

1500 SW Arrowhead Road
Topeka, KS 66604-4027



Phone: 785-271-3100
Fax: 785-271-3354
<http://kcc.ks.gov/>

Mark Sievers, Chairman
Thomas E. Wright, Commissioner
Shari Feist Albrecht, Commissioner

Sam Brownback, Governor

NOTICE OF PENALTY ASSESSMENT

June 12, 2013

13-TRAM-698-PEN

Michael Van Aken, Truck Manager
KC Granite & Cabinetry, LLC
10045 Lackman Rd.
Lenexa, Kansas 66219

This is a notice of a penalty assessment for violation of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on April 22, 2013, by Kansas Corporation Commission Special Investigator Larry Baumchen. For a full description of the penalty and process please refer to the Order that is attached to this notice.

IF YOU ACCEPT THE PENALTY:

You have been assessed a \$3,000 penalty. You have thirty (30) days from service of this Penalty Order to pay the fine amount. Check or money order must be made payable to the Kansas Corporation Commission. Payment is to be mailed to the Fiscal Section of the Kansas Corporation Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and must include a reference to the docket number of this proceeding. Credit card payment may be made by calling the Fiscal Office at 785-271-3274.

You must attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of dates and locations for the safety seminar can be found at the Commission's website http://www.kcc.state.ks.us/trans/safety_meetings.htm.

You must submit to one follow-up safety compliance review within the next 12 months. Staff will contact you at a later date to determine an appropriate time for this review.

IF YOU CONTEST THE PENALTY:

You have the right to request a hearing. A Request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Respondent must submit an original and seven (7) copies of the request to the Commission's Executive Director at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date stamped on the last page of the Penalty Order. K.A.R. 82-1-215.

IF YOU FAIL TO ACT:

Failure to pay the fine amount within thirty (30) days of service of the Penalty Order, or in the alternative, provide a written request for a hearing within fifteen (15) days from service of the Penalty Order will result in the attached Order becoming a Final Order and may result in the additional sanction of suspension and/or revocation of your motor carrier operations.

Sincerely,

Amber Smith
Litigation Counsel
(785) 271-3301

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

Before Commissioners: Mark Sievers, Chairman
 Thomas E. Wright
 Shari Feist Albrecht

In the Matter of the Investigation of **KC Granite**)
& Cabinetry, LLC, of Lenexa, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. *13-TRAM-698-PEN*
Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor)
Carrier Authority.)

PENALTY ORDER

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). The Commission, having been briefed on the issue by the Director of the Commission's Transportation Division, finds and concludes as follows:

I. JURISDICTION

1. Pursuant to K.S.A. 2012 Supp. 66-1,108b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.S.A. 2012 Supp. 66-1,108, 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. 2012 Supp. 66-1,129a, 66-1,130 and 66-1,142b, 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. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and order a hearing on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

II. BACKGROUND

4. KC Granite & Cabinetry, LLC (KC Granite & Cabinetry) operates under USDOT number 2365081.

5. KC Granite & Cabinetry is a private motor carrier.

6. KC Granite & Cabinetry primarily hauls countertops and cabinets.

III. STAFF'S STATEMENT OF FACTS

7. Pursuant to the jurisdiction and authority cited above, on April 22, 2013, Commission Staff (Staff) Special Investigator Larry Baumchen conducted a compliance review of the operations of KC Granite & Cabinetry. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, Mr. Baumchen identified six (6) violations of the Motor Carrier Safety Regulations.

- a. On or about September 26, 2012, KC Granite & Cabinetry required or permitted its driver, Tin Y. Tai, to operate a commercial motor vehicle, a 2006 Ford, VIN [REDACTED], on an intrastate trip from Lenexa, Kansas, to Wichita, Kansas. This trip is evidenced by the Driver/Vehicle Examination Report contained herein as Attachment "B." At the time of this transportation, KC Granite & Cabinetry required or permitted its driver to operate a commercial motor vehicle without the

proper Commission authority. The carrier's commercial operation of motor vehicles prior to obtaining and maintaining proper Commission authority is a violation of K.S.A. 2012 Supp. 66-1,111 and 49 C.F.R. 392.2, as adopted by K.A.R. 82-4-3h and authorized by K.S.A. 2012 Supp. 66-1,129. Staff recommends a fine of \$500.

