	Legal: TRIPLETT INC Operating (DBA):	Investigation Date: 10/17/2023
Investigation Type: Onsite Comprehensive Investigation		Location of Investigation: Company principal place of business (PPOB) Extent of Operations: Entire Operation	
Physical Address 429 N OHIO SALINA, KS 67401 United States		Mailing Address PO Box 647 Salina, KS 67401 United States	
Contact Information			
Contact Name: JUDD BIRCHER Email: juddb@triplettinc.com Phone: (785)823-7839 Cell: ()- Fax: (785)823-7792			
Business and Financial			
Business Type: Corporation Name of Gross Revenue Provider: Judd Bircher Title of Gross Revenue Provider: Controller Gross Revenue: ██████████ For Year Ending: ██████████ Federal Tax ID: ██████████			
Operation Classification and Type		Cargo	
Type of Operation: HM Intrastate Carrier Operation Classification For-Hire Motor Carrier Property Hazardous Materials		Liquids/Gases	
Hazardous Materials			
Which of the following hazardous materials requiring a Safety Permit does the company transport?		None	
Does the company have a satisfactory security program in place as required in 49 CFR Part 385, Subpart E?		Yes	
Is an HM Permit required by any State?		No	
Hazardous Materials		Class 3 Flammable and Combustible Liquid = C, B Combustible Liquid (Refer to 49 CFR 173.20 (b)) = C, B	

Equipment				Driver Information		
	Owned	Term Leased	Trip Leased	Drivers		
Straight Trucks	2				Intrastate	Interstate
Truck Tractors	6			< 100 Miles	10	
Trailers	5			>= 100 Miles		
Power units used in the U.S.: 8				Average trip leased driver/month: 0		
Percentage of time used in the U.S.: 100%				Drivers with CDL: 10		
				Total Drivers: 10		
Person(s) Interviewed						
Name: JUDD BIRCHER				Title: CONTROLLER/Treasurer		
Name: Ted Augustine				Title: President		
Name: Jeremy Vopat				Title: Fuel Distribution Manager		
Questions						
Questions about this report or the Federal Motor Carrier Safety or Hazardous Materials regulations may be addressed to the Federal Motor Carrier Safety Administration at:				1303 SW FIRST AMERICAN PL STE 200 TOPEKA, KS 66604-4040 Phone: (785) 271-1260 Fax: (877) 547-0378		
This report will be used to assess your safety compliance.						

Violations

1. Primary: 367

Fail to pay Unified Carrier Registration (UCR) fee when classified as an intrastate carrier with an active MC #.

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

The carrier failed to pay UCR fees for 2022 and 2023. The carrier is registered as an intrastate carrier. The company also has an active MC #828637 which requires UCR fees to be paid.

Drivers/Vehicles in Violation

Fed	State	Total

Checked

Fed	State	Total

2. Primary: 382.701(a)

Failing to conduct a pre-employment query.

Violations Discovered

Fed	State	Total
1		1

Checked

Fed	State	Total
5		5

Example/Notes:

Failing to conduct a pre-employment full query on driver Patricia Bussart . Hire date was 7/29/2023. The company ran a limited on 3/21/2023.

Drivers/Vehicles in Violation

Fed	State	Total
1		1

Checked

Fed	State	Total
5		5

3. Primary: 392.2

State Equivalent: KSA 66-1,111

Operating in Intrastate Commerce without having Kansas Operating Authority.

Violations Discovered

Fed	State	Total
	1	1

Checked

Fed	State	Total
	1	1

Example/Notes:

The MC must obtain proper Kansas Corporation Commission authority to operate as a

Drivers/Vehicles in Violation

Fed	State	Total

Public (For-Hire) MC before conducting intrastate commercial operations. The company's authority was dismissed on 1/24/2014 for non renewal in Ktran.

