THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

Before Commissioners:

Dwight D. Keen, Chair Shari Feist Albrecht Jay Scott Emler

In the Matter of the Investigation of Mid-)	
America Road Builders, Inc. of Platte City,)	
Missouri, Pursuant to the Kansas Highway)	Docket No. 19-GIMM-167-KHP
Patrol Issuance of a Notice of Violation(s) and)	Booker (of 1) Carrier for 1222
Invoice for the Violations of the Kansas Motor)	
Carrier Safety Statutes, Rules and Regulations.)	
•)	

PREHEARING OFFICER ORDER CONTINUING PREHEARING CONFERENCE

This matter comes before the State Corporation Commission of the State of Kansas (Commission). Having reviewed the pleadings and record, the Prehearing Officer makes the following findings:

- 1. On August 29, 2018, the Commission issued a Notice of Violation (Invoice No. H000576294) to Mid-America Road Builders, Inc. (Mid-America), stemming from a Kansas Highway Patrol (KHP) roadside vehicle inspection conducted on August 27, 2018.
- On August 31, 2018, the Commission issued another Notice of Violation (Invoice No. H000576335) to Mid-America,³ stemming from a separate roadside inspection conducted on August 27, 2018.⁴
 - 3. On October 26, 2018, Mid-America requested a hearing.
- 4. On March 7, 2019, the Commission issued an *Order Designating Prehearing Officer* and Setting Prehearing Conference, scheduling a Prehearing Conference for March 26, 2019.⁵

¹ Notice of Violation, p. 1 (Aug. 29, 2018) – filed in the docket on October 26, 2018.

² Driver/Vehicle Examination Report No. KSHP92100967 – filed in the docket on October 26, 2018.

³ Notice of Violation, p. 1 (Aug. 31, 2018) – filed in the docket on October 26, 2018.

⁴ Driver/Vehicle Examination Report No. KSHP92100966 – filed in the docket on October 26, 2018.

⁵ Order Designating Prehearing Officer and Setting Prehearing Conference, Ordering Clause B (Mar. 7, 2019).

On March 21, 2019, the Prehearing Conference was continued until April 9, 2019. 5.

6. On March 25, 2019, Mid-America filed a Motion asking the Commission to allow a

corporate officer to represent Mid-America in hearings before the Commission. However, the

Motion was not received and docketed in time for the Commission to take action on it prior to April

9, 2019. Thus, the Prehearing Officer finds an additional continuance of the Prehearing Conference

is necessary. The Prehearing Conference is continued until Tuesday, April 16, 2019 at 9:00 a.m.

THEREFORE, THE PREHEARING OFFICER ORDERS:

The April 9, 2019 Prehearing Conference is continued until **Tuesday**, April 16, 2019 A.

at 9:00 a.m. The conference call information is: telephone number (866) 620-7236, Conference Code

PIN: 7632914771#.

Any party may file and serve a petition for reconsideration pursuant to the В.

requirements and time limits established by K.S.A. 77-529(a)(1).8

C. The Commission retains jurisdiction over the subject matter and parties for the purpose

of entering such further orders as it deems necessary.

Dated: April 2, 2019

Is/ Michael J. Duenes

Michael J. Duenes

Prehearing Officer

MJD

⁶ Prehearing Officer Order Continuing Prehearing Conference, Ordering Clause A (Mar. 21, 2019).

⁷ Motion to Recognize a Corporate Officer as Legal Representative for the Hearings before the Kansas Corporation

Commission (Mar. 25, 2019).

⁸ K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

2

CERTIFICATE OF SERVICE

19-GIMM-167-KHP

I, the undersigned, certify that the true co	. ,	s been served to the following parties by means of	ΣT	
first class mail and electronic service on	04/02/2019			
MICHAEL DUENES, ASSISTANT GE KANSAS CORPORATION COMMISS 1500 SW ARROWHEAD RD TOPEKA, KS 66604 Fax: 785-271-3354 m.duenes@kcc.ks.gov		AHSAN LATIF, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 Fax: 785-271-3354 a.latif@kcc.ks.gov		
KEN PRATT, PRESIDENT MID-AMERICA ROAD BUILDERS, IN PO BOX 2336 PLATTE CITY, MO 64079	IC.			
/S/ DeeAnn Shupe		Ann Shupe		
		DeeAnn Shupe		