- b. On or about March 20, 2013, KC Granite & Cabinetry required or permitted its driver, Armando Borunda-Andrade, to operate a commercial motor vehicle, a 2002 Ford, VIN [REDACTED] on an intrastate trip from Lenexa, Kansas, to Olathe, Kansas. This trip is evidenced by the Driver/Vehicle Examination Report contained herein as Attachment "C." At the time of this transportation, KC Granite & Cabinetry failed to maintain a driver qualification file for Mr. Borunda-Andrade. KC Granite & Cabinetry's failure to maintain a driver qualification file is a violation of 49 C.F.R. 391.51(a), as adopted by K.A.R. 82-4-3g, and as authorized by K.S.A. 2012 Supp. 66-1,129. The Special Investigator noted two violations of this type. Staff recommends a fine of \$800.
- c. At the time of the transportation described in paragraph "b" above, KC Granite & Cabinetry failed to require its driver to make a record of duty status for March 20, 2013. KC Granite & Cabinetry's failure to require its drivers to record records of duty status for each 24-hour period, or in the alternative to maintain and retain time records described in 49 C.F.R. 395.1(e) under the short haul exemption, using the method described in 49 C.F.R. 395.8(a) and to submit the original record to the motor carrier

within 13 days of creation is a violation of 49 C.F.R. 395.8(a) as adopted by K.A.R. 82-4-3a and authorized by K.S.A. 2012 Supp. 66-1,129. Staff recommends a fine in the amount of \$500.

- d. At the time of the transportation described in paragraph “b” above, KC Granite & Cabinetry failed to maintain minimum records of inspection and vehicle maintenance for the 2002 Ford. KC Granite & Cabinetry’s failure to maintain the required vehicle inspection records and vehicle maintenance records for 30 days is in violation of 49 C.F.R. 396.3(b), as adopted by K.A.R. 82-4-3j and as authorized by K.S.A. 2012 Supp. 66-1,129. Staff recommends a fine of \$500.
- e. At the time of the transportation described in paragraph “b” above, KC Granite & Cabinetry required or permitted its driver to operate a commercial motor vehicle without first completing a driver vehicle inspection report (DVIR). KC Granite & Cabinetry’s failure to require each of its drivers to prepare a DVIR in writing, at the completion of each day’s work, on each vehicle operated and to submit copies of the reports to the motor carrier for action and record retention is a violation of 49 C.F.R. 396.11(a), as adopted by K.A.R. 82-4-3j, and as authorized by K.S.A. 2012 Supp. 66-1,129. Staff recommends a fine of \$200.
- f. At the time of the transportation described in paragraph “b” above, KC Granite & Cabinetry failed obtain and document a successful periodic (annual) inspection on the commercial motor vehicle during the preceding 12-month period. This violation is evidenced by the absence of a periodic

(annual) inspection report in the maintenance file of the vehicle at the time of the compliance review. KC Granite & Cabinetry's failure to conduct periodic (annual) inspections on commercial motor vehicles is a violation of 49 C.F.R. 396.17(a), as adopted by K.A.R. 82-4-3j, and as authorized by K.S.A. 2012 Supp. 66-1,129. Staff recommends a fine of \$500.

IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission find KC Granite & Cabinetry committed six (6) violations of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSR), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$3,000 for six (6) violations of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that KC Granite & Cabinetry be required to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with written proof of attendance. A schedule of the dates and locations for the safety seminar can be found on the Commission's website at http://kcc.ks.gov/trans/safety_meetings.htm.

11. Finally, Staff recommends that KC Granite & Cabinetry submit to one follow-up safety compliance review within the next twelve (12) months. Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over KC Granite & Cabinetry because it is a motor carrier as defined in K.S.A. 2012 Supp. 66-1,108.

13. The Commission finds KC Granite & Cabinetry committed six (6) violations of Kansas law that govern motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSR), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

THE COMMISSION THEREFORE ORDERS THAT:

A. KC Granite & Cabinetry, LLC, of Lenexa, Kansas is hereby assessed a \$3,000 civil penalty for six (6) violations of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. KC Granite & Cabinetry is hereby ordered to attend a Commission-sponsored safety seminar within the next ninety (90) days and is to provide Staff with written proof of attendance. Further, KC Granite & Cabinetry is ordered to submit to one follow-up safety compliance review within the next twelve (12) months.

C. Pursuant to K.S.A. 2012 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issues by submitting a written request, setting forth the specific grounds upon which relief is sought, to the Commission's Executive Director, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604 within fifteen (15) days from the date of service of this Order. If service is by certified mail, service is complete upon the date delivered shown on the Domestic Return Receipt. Hearings will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of KC Granite & Cabinetry's right to a hearing, and this Penalty Order will become a Final Order assessing a \$3,000 civil penalty against KC Granite & Cabinetry, and ordering KC Granite & Cabinetry to attend a Commission-sponsored safety seminar within the next ninety (90) days and provide Staff with

written proof of attendance, and to submit to a safety compliance review within twelve (12) months from the date of service of this Order.

D. Attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. A corporation shall not be permitted to enter an appearance, except by its attorney.

E. If you do not request a hearing, the payment of the civil penalty is due in thirty (30) days from date of service of this Order. Checks and Money Orders shall be payable to the Kansas Corporation Commission. For credit card payments, include type of card (Visa, MasterCard, Discover, or American Express), account number and expiration date. Payments shall be mailed to the Fiscal Section of the Kansas Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, Kansas 66604. *The payment shall include a reference to the docket number of this proceeding.*


F. Failure to pay the \$3,000 civil penalty within thirty (30) days of the service of this Penalty Order, and/or failure to comply with the provisions of this Order, may result in revocation of KC Granite & Cabinetry's motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of out-of-service and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

G. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further order or orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Sievers, Chmn; Wright, Com.; Albrecht, Com.

Dated: JUN 12 2013


ORDER MAILED JUN 12 2013
Patrice Petersen-Klein
Executive Director

AS

ATTACHMENT “A”

KANSAS CORPORATION COMMISSION


 US DOT #
2365081

 Legal: KC GRANITE & CABINETRY LLC
Operating (DBA):

MC/MX #:

Federal Tax ID [REDACTED] (EIN)

Review Type: Compliance Review (CR)

Scope: Principal Office

Location of Review/Audit: Company facility in the U. S.

Territory:

Operation Types Interstate Intrastate

Carrier: ~~Non-HM~~ N/A Non-HM

Shipper: N/A N/A

Cargo Tank: N/A

Business: Corporation

Gross Revenue: [REDACTED] for year ending: 12/31/2012

Company Physical Address:

 [REDACTED]
[REDACTED]

Contact Name:

Phone numbers: [REDACTED] (2)

Fax

E-Mail Address: [REDACTED]

Company Mailing Address:

 10045 LACKMAN RD
LENEXA, KS 66219

Carrier Classification

Private Property

Cargo Classification

Other: COUNTER TOPS CABINET

Does carrier transport placardable quantities of HM? No

Is an HM Permit required? N/A

Driver Information

	Inter	Intra
< 100 Miles:	2	
>= 100 Miles:		

Average trip leased drivers/month: 0

Total Drivers: 2

CDL Drivers:

Equipment

	Owned	Term Leased	Trip Leased	Owned	Term Leased	Trip Leased
Truck	2	0	0			

Power units used in the U.S.:2

Percentage of time used in the U.S.:100





KC GRANITE & CABINETRY LLC
U.S. DOT #: 2365081

Review Date:
04/22/2013

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

1500 S.W. ARROWHEAD ROAD
TOPEKA, KANSAS 66604-4027

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: MICHAEL VAN AKEN

Title: TRUCK MANAGER

Name:

Title:





KC GRANITE & CABINETRY LLC
U.S. DOT #: 2365081

Review Date:
04/22/2013

Part B Violations

1 FEDERAL	Primary: 367.30 Secondary: 367.30	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked
Description Failing to register for U.C.R. Example No registration for any past year..				
2 STATE CRITICAL	Primary: 391.51(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation Checked 2 2
Description Failing to maintain driver qualification file on each driver employed. Example Trip date is 03-20-13....Driver is Armando Borunda-Andrade..Vehicle is a 2002 Ford..Kansas registration [REDACTED]				
3 STATE	Primary: 392.2 CFR Equivalent: 392.2	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked
Description Operating a motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated. Example Driver is Tin Y. Tai..trip date is 09-26-12..trip from Lenexa, Ks. to Wichita, Ks..operate as private carrier without first obtaining the required PRI-D authority in violation of K.S.A. 66-1,112(g)...				
4 STATE	Primary: 395.8(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked 1 1
Description Failing to require driver to make a record of duty status. Example Trip date is 03-20-13..Driver is Armando Borunda-Andrade...				
5 STATE CRITICAL	Primary: 396.3(b)	Discovered 2	Checked 2	Drivers/Vehicles In Violation Checked 2 2
Description Failing to keep minimum records of inspection and vehicle maintenance. Example Trip date is 03-20-13..Vehicle License number is KS registration [REDACTED]...				
6 STATE	Primary: 396.11(a)	Discovered 1	Checked 1	Drivers/Vehicles In Violation Checked 1 1
Description Failing to require driver to prepare driver vehicle inspection report. Example Trip date is 03-20-13..Vehicle license number is KS registration [REDACTED]..				