Checked		
Fed	State	Total

Safety Fitness Rating

This Investigation is Not Rated

DataQs: If you dispute the violations recorded in the Violations section of this investigation report, and the violations were not used in the calculation of your safety rating, you may submit a Request for Data Review (RDR) through DataQs. The DataQs system is the method to remove violations that did not affect your safety rating. DataQs is an online system that allows a motor carrier or driver to request and track a review of Federal and State issued data that it believes to be incomplete or incorrect. To submit an RDR, go to <https://dataqs.fmcsa.dot.gov>.

Process Breakdown and Remedies

None

Recommendations

1. **Additional Information**

Please visit the CSA outreach site for additional guidance: <https://csa.fmcsa.dot.gov>.

2. **Obtain copies of the regulations, forms, interpretations, manuals.**

Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers. www.fmcsa.dot.gov/safety-security/eta/index.htm

3. **A copy of your profile can be obtained by accessing the Portal.**

A copy of your carrier profile can be obtained at no cost from the FMCSA Portal (<https://portal.fmcsa.dot.gov/login>).

4. **Ensure that all vehicles are properly marked.**

Ensure that all vehicles are properly marked with your name or trade name and U.S. DOT number. If your vehicles are also periodically operating for other carriers, they must be marked with that carrier's name and U.S. DOT#.

5. **Clearinghouse Pre-employment Query**

Ensure pre-employment (full) queries are conducted in the Clearinghouse before hiring a driver to perform a safety sensitive function.

6. **For all Investigations not Unsat.**

For all Investigations:

Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

Document and Follow Through on Action Plans: Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

NOTICE: A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

NOTICE: 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years. The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information: <http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information:

<http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf>

FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012. The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carriers currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers

hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site. The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

7. The KCC requires that you prepare a corrective action plan, addressing the measures taken to correct all the violations identified within this report. Submit this letter within 30 days outlining the carrier s updated changes to their policies and procedures regarding all listed violations. Explain in detail how, as a carrier representative, you will rectify these deficiencies and prevent their reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example: vehicle inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Submit the letter along with copies of your supporting evidence to:

Email: g.davenport@kcc.ks.gov FAX: 785-271-3124 or mail: Kansas Corporation Commission Attn: Gary Davenport 1500 SW Arrowhead Rd Topeka, KS 66604-4027

Failure to submit the plan & attend a KCC safety presentation within 30 days of the closing of the compliance review can result in further penalties in a follow up review. Carrier _____ Date _____

I acknowledge that these requirements/violations and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of Triplett Inc vehicles operating authority and/or the impoundment of Triplett Inc vehicles.

Signed _____ Date _____

I understand that monetary penalties will be assessed as a result of violations found in this compliance review. Carrier representative: _____ Date: _____

Exhibit 2

STRAIGHT BILL OF LADING – SHORT FORM Lading herein described received subject to the classifications and tariffs agreed to in writing or the applicable transportation contract in effect on the date of issue of this Bill of Lading and the applicable terms and conditions of the Uniform Freight Classification 60000 Straight Bill of Lading. The Carrier has made a final inspection to ensure that the trailer is properly sealed and, in addition to the carrier's common law liability, the carrier agrees to indemnify and hold Cargill and its affiliates harmless against any injury, loss, or damage caused by carrier's failure to inspect or negligent inspection.



ORIGINAL – NOT NEGOTIABLE

**Truck Bill of Lading/Loading Order / Delivery Ticket
Cargill Agricultural Supply Chain North America**

BEGIN LOAD DATE AND TIME: 08/26/2023 06:04	GROSS 7000 GAL	WICHITA BIODIESEL, GOS 1417 N Barwise Line 2 (701) 282-1618 Wichita Kansas
END LOAD DATE AND TIME: 08/26/2023 06:31	TARE 0	
	NET 6922 GAL	
LOAD NUMBER WB1178471003	LOADED BY Truck Driver	

