

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

Before Commissioners:                      Dwight D. Keen, Chairman  
    Shari Feist Albrecht  
    Susan K. Duffy

In the Matter of the Emergency Suspension of    )  
Operating Authority of **Casework Solutions,**    )  
**LLC of New Century, Kansas,** for Failure to    )  
Comply with New Entrant Safety    )   Docket No. 20-TRAM-014-OOS  
Requirements as Required by the Motor    )  
Carrier Safety Statutes, Rules and Regulations.    )

**ORDER TO DISMISS REQUEST FOR HEARING**

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission) for consideration and determination. Having examined its files and records and being fully advised on the premises, the Commission finds and concludes as follows:

1.       On June 24, 2019, the Federal Motor Carrier Safety Administration (FMCSA) forwarded a notice of violation(s) of the federal motor carrier safety regulations to Respondent, wherein Respondent was given 10 days to comply with the regulations.

2.       As of July 5, 2019, FMCSA records indicate Respondent had not complied with new entrant requirements. As a result the FMCSA issued Respondent an Order to Revoke “New Entrant” Registration and Cease All Interstate Transportation (Federal Out-of-Service Order).

3.       On July 11, 2019, the Commission issued an Emergency Suspension of Operating Authority Order (State Out-of-Service Order) against Respondent until such time as Respondent takes the necessary steps to resolve the safety matters identified by the FMCSA.

4.       On July 19, 2019, Respondent filed a Request for Hearing with the Commission.

5. On or before July 26, 2019, Counsel for Staff contacted Respondent and discussed the State Out-of-Service Order and advised Respondent that Staff would reinstate Respondent as soon as it had resolved its federal status as detailed in the Federal Out-of-Service Order. Respondent agreed to contact the FMCSA to begin that process in lieu of pursuing a hearing with the Commission.

6. On November 26, 2019, Staff filed a Motion to Dismiss Request for Hearing and Close Docket, requesting the Commission issue an order dismissing Respondent's request for hearing.

7. In Staff's Motion, Counsel for Staff states that there has been no contact with the carrier since July 26, 2019, but that as of November 25, 2019 the carrier remains under the Federal Out-of-Service Order.

8. Casework Solutions, LLC did not respond to Staff's Motion.

9. The Commission has jurisdiction over this proceeding pursuant to K.S.A. 66-1,129 and K.A.R. 82-4-3, *et seq.*

10. The Commission finds that Staff's requests are reasonable and hereby dismisses Respondent's request for hearing.

**IT IS THEREFORE, BY THE COMMISSION ORDERED THAT:**

- A. Staff's Motion to Dismiss Request for Hearing is granted.
- B. Respondent's Request for Hearing is hereby dismissed.
- C. Any party may file and serve a petition for reconsideration pursuant to the requirements and time limits established by K.S.A. 77-529(a)(1).<sup>1</sup>
- D. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

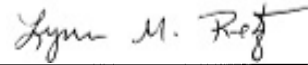
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<sup>1</sup> K.S.A. 66-118b; K.S.A. 77-503(c); K.S.A. 77-531(b).

**BY THE COMMISSION IT IS SO ORDERED.**

Keen, Chairman; Albrecht, Commissioner; Duffy, Commissioner

Dated: 12/17/2019



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Lynn M. Retz  
Executive Director

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## **CERTIFICATE OF SERVICE**

20-TRAM-014-OOS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of  
first class mail/hand delivered on 12/18/2019.

RANDY DALE FREY, MANAGING MEMBER  
CASEWORK SOLUTIONS, LLC  
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/S/ DeeAnn Shupe  
DeeAnn Shupe