KC GRANITE & CABINETRY LLC
U.S. DOT #: 2365081

Review Date:
04/22/2013

Part B Violations

7 STATE CRITICAL	Primary: 396.17(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
Description Using a commercial motor vehicle not periodically inspected. Example Trip date is 03-20-13..Vehicle ID is KS registration [REDACTED]					
Safety Fitness Rating Information: Total Miles Operated 4,000 Recordable Accidents 0 Recordable Accidents/Million Miles 0.00			OOS Vehicle (CR): 0 Number of Vehicle Inspected (CR): 0 OOS Vehicle (MCMIS): 0 Number of Vehicles Inspected (MCMIS): 0		
Your proposed safety rating is : CONDITIONAL NON RATED			Rating Factors		
			Acute		
			Critical		
			Factor 1: S 0 0		
			Factor 2: C 0 1		
			Factor 3: S 0 0		
			Factor 4: U 0 2		
Factor 5: N 0 0					
Factor 6: S - -					

This rating will become the final rating 60 days from the date indicated on a forthcoming official notice from the Federal Motor Carrier Safety Administration headquarters in Washington, D.C.

However, if this rating improves a previous Unsatisfactory rating, it will become effective on the date of the official notice from the FMCSA headquarters.

Corrective actions must be taken for the violations (deficiencies) listed on Part B of this review. Title 49 CFR Sections 385.15 and 385.17 provide for administrative review and a change to a safety rating based on corrective actions, respectively. A request for a change to a safety rating under section 385.17 may be made at any time. A motor carrier may request, in writing, a change in the rating by providing evidence of corrective actions to the Field Administrator for the FMCSA Service Center in which the carrier maintains its principal place of business. (See 49 CFR 385.17 for additional details). A request for administrative review under section 385.15 must be made within 90 days of the date of the proposed safety rating issued under section 385.11(c) or a final safety rating issued under section 385.11(b), or within 90 days after denial of a request for a change in rating under section 385.17.





KC GRANITE & CABINETRY LLC
U.S. DOT #: 2365081

Review Date:
04/22/2013

Part B Requirements and/or Recommendations

1. Carrier is required to obtain authority as a Private Carrier if operating outside of a 25 mile radius of its base.
2. Carrier is required to have current registration in the U.C.R. system for interstate operations.
3. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process. Send a complete Driver Qualification file for drivers Tin Y. Tai and Armando Borunda-Andrade within fifteen days to:

Max Strathman, Division Administrator
Kansas Division, Federal Motor Carrier Safety Administration
1303 SW First American Place, Ste. 200
Topeka, KS 66604

Gary Davenport, Asst Transportation Director
Kansas Corporation Commission
1500 S.W. Arrowhead Road
Topeka, Kansas 66604
4. Place a copy of the driver's MVR in the driver qualification file. The record needs to be on file within thirty days of the hire date.
5. Require drivers to complete the Certificate of Violations once each twelve months after being hired.
6. Obtain a copy of each drivers driving record and review it on an annual basis to ensure that driver is still qualified and licensed to drive.
7. Be sure to conduct the required road test or place a copy of the drivers CDL in the drivers qualification file before allowing a driver to driver a commercial motor vehicle.
8. Drivers may not driver in intra or inter state commerce until they have received a medical exam and certificate
9. Employment Application must contain information about accident history and previous DOT regulated employment for the past three years.
10. Drivers who utilize the 100/150 air mile exemption must have time records that list the following: Start time--End Time--Total hours worked each day--all other terms of the exemption must be met.
11. Establish and adhere to a program that identifies the dates of nature of inspection/maintenance and repair procedures for each commercial motor vehicle in your fleet.
12. Establish a complete file for each vehicle. Record all inspection, maintenance and repair operations performed. Records for each vehicle should be kept in its own folder and include the following identifiers for each vehicle on the file: company number, make, serial (VIN) number, year and tire size. Send a complete maintenance file for the 2002 Ford and the 2004 Ford within fifteen days to:

Max Strathman, Division Administrator
Kansas Division, Federal Motor Carrier Safety Administration
1303 SW First American Place, Ste. 200
Topeka, KS 66604

Gary Davenport, Asst Transportation Director





KC GRANITE & CABINETRY LLC
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Part B Requirements and/or Recommendations

Kansas Corporation Commission
1500 S.W. Arrowhead Road
Topeka, Kansas 66604

13. Ensure all vehicles that are owned or leased undergo an annual DOT inspection as required. Send proof that all commercial motor vehicles have been inspected to the following within fifteen days:

Max Strathman, Division Administrator
Kansas Division, Federal Motor Carrier Safety Administration
1303 SW First American Place, Ste. 200
Topeka, KS 66604

Gary Davenport, Asst Transportation Director
Kansas Corporation Commission
1500 S.W. Arrowhead Road
Topeka, Kansas 66604

14. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported.