S Triplett Inc. O Salina L Kansas D 67402 To PO Box 647	S 24/7 Travel Store, Salina, KS H Salina I Kansas P 65401 To
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<i>The following statement shall apply to solid (non-liquid) products produced in or distributed to the United States. This statement is made for US regulatory compliance only, does not reflect any changes in our products or our processes, and is consistent with the statements which are already included on the product data sheet and Bill of Ladings. It is included here for compliance with FSMA's Hazard Analysis and Risk-Based Preventive Control requirements under 21 C.F.R. Part 507, Subpart C and 21 C.F.R. Part 117, Subpart C: Cargill's process does not contain a validated preventive control for physical hazards or microbial hazards. This product is intended to be further processed. As always, Cargill manufactures these products under strict good manufacturing practices (GMP's) and strives to make high quality and food safe products for their appropriate intended use.</i>	LOADING LOCATION 60774	DATE ORDERED 08/17/2023	DATE SCHEDULED 08/23/2023	
	COMMODITY/PRODUCT DESCRIPTION Biodiesel B999 Methyl Esters		MERCHANT Ben Snyder	
	CONTRACT NUMBER WIBI_-OS S 956-5		CUSTOMER P.O.	
	CARRIER Test Customer		FREIGHT TERMS FOB	

DRIVER'S NAME (FIRST & LAST) pATTY	TRUCK LICENSE PLATE & STATE 6185	TRAILER LICENSE PLATE & STATE 77364
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Driver agrees that the goods will be transported in compliance with all applicable federal, state/province and local laws and regulations, including but not limited to (1) ensuring that the gross weight of the vehicle after loading will not exceed any applicable legal weight limits, (2) ensuring that the trailer has been properly cleaned in accordance with applicable laws including 21 CFR 589.2000 to prevent any carryover of mammalian protein products from one load to the next, and (3) complying with all requirements and regulations under the Food Safety Modernization Act and the Sanitary Food Transportation Act.

ABOVE COMMODITY RECEIVED BY:
PRIOR COMMODITY: B99 Biodiesel

DRIVER'S SIGNATURE: _____ DATE: 08/26/2023

DRIVER'S PRINTED NAME: _____

CARRIER NAME: Test Customer (DOT/MC#): _____

FOR BIODIESEL ONLY
TEMPERATURE AT LOAD: 84.2 F
GROSS GALLONS: 7000
NET GALLONS: 6922
LOT NUMBER:

OTHER COMMERCIAL DATA. AS APPLICABLE STANDARD GRADE: SPECIALTY GRADE: B-99.9 ADDITIVE(S): SEAL NUMBER(S):	GUARANTEED ANALYSIS:
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EXHIBIT 3

MOTOR CARRIER IDENTIFICATION REPORT
(Application for U.S. DOT NUMBER)

U.S. Department of Transportation
Federal Motor Carrier Safety Administration

REASON FOR FILING (Check Only One)
 NEW APPLICATION BIENNIAL UPDATE OR CHANGES OUT OF BUSINESS NOTIFICATION REAPPLICATION (AFTER REVOCATION OF NEW ENTRANT)

1. NAME OF MOTOR CARRIER TRIPLETT INC			2. TRADE OR D.B.A. (DOING BUSINESS AS) NAME			
3. PRINCIPAL ADDRESS 429 N OHIO		4. CITY SALINA	5. STATE/PROVINCE KANSAS	6. ZIP CODE + 4 67401	7. COLONIA (MEXICO ONLY)	
8. MAILING ADDRESS PO BOX 647		9. CITY SALINA	10. STATE/PROVINCE KANSAS	11. ZIP CODE+4 67401	12. COLONIA (MEXICO ONLY)	
13. PRINCIPAL BUSINESS PHONE NUMBER (785) 823-7839		14. PRINCIPAL CONTACT CELL PHONE NUMBER			15. PRINCIPAL BUSINESS FAX NUMBER (785) 823-7792	
16. USDOT NO. 569403	17. MC OR MX NO. MC828637	18. DUN & BRADSTREET NO. 31386980	19. IRS/TAX ID NO. EIN# XXXXXXXXXX SSN#			
20. INTERNET E-MAIL ADDRESS JUDDB@TRIPLETTINC.COM			21. CARRIER MILEAGE (to nearest 10,000 miles for Last Calendar Year) YEAR 743552 2022			

