

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

In the Matter of the Investigation of **Lloyd W.)
Modlin, d/b/a Western Sales Co, of Bunker Hill,)
Kansas,** Regarding the Violation of the Motor)
Carrier Safety Statutes, Rules and Regulations and) Docket No. 12-TRAM-679-PEN
the Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor Carrier)
Authority.)

MOTION TO REINSTATE INTRASTATE MOTOR CARRIER OPERATIONS

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), by and through its counsel, files its motion requesting the Commission reinstate the Kansas motor carrier operations of Lloyd W. Modlin, d/b/a Western Sales Co of Bunker Hill, Kansas (Respondent). In support of its Motion, Staff states as follows:

1. Respondent is a motor carrier as defined in K.A.R. 82-4-1, that operates commercial motor vehicle(s) in intrastate commerce.
2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 658052.
3. On November 25, 2014, the Commission issued an Order suspending Respondent's intrastate motor carrier operations other than such motor carrier operations excepted from the Commission's regulation under K.S.A. 2018 Supp. 66-1,129, due to non-compliance with a Penalty Order issued in this docket on March 23, 2012. The Penalty Order also assessed Respondent a \$6,000 civil fine.
4. Recently, as part of an internal review, Transportation Staff created a list of all motor carriers that the Kansas Corporation Commission has put out-of-service for failure to pay


the civil penalty issued to them via a Commission Order. That list was reviewed by legal staff and it was determined that Respondent had paid his civil fine of \$6,000 on January 2, 2015.

5. Therefore, Staff asks the Commission to find that Respondent has complied with the requirements of the above-referenced Penalty Order.

6. Staff also asks the Commission to reinstate Respondent's Kansas motor carrier operations.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order reinstating Respondent's Kansas motor carrier operations.

Respectfully submitted,



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For Commission Staff

VERIFICATION

12-TRAM-679-PEN

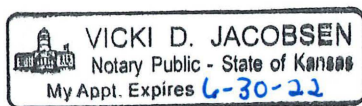
STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

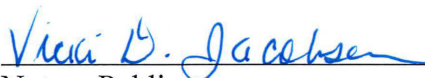
Ahsan A. Latif, of lawful age, being duly sworn upon his oath deposes and states that he is Litigation Counsel for the State Corporation Commission of the State of Kansas; that he has read and is familiar with the foregoing *Motion to Reinstate Intrastate Motor Carrier Operations*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.



Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 22nd day of August, 2019.





Notary Public

My Appointment Expires: June 30, 2022

CERTIFICATE OF SERVICE

12-TRAM-679-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Reinstate Motor Carrier Operations was placed in the United States mail, postage prepaid, or hand-delivered this 22nd day of August, 2019, to the following:

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