

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

Before Commissioners: Andrew J. French, Chairperson
 Dwight D. Keen
 Annie Kuether

In the Matter of the Emergency Suspension of)
Operating Authority of **All Tech Excavating Inc of**)
Kansas City, Kansas, for Failure to Comply with) Docket No. 25-TRAM-350-OOS
New Entrant Safety Requirements as Required by)
the Motor Carrier Safety Statutes, Rules and)
Regulations.)

ORDER REINSTATING MOTOR CARRIER OPERATING AUTHORITY

The above-captioned matter comes on for consideration and determination by the State Corporation Commission of the State of Kansas (“Commission”) for consideration and determination upon its own motion. Having examined its files and records, the Commission, finds and concludes:

I. Legal Standards

1. Pursuant to K.S.A. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, and amendments thereto, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.A.R. 82-4-3f, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority, and jurisdiction.

2. Pursuant to K.S.A. 66-1,129a, 66-1,130, and 66-1,142b, and amendments thereto, the Commission may suspend operations, revoke, or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in

regard to the regulation of such motor carriers and persons, or who fails to obey any order, decision, or regulation of the Commission.

3. Pursuant to K.S.A. 66-1,129(a)(7), the Commission has adopted motor carrier transportation regulations (K.A.R. 82-4-3f) consistent with the federal motor carrier safety assistance program and other federal requirements concerning transportation of hazardous waste.

II. Analysis

4. All Tech Excavating Inc is a motor carrier as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f that operates commercial motor vehicle(s) in both intrastate and interstate commerce in a manner that requires authority.

5. All Tech Excavating Inc is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 4132115.

6. The Commission received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration that All Tech Excavating Inc's New Entrant Registration had been revoked effective March 12, 2025, for failure to comply with safety requirements.

7. Pursuant to the above authority, on March 18, 2025, the Commission entered an Emergency Suspension of Operating Authority Order on All Tech Excavating Inc in the above-referenced docket, until such time that Staff recommended reinstatement.

8. On May 20, 2025, the Staff of the Transportation Division of the Kansas Corporation Commission (Staff) received notice from the U.S. Department of Transportation, Federal Motor Carrier Safety Administration, that All Tech Excavating Inc has submitted evidence of compliance with safety requirements as required in 49 C.F.R. 385.329. As a result, the carrier's

reapplication for New Entrant registration under USDOT No. 4132115 has been approved and the carrier's authority to operate in interstate operations has been reinstated. See attached FMCSA reinstatement documentation, a copy of which is attached hereto as Attachment "A" and is hereby incorporated by reference.

9. Carrier further submitted evidence of attendance at a Kansas Corporation Commission-sponsored safety seminar. A representative of Carrier attended on August 28, 2025. See attached KTRAN screenshot, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference.

10. The Commission finds it has jurisdiction over All Tech Excavating Inc because it is a motor carrier as defined in 49 C.F.R. 390.5 as adopted by K.A.R. 82-4-3f.

11. The Commission finds that by attending a Commission-sponsored safety seminar, All Tech Excavating Inc has met the requirements of the March 18, 2025, Emergency Suspension of Operating Authority Order.

12. Based on the Federal Motor Carrier Safety Administration's reinstatement, the Commission concludes it should reinstate All Tech Excavating Inc's motor carrier operations in Kansas.

THE COMMISSION THEREFORE ORDERS THAT:

A. All Tech Excavating Inc's intrastate motor carrier operations in Kansas are hereby reinstated. This Order does not confer any certificate, permit or license that is necessary to carry on the business of a private and/or public motor carrier in Kansas, but instead simply removes the carrier's designation as suspended.

BY THE COMMISSION IT IS SO ORDERED.

French, Chairperson; Keen, Commissioner; Kuether, Commissioner

Dated: 09/16/2025



Celeste Chaney-Tucker
Executive Director

AAL/km

ATTACHMENT “A”



U.S. Department of
Transportation
**Federal Motor
Carrier Safety
Administration**

ATILIO LOPEZ
COMPANY OFFICIAL
ALL TECH EXCAVATING INC
7907 ELLA AVE
KANSAS CITY, KS 66112

1200 New Jersey Ave., S.E.
Washington, DC 20590
May 20, 2025

In reply refer to:
USDOT Number: 4132115

According to Federal Motor Carrier Safety Administration's (FMCSA) records, thirty days have elapsed since ALL TECH EXCAVATING INC's USDOT New Entrant registration was revoked on March 12, 2025, based on a failed safety audit conducted on December 19, 2024. Our records also indicate that ALL TECH EXCAVATING INC has reapplied in accordance with 49 CFR section 385.329. ALL TECH EXCAVATING INC's reapplication for USDOT New Entrant registration has been approved.

ALL TECH EXCAVATING INC's 18-month new entrant safety monitoring period restarts as of May 20, 2025. FMCSA will continue to monitor and evaluate ALL TECH EXCAVATING INC's safety management practices and on-road performance to ensure ALL TECH EXCAVATING INC has basic safety management controls that are operating effectively and is complying with Federal requirements including the Federal Motor Carrier Safety Regulations (FMCSRs) and applicable Federal Hazardous Materials Regulations (HMRs). Failure to comply with applicable requirements may result in the revocation of ALL TECH EXCAVATING INC's USDOT New Entrant or permanent registration.

Sincerely,

A handwritten signature in black ink that reads "David J. Yessen".

David J. Yessen, Chief, Compliance Division

ATTACHMENT “B”

On 03/18/2025 an **EMERGENCY SUSPENSION OF OPERATING AUTHORITY ORDER** (25-TRAM-350-OOS) was issued for failure to comply with New Entrant Safety Requirements as required b

Carrier Operation: INTERSTATE
USDOT: 4132115
MCMIS Status: A

Tax Type/ID: / *****7
KTRAN PIN: XXXXXXXXXX

▼ Company Information

Legal Name: ALL TECH EXCAVATING INC
DBA Name:
Phone: (913) 375-3220 Cell:
Fax:
Email: ALLTECHEXCAVATING@GMAIL.COM
Bus. Type: No Data BEIN:
[Edit](#)

► Address

Insurance Authority Cargo **Safety Seminar**

[Add](#)

| Date | Attendee | Location |
|------------|--------------|----------|
| 08/28/2025 | Atilio Lopez | Other |

CERTIFICATE OF SERVICE

25-TRAM-350-OOS

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of electronic service on 09/16/2025.

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
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TOPEKA, KS 66604
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Kansas City, KS 66112
alltechexcavating@gmail.com

/S/ KCC Docket Room
KCC Docket Room