22. COMPANY OPERATION (Mark all that apply)
 A. Interstate Carrier B. Intrastate Hazmat Carrier C. Intrastate Non-Hazmat Carrier D. Interstate Hazmat Shipper E. Intrastate Hazmat Shipper F. Vehicle Registrant Only

23. OPERATION CLASSIFICATION (Circle All that Apply)
 A. Authorized For-Hire D. Private Passengers (Business) G. U. S. Mail J. Local Government
 B. Exempt For-Hire E. Private Passengers (Non-Business) H. Federal Government K. Indian Tribe
 C. Private Property F. Migrant I. State Government L. Other

24. CARGO CLASSIFICATIONS (Circle All that Apply)

A. GENERAL FREIGHT	F. LOGS, POLES, BEAMS, LUMBER	J. FRESH PRODUCE	P. GRAIN, FEED, HAY	V. COMMODITIES DRY BULK	BB. CONSTRUCTION
B. HOUSEHOLD GOODS	G. BUILDING MATERIALS	<input checked="" type="checkbox"/> K. LIQUIDS/GASES	Q. COAL/COKE	W. REFRIGERATED FOOD	CC. WATER WELL
C. METAL; SHEETS; COILS; ROLLS	H. MOBILE HOMES	L. INTERMODAL CONT.	R. MEAT	X. BEVERAGES	DD. OTHER
D. MOTOR VEHICLES	I. MACHINERY, LARGE OBJECTS	M. PASSENGERS	S. GARBAGE, REFUSE, TRASH	Y. PAPER PRODUCTS	
E. DRIVE AWAY/TOWAWAY		N. OIL FIELD EQUIPMENT	T. U.S. MAIL	Z. UTILITY	
		O. LIVESTOCK	U. CHEMICALS	AA. FARM SUPPLIES	

25. HAZARDOUS MATERIALS CARRIED OR SHIPPED (Circle All that Apply) C-CARRIED S-SHIPPED B(BULK) - IN CARGO TANKS NB(NON-BULK) - IN PACKAGE

C S A. DIV 1.1	B NB	C S K. DIV 2.2A (Ammonia)	B NB	C S U. DIV 4.2	B NB	C S EE. HRCQ	B NB
C S B. DIV 1.2	B NB	C S L. DIV 2.3A	B NB	C S V. DIV 4.3	B NB	C S FF. CLASS 8	B NB
C S C. DIV 1.3	B NB	C S M. DIV 2.3B	B NB	C S W. DIV 5.1	B NB	C S GG. CLASS 8A	B NB
C S D. DIV 1.4	B NB	C S N. DIV 2.3C	B NB	C S X. DIV 5.2	B NB	C S HH. CLASS 8B	B NB
C S E. DIV 1.5	B NB	C S O. DIV 2.3D	B NB	C S Y. DIV 6.2	B NB	C S II. CLASS 9	B NB
C S F. DIV 1.6	B NB	<input checked="" type="checkbox"/> C S P. Class 3	<input checked="" type="checkbox"/> B NB	C S Z. DIV 6.1A	B NB	C S JJ. ELEVATED TEMP MAT.	B NB
C S G. DIV 2.1	B NB	C S Q. Class 3A	B NB	C S AA. DIV 6.1B	B NB	C S KK. INFECTIOUS WASTE	B NB
C S H. DIV 2.1 LPG	B NB	C S R. Class 3B	B NB	C S BB. DIV 6.1 Poison	B NB	C S LL. MARINE POLLUTANTS	B NB
C S I. DIV 2.1 (Methane)	B NB	<input checked="" type="checkbox"/> C S S. COM LIQ	<input checked="" type="checkbox"/> B NB	C S CC. DIV 6.1 SOLID	B NB	C S MM. HAZARDOUS SUB(RQ)	B NB
C S J. DIV 2.2	B NB	C S T. DIV 4.1	B NB	C S DD. CLASS 7	B NB	C S NN. HAZARDOUS WASTE	B NB
				C S OO. ORM		C S	B NB

