



4. In the Penalty Order at ordering clause B., it is stated, “Further Brian J. Nisly, d/b/a Nisly Construction must submit to one follow-up safety compliance review within the next 18 months.”

5. Special Investigator Verna Jackson has made numerous attempts to contact Carrier to facilitate a follow-up off-site safety compliance review on its operations as a motor carrier.

6. Ahsan Latif, Litigation Counsel, wrote and mailed Carrier a letter on August 28, 2020, informing Carrier that should it continue to resist by failing to respond, the Commission may suspend its motor carrier operations, revoke or amend certificates, and/or initiate sanctions or fines against Carrier. The letter gave Carrier ten (10) days from the date of the letter to respond.

7. As of February 24, 2021, Special Investigator Verna Jackson and Litigation Counsel Ahsan Latif have not heard from Carrier to schedule a follow-up motor carrier safety compliance review.

8. Staff asks that the Commission find Carrier received sufficient notices of the need to schedule a follow-up safety compliance review.

9. Staff asks that the Commission find Carrier failed to respond to several attempts to contact.

10. Staff asks the Commission find that Carrier’s resistance to respond to Special Investigator Verna Jackson’s attempts to contact and Litigation Counsel Ahsan Latif’s letter poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

11. Based on the presented facts, Staff requests the Commission issue an order suspending Carrier’s intrastate motor carrier authority operations until such time as Carrier

contacts Special Investigator Verna Jackson or Litigation Counsel Ahsan Latif to schedule a follow-up safety compliance review, at which time Staff will recommend the Commission issue an order of reinstatement of intrastate motor carrier operations.

**WHEREFORE**, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Carrier's intrastate motor carrier operations.

Respectfully submitted,

*/s/ Ahsan A. Latif*

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For Commission Staff

**CERTIFICATE OF SERVICE**

20-TRAM-009-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Suspend Intrastate Motor Carrier Operations was served electronically this 24th day of February, 2021, to the following:

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/s/ Vicki Jacobsen  
Vicki Jacobsen

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