You are required to send completed copies of driver vehicle inspection reports to:

Max Strathman, Division Administrator
Kansas Division, Federal Motor Carrier Safety Administration
1303 SW First American Place, Ste. 200
Topeka, KS 66604

Gary Davenport, Asst Transportation Director
Kansas Corporation Commission
1500 S.W. Arrowhead Road
Topeka, Kansas 66604

These reports should be sent for the 2002 Ford and the 2004 Ford and sent within 15 days..

15. The violations listed in Part B of this report are considered serious in nature. These violations of the regulations could result in penalties against your company and/or your drivers.
16. Within the next fifteen days, send a letter to the Transportation Director, Kansas Corporation Commission listing the steps that have been taken to correct the violations listed in Part B of this review.
The mailing address is: 1500 S.W. Arrowhead Road, Topeka, Kansas 66604-4027. Please include the DOT# for your carrier on this correspondence.
17. FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012.
The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents.
Motor carrier's currently have the ability to preview how the improvements impact their individual safety data in SMS. These improvements include: (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately



**Part B Requirements and/or Recommendations**

identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site.

The data preview may be found at <http://csa.fmcsa.dot.gov/>. During the data preview period, the Agency requests comments on the impacts of the changes.

18. For all Investigations:

- **Understand Why Compliance Saves Time and Money:** Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

- **Document and Follow Through on Action Plans:** Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

- **NOTICE:** A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation. Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

- **NOTICE:** 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers. The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information:
<http://www.psp.fmcsa.dot.gov/Pages/default.aspx>

- All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities.

For all Investigations that could result in a Penalty Order:

- **PLEASE NOTE:** The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Penalty Order. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the K.C.C. during this review may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified.

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15





KC GRANITE & CABINETRY LLC
U.S. DOT #: 2365081

Review Date:
04/22/2013

Part B Requirements and/or Recommendations

evaluating its accident factor (Factor 6) on the CR report. If so, the motor carrier must submit the compelling evidence within seven calendar days if the proposed rating is Unsatisfactory and 10 calendar days if the proposed rating is Conditional to:

Max Strathman--Division Administrator
Federal Motor Carrier Safety Administration-Kansas Division
1303 First American Place Suite 200
Topeka KS 66604

Compelling evidence must be limited to official police accident reports and official insurance accident investigation reports.

For all Investigations resulting in a proposed conditional or unsatisfactory rating:

385.15

If you believe the proposed rating is in error and there are factual and procedural issues in dispute, Part 385.15 (copy provided-carrier initials for receipt *MLV*) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

Chief Safety Officer
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE,
Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided-carrier initials for receipt *MLV*) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

Darin G. Jones--Field Administrator
Midwestern Service Center--Federal Motor Carrier Safety Administration
4749 Lincoln Mall Drive, Suite 300A
Matteson, IL 60443

Ensure that a CC copy of the letter is mailed to:

Max Strathman--Division Administrator
Federal Motor Carrier Safety Administration-Kansas Division
1303 First American Place Suite 200
Topeka KS 66604

This letter should be submitted as soon as possible. If you have a proposed Unsatisfactory or Conditional Rating the letter must be submitted prior to the effective date of your Unsatisfactory or Conditional Rating.