26. NUMBER OF VEHICLES THAT CAN BE OPERATED IN THE U.S.

	Straight Trucks	Truck Tractors	Trailers	Hazmat Cargo Tank Trucks	Hazmat Cargo Tank Trailers	Motor Coach	School Bus		Mini-bus	Van		Limousine			
							Number of vehicles carrying number of passengers (including the driver) below								
							1-8	9-15	16+	16+	1-8	9-15	1-8	9-15	16+
OWNED	2	6	5												
TERM LEASED															
TRIP LEASED															

27. DRIVER INFORMATION

Within 100-Mile Radius	INTERSTATE	INTRASTATE	TOTAL DRIVERS	TOTAL CDL DRIVERS
Beyond 100-Mile Radius	0	10	10	10
	0	0		

28. IS YOUR U.S. DOT NUMBER REGISTRATION CURRENTLY REVOKED BY THE FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION? Yes _____ No X
 If Yes, enter your U.S. DOT Number. _____

29. PLEASE ENTER NAME(S) OF SOLE PROPRIETOR(S), OFFICERS OR PARTNERS AND TITLES (e.g. PRESIDENT, TREASURER, GENERAL PARTNER, LIMITED PARTNER)

1. JUDD BIRCHER, CONTROLLER/TREASURER 2. _____
 (Please print Name) (Please print Name)

30. CERTIFICATION STATEMENT (to be completed by an authorized official)

I, JUDD BIRCHER, certify that I am familiar with the Federal Motor Carrier Safety Regulations and/or Federal Hazardous Materials Regulations. Under penalties of perjury, I declare that the information entered on this report is, to the best of my knowledge and belief, true, correct, and complete.

Signature JUDD BIRCHER Date 10/13/2023 Title CONTROLLER
 (Please print Name) (Please print)

EXHIBIT 4



2023 UCR Registration is VALID!



Confirmation # 000-0419-7870

Registered on: 10/13/2023 09:04 EST

Generated: 11/08/2023 14:17 EST

Year: 2023

Paid:	Date	Bracket	UCR Fee	Conv. Fee	Total
	10/13/2023	Bracket 1 [1 veh.]	\$41.00	\$1.22	\$42.22

Bracket: 0 to 2 vehicles [1 vehicle(s)]

USDOT #: 569403

Classifications: Motor Carrier

Legal Name: TRIPLETT INC

Base State: Kansas

Principal: 429 N OHIO
SALINA, KS 67401
US

Payor: TRIPLETT INC

*** Expires: 12/31/2023 ***

Exhibit 5

Report Compliance - DRIVER CHECK (ANNUAL QUERIES CONDUCTED)

TRIPLETT INC (USDOT# 569403)

Address:429 N OHIO; SALINA, KS 67401; US

As of:10/12/2023 10:42

Report Generated on : 10/12/2023 10:42

Name	Country	CDL	Most Recent Query
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
PATRICIA BUSSART	United States	AR-943903357	Limited
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Disclaimer:**This document contains sensitive information and is for official use only. Improper handling of this information could negatively affect individuals. Handle and secure this information according to Federal Motor Carrier Safety Administration privacy and security guidelines. Properly dispose of this document according to agency policy when this document is no longer needed.**

(TED)

Submitted On	Consent Received	Result
[REDACTED]	[REDACTED]	[REDACTED]
3/21/2023	General Consent Obtained outside Clearinghouse	Driver Not Prohibited
[REDACTED]	[REDACTED]	[REDACTED]

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ral

CERTIFICATE OF SERVICE

24-TRAM-365-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of first class mail and electronic service on 11/16/2023.

Mark Augustine, CEO
Triplett Inc
PO Box 647
Salina, KS 67401
juddb@triplettinc.com

CARLY MASENTHIN, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
c.masenthin@kcc.ks.gov

/S/ KCC Docket Room
KCC Docket Room