

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

In the Matter of the Investigation of **BMS**)
Transportation Company, Inc. of Platte City,)
Missouri, Pursuant to the Kansas Highway Patrol) Docket No. 15-GIMM-212-KHP
Issuance of a Notice of Violation(s) and Invoice for the)
Violations of the Kansas Motor Carrier Safety Statutes,)
Rules and Regulations.

STAFF'S MOTION FOR CONTINUANCE

Litigation Counsel for Staff of the State Corporation Commission of the State of Kansas (Litigation Counsel, Staff and Commission, respectively) presents the above-captioned matter and motion to the Commission to continue the hearing currently scheduled in the above-referenced docket on January 14, 2015, at 9:30 a.m., and extend the deadlines for filing of direct testimony. In support of its Motion, Staff states as follows:

1. On or about July 7, 2014, the Kansas Highway Patrol (KHP) issued a Notice of Violation assessing fines against BMS Transportation Company, Inc. (Respondent), for violations found during a June 23, 2014, routine motor carrier stop and inspection.
2. On or about November 19, 2014, Respondent submitted a Request for Hearing, which was filed in the above-referenced docket on November 24, 2014.
3. On November 24, 2014, Litigation Counsel for Staff prepared, served on Respondent, and filed with the Commission a Notice of Hearing setting the matter for hearing before the Commission on January 14, 2014, at 9:30 a.m.

4. A KHP witness in this docket recently experienced a significant family tragedy and loss.

5. The continuance requested herein is necessary to allow the KHP witness some recovery time before having to enter testimony for the above-referenced hearing scheduled on January 14, 2015. Respondent does not oppose this request for a continuance.

6. Staff therefore requests that the hearing in this matter be continued until February 16, 2014; that the filing date for the parties' prefiled direct testimony be extended to ten days prior to the newly-scheduled hearing date; and that the rebuttal testimony be presented at the hearing.

WHEREFORE, for the reasons set forth above, Staff respectfully requests that the Commission grant this Motion for Continuance and that the hearing currently scheduled be continued until February 16, 2014.; that the filing date for the parties' prefiled direct testimony be extended to ten days prior to the newly-scheduled hearing date; and that any rebuttal testimony of the parties be presented at the hearing.

Respectfully submitted,




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For Commission Staff

VERIFICATION

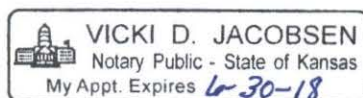
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Michael Duenes, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Staff's Motion for Continuance* and attests that the statements therein are true to the best of his knowledge, information and belief.



Michael J. Duenes, S.Ct. #26431
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 2nd day of December, 2014.





Notary Public

My Appointment Expires: June 30, 2018

CERTIFICATE OF SERVICE

15-GIMM-212-KHP

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing Staff's Motion for Continuance was placed in the United States mail, postage prepaid, or hand-delivered this 3rd day of December, 2014, to the following:

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