## 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 Application of SEVEN-SONS
INFUSION FREIGHT BROKERAGE LLC, of LYONS
KS, Seeking Authority for a Certificate of Public Service.

) Connected to database25-TRAM-5035-TRA

# ORDER DISMISSING APPLICATION FOR CERTIFICATE OF PUBLIC SERVICE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, and being fully advised in the premises, the Commission finds the following:

## I. JURISDICTION

- 1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, and amendments thereto, the Commission is given full power, authority and jurisdiction to license, supervise and regulate public and private motor carriers in this state to the full extent not preempted by federal law.
- 2. Pursuant to K.S.A. 66-1,129a, 66-1,130 and 66-1,142b, and amendments thereto, 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.
- 3. Pursuant to K.S.A 66-1,115a and 66-1,119, the Commission has the power and authority to authorize a change in a motor carrier's service.

#### II. STAFF'S FINDING OF FACTS

- 4. Pursuant to K.A.R. 82-4-32, each applicant filing an application for an intrastate common carrier certificate shall provide the Commission with all information required to complete the application within 30 days of the original filing date or the application may be dismissed without further notice.
- 5. SEVEN-SONS INFUSION FREIGHT BROKERAGE LLC submitted an application for a Certificate of Public Service to the Kansas Corporation Commission on 06/27/2024.
- 6. On 07/24/2024, and 08/08/2024, Commission Staff (Staff) forwarded notices of incomplete application status to SEVEN-SONS INFUSION FREIGHT BROKERAGE LLC. SEVEN-SONS INFUSION FREIGHT BROKERAGE LLC has failed to present the following items to the Commission as required to complete the application process:
  - 1. Regulatory Fee Paid
- 7. SEVEN-SONS INFUSION FREIGHT BROKERAGE LLC failed to properly complete the application and, therefore, is unable to demonstrate that it is in compliance with the Commission's regulations and other applicable state laws.

#### III. STAFF'S RECOMMENDATION

8. Due to SEVEN-SONS INFUSION FREIGHT BROKERAGE LLC's failure to provide the requested items resulting in an incomplete application, Staff recommends the Commission dismiss its application for Certificate of Public Service, pursuant to K.A.R. 82-4-32.

#### IV. CONCLUSIONS OF LAW

9. Based upon the available facts, the Commission finds that Staff's request to dismiss the application of SEVEN-SONS INFUSION FREIGHT BROKERAGE LLC for Certificate of Public Service, is reasonable under the circumstances.

## THEREFORE, THE COMMISSION ORDERS:

(A) The application of SEVEN-SONS INFUSION FREIGHT BROKERAGE LLC of LYONS KS, for a Certificate of Public Service is dismissed.

(B) This Order constitutes a summary order, pursuant to K.S.A. 77-537, and is

subject to a party's request for a hearing. <u>A party may request a hearing on the above issues by</u>

serving a written request for hearing on the Commission's Transportation Division at 1500 SW

Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days of the date of service of this

Order. If service is by mail, service is complete upon mailing, but three (3) days shall be added to

the allowed time. If a hearing is not requested, the Order shall become effective upon the expiration

of the time for requesting a hearing. Moreover, upon being served with this Order, a party may

waive its right to a hearing. The Order shall become effective upon such waiver.

(C) A party may file a petition for reconsideration of this Order within fifteen (15)

days from the date of service of this Order. If service is by mail, service is complete upon mailing,

but three (3) days shall be added to the above time frame.<sup>2</sup>

(D) A corporation shall appear before the Commission by a Kansas licensed

attorney.<sup>3</sup>

(E) The Commission retains jurisdiction over the subject matter and the parties for

the purpose of entering such further orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

NOV 26 2024

Dated:

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Lynn M. Ref

Lynn M. Retz

**Executive Director** 

<sup>1</sup> K.S.A. 77-504.

<sup>2</sup> K.S.A. 66-118b; K.S.A. 77-529(a)(1).

<sup>3</sup> K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2).

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