



1500 SW Arrowhead Road
Topeka, KS 66604-4027

Shari Feist Albrecht, Chair
Jay Scott Emler, Commissioner
Pat Apple, Commissioner

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State Corporation Commission
of Kansas

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Sam Brownback, Governor

June 2, 2015

**VIA CERTIFIED MAIL – RECEIPT NO. 7009 2820 0000 5905 7123
RETURN RECEIPT REQUESTED**

Rick Norland, Managing Member
Construction Solutions, L.L.C.
24564 Lackman Rd
Paola, Kansas 66071

RE: In the Matter of the Investigation of Construction Solutions, L.L.C.
Docket No. 15-TRAM-484-PEN

NOTICE OF HEARING

On or about May 5, 2015, the State Corporation Commission of the State of Kansas (Commission) issued a Penalty Order against Construction Solutions, L.L.C. (Respondent) for violations of the Kansas Motor Carrier Safety Statutes, Rules and Regulations, and on May 19, 2015, Respondent timely filed a Request for Hearing.

Pursuant to K.S.A. 2014 Supp. 77-511, the above referenced matter has been set for hearing. The hearing will be held on July 22, 2015, at 9:00 a.m., or as soon thereafter as scheduling permits, in the First Floor Hearing Room at the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas, 66604.

The hearing will be formal in nature and will involve both the rules of civil procedure and the rules of evidence. Please note that for civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney, unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties of \$500 or less, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2014 Supp. 66-1,142b(e) and amendments thereto.

Pursuant to K.A.R. 82-1-229(c), parties will prefile direct testimony ten (10) days prior to the scheduled hearing date. The Commission has authorized the use of electronic filing and service in lieu of the traditional physical filing and service of documents. If electronic filing and service is not utilized, one original and seven copies of the prefiled testimony must be filed with the Acting Secretary of the Commission, 1500 SW Arrowhead Road, Topeka, Kansas 66604. Rebuttal testimony may be presented at the hearing.


Nothing in the Kansas Administrative Procedure Act shall preclude the Commission's Transportation Staff (Staff) and Respondent from reaching an informal settlement, subject to formal Commission approval. *See* K.S.A. 77-505. Thus, Staff and its counsel will contact Respondent and/or Respondent's counsel to schedule an informal telephone conference prior to the hearing in order to clarify the issues and explore provisional settlement possibilities.

If any party(s) fails to appear and participate in this hearing, the Commission may proceed to hear evidence against the party(s) and enter such order as shall be justified by the evidence. Failure to participate may result in default judgment against the Respondent pursuant to K.S.A. 2014 Supp. 77-520. Further, at any point in the proceedings, a proceeding may be converted into another type of agency proceeding pursuant to K.S.A. 77-506.

Any person requiring special accommodations under the Americans With Disabilities Act needs to give notice to the Commission at least ten (10) days prior to the scheduled hearing date.

The Commission will preside over this hearing. The attorney designated to appear on behalf of the agency is Michael Duenes, telephone number 785-271-3181, 1500 SW Arrowhead Road, Topeka, Kansas 66604.

If applicable, any and all prehearing orders issued in this matter are attached in accordance with K.S.A. 2014 Supp. 77-518(b).

By: 
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