

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

In the Matter of the Investigation of)
Shelvy's Luxury Services LLC, of)
Kansas City, Kansas, Regarding the)
Violation of the Motor Carrier Safety)
Statutes, Rules and Regulations and the)
Commission's Authority to Impose)
Penalties, Sanctions and/or the Revocation)
of Motor Carrier Authority.)

Docket No. 22-TRAM-559-OOS

MOTION TO SUSPEND INTRASTATE MOTOR CARRIER AUTHORITY

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its motion requesting the Commission suspend Shelvy's Luxury Services LLC of Kansas City, Kansas (Carrier) from all intrastate commercial motor carrier operations. In support of its Motion, Staff states as follows:

1. Carrier is a motor carrier as defined in 49 C.F.R. 390.5, as adopted by K.A.R. 82-4-3f, in that it operates commercial motor vehicle(s) in intrastate commerce.
2. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 3344984.
3. Special Investigator Matt Adams made numerous attempts to contact Carrier to facilitate a safety compliance review on its operations as a motor carrier.
4. Ahsan Latif, Litigation Counsel, wrote and mailed Carrier a letter on April 4, 2022, informing Carrier that should it continue to resist by failing to respond, the Commission may suspend its motor carrier operations, revoke or amend certificates, and/or initiate sanctions or fines against Carrier. The letter gave Carrier ten (10) days from the date of the letter to respond. A copy of the letter is attached hereto as Attachment "A" and is hereby incorporated by reference.

5. As of June 20, 2022, Special Investigator Matt Adams and Litigation Counsel Ahsan Latif have not heard from Carrier to schedule a follow-up motor carrier safety compliance review.

6. Staff asks that the Commission find Carrier received sufficient notices of the need to schedule a safety compliance review.

7. Staff asks that the Commission find Carrier failed to respond to several attempts to contact.

8. Staff asks the Commission find that Carrier's resistance to respond to Special Investigator Matt Adam's attempts to contact and Litigation Counsel Ahsan Latif's letter poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

9. Based on the presented facts, Staff requests the Commission issue an order suspending Carrier's intrastate motor carrier authority operations until such time as Carrier contacts Special Investigator Matt Adams or Litigation Counsel Ahsan Latif to schedule a follow-up safety compliance review and permits such review, at which time Staff will recommend the Commission issue an order of reinstatement of intrastate motor carrier operations.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Carrier's intrastate motor carrier operations.

Respectfully submitted,

/s/ Ahsan Latif

Ahsan A. Latif, #24709
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Kansas Corporation Commission
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For Commission Staff

ATTACHMENT A

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
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<http://kcc.ks.gov/>

Dwight D. Keen, Chair
Susan K. Duffy, Commissioner
Andrew J. French, Commissioner

Laura Kelly, Governor

April 4, 2022

Shelvy Charles
Manager
Shelvy's Luxury Services LLC
10383 Parkview Ave.
Kansas City, KS 66109

Re: Compliance Investigation

Dear Mr. Charles:

The Kansas Corporation Commission is given full power, authority and jurisdiction to supervise and control motor carriers - as defined in the Kansas statutes - doing business or procuring business in Kansas, and may do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

From time to time, the commission is required to carefully examine and inspect the condition of each motor carrier, its equipment, the manner of its conduct and its management with reference to the public safety and convenience. Further, the Commission has the authority to investigate an entity under the Commission's jurisdiction and order a hearing when the Commission believes the entity is in violation of the law or any order of the Commission.

Deliberate avoidance of a Commission-sponsored safety compliance review is a violation of the above-stated law and authority. Shelvy's Luxury Services LLC is a motor carrier that is subject to the Commission's jurisdiction, and therefore, is required by law to submit to Commission compliance reviews.

Commission Special Investigator (SI) Matt Adams has made several attempts to facilitate a compliance review with you, to no avail. He has attempted contact by email, phone and text beginning March 25, 2022. To date no response has been made to his attempts. This letter therefore serves to notify you that should you continue to resist by failing to contact SI Adams and refusing to submit to a compliance review, **within ten days of the date of this letter** the Commission may suspend your motor carrier operations, revoke or amend certificates, and/ or initiate sanctions or fines against you.

Thank you for your cooperation. If you have any further questions, you may contact SI Matt Adams with the Transportation Division of the Kansas Corporation Commission at (785) 414-0625.

Sincerely,
/s/ Ahsan Latif
Ahsan A. Latif
Litigation Counsel

CERTIFICATE OF SERVICE

22-TRAM-559-OOS

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Suspend was served via First Class US Mail and electronic service this 20th day of June, 2022, to the following:

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

SHELVY CHARLES
SHELVY'S LUXURY SERVICES LLC
10383 PARKVIEW AVENUE
KANSAS CITY, KS 66109
shelvycharles92@gmail.com


Ann Murphy