

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

In the Matter of the Investigation of **Red Fox**)
Transportation LLC, of Lenexa, Kansas, Regarding)
the Violation(s) of the Motor Carrier Safety Statutes,)
Rules and Regulations and the Commission's Authority) Docket No. 24-TRAM-189-UCR
to Impose Penalties, Sanctions and/or the Revocation of)
Motor Carrier Authority.)

STAFF'S MOTION TO LIFT SUSPENSION 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 Red Fox Transportation LLC (Carrier). In support of its Motion, Staff states as follows:

1. On August 24, 2023, Commission Staff submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2023. As explained by Staff, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹

2. On August 31, 2023, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for failure to pay its 2023 UCR fees.

3. On November 9, 2023, Commission Staff filed a Motion to Suspend Intrastate Motor Carrier Operations due to the carrier's failure to pay the \$300 civil penalty and the 2023 UCR fees.

4. On November 28, 2023, the Commission issued an Order Suspending Motor Carrier Operations (Suspension Order) of Carrier.

5. The Carrier advised that operations have not started, but the Carrier paid their UCR fees after speaking to staff.

¹ Staff's R&R, p. 1 (Aug. 24, 2023).

6. Staff advised the Carrier that they needed to pay their UCR fees even though they had not started operations yet. Furthermore, Staff reviewed its records and confirmed the Carrier had not been found operating in 2023. Therefore, Staff determined the Penalty Order issued for not paying their 2023 UCR fees should be vacated and Carrier's suspension should be lifted.

7. Therefore, based on the facts stated above, Staff requests the Commission lift the Carrier's suspension and vacate the Penalty Order issued to Carrier on August 31, 2023.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission lift the Carrier's suspension and vacate the Penalty Order issued to Red Fox Transportation LLC in this docket on August 31, 2023.

Respectfully submitted,

/s/ Ahsan Latif

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For Commission Staff

CERTIFICATE OF SERVICE

24-TRAM-189-UCR

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on December 13, 2023.

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