For all Investigations resulting in a proposed unsatisfactory rating:

- Passenger & Placardable HM Carriers: This review will result in a Proposed Safety Rating. The findings indicate you are currently operating at an unsatisfactory level of safety compliance. A written notice of proposed unsatisfactory rating will be sent to you by the FMCSA via U.S. Mail. If you fail to obtain an improved rating within 45 days of the date that notice is sent, the unsatisfactory rating will become final and you must cease interstate operations.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and





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hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

- All Other Motor Carriers: This review will result in a Proposed Safety Rating. The findings indicate you are currently operating at an unsatisfactory level of safety compliance. A written notice of proposed unsatisfactory rating will be sent to you by the FMCSA via U.S. Mail. If you fail to obtain an improved rating within 60 days of the date that notice is sent, the unsatisfactory rating will become final and you must cease interstate operations.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

19. I acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of [motor carrier's] operating authority and/or the impoundment of [motor carrier's] vehicles.

mlv





KC GRANITE & CABINETRY LLC

U.S. DOT #: 2365081

Review Date:

04/22/2013

Part B Requirements and/or Recommendations

(copy provided-carrier initials for receipt) outlines procedures for petitioning the Federal Motor Carrier Safety Administration for an administrative review of these findings. Your petition should be addressed to:

Chief Safety Officer
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE,
Washington, DC 20590

385.17

In addition, a request for a revised rating based on corrective actions may be made at any time. Part 385.17 (copy provided-carrier initials for receipt) outlines the procedures for such a request. The request must be made in writing, must describe the corrective action taken and must include other documentation that may be relied upon as a basis for the requested change. Address your written request to:

Darin G. Jones--Field Administrator
Midwestern Service Center--Federal Motor Carrier Safety Administration
4749 Lincoln Mall Drive, Suite 300A
Matteson, IL 60443

Ensure that a CC copy of the letter is mailed to:

Max Strathman--Division Administrator
Federal Motor Carrier Safety Administration-Kansas Division
1303 First American Place Suite 200
Topeka KS 66604

This letter should be submitted as soon as possible. If you have a proposed Unsatisfactory or Conditional Rating the letter must be submitted prior to the effective date of your Unsatisfactory or Conditional Rating.

Information on your compliance status, roadside inspections, regulatory changes, accident countermeasures and hazardous material incident prevention manual is available on the Internet at the Federal Motor Carrier Safety Administration's web site at <http://www.fmcsa.dot.gov/> and <http://www.safer.fmcsa.dot.gov/>.

19. VEHICLE MAINTENANCE BASIC - INSPECTION-REPAIR-MAINTENANCE PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: No compliance with this BASIC

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a system of preventive maintenance for compliant, safe, and efficient fleet operations, including a schedule for periodic maintenance, inspection, and recordkeeping. This system should be attuned to manufacturer recommendations, the carrier's own experience, and regulatory requirements.
- Develop a procedure ensuring that vehicle defects that impact safety and/or safety compliance are reported, repaired, and certified before the vehicle is operated.
- Develop procedures to ensure that management is notified of vehicle defects through the use of Driver Vehicle Inspection Records (DVIRs) and other communication channels, such as driver call-in and e-mail from mechanics.
- Develop a policy ensuring that drivers are qualified to complete thorough and timely Driver Vehicle Inspection Records (DVIRs) by the end of the day of the trip and prior to a subsequent assignment.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop policies and procedures requiring drivers to immediately notify appropriate management of any



**Part B Requirements and/or Recommendations**

roadside vehicle Out-of-Service (OOS) order.

- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows vehicle maintenance violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

20. DRIVER FITNESS BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: No compliance with this BASIC

BASIC SPECIFIC RECOMMENDED REMEDIES

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy for the periodic review (at least twice per year) of driver qualification files. The motor carrier should not rely on third-party sources, such as insurance agencies. The procedure should include controls to ensure that documents requiring renewals are in place, to remind drivers of expiration dates on medical certificates, so they can schedule another physical examination in advance, and to prevent falsification of documents related to driver qualification.
- Establish a policy requiring drivers to submit copies of all vehicle and roadside inspections and moving violations to carrier management within 24 hours, and to notify management of suspended or revoked Commercial Driver's Licenses (CDLs) immediately following notification of suspension/revocation.
- Establish a policy requiring all new (since 2003) Commercial Driver's License (CDL) drivers to submit documentation of entry-level driver training in - for example, driver qualification requirements, Hours of Service (HOS), driver wellness, and whistleblower protection - or to take entry-level training provided by the carrier.
- Develop a policy for document retention and recordkeeping, including documents that are to be in the possession of the driver as proof of credentials.
- Develop a process to ensure that operations will always have the proper amount of fit drivers. This process would address how to deal with issues such as sick leave, vacation, training, suspension, and termination.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Driver Fitness Violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry

21. HOS COMPLIANCE BASIC PROCESS BREAKDOWN: Policies and Procedures

DESCRIPTION OF PROCESS BREAKDOWN: No compliance with this BASIC

BASIC SPECIFIC RECOMMENDED REMEDIES

**Part B Requirements and/or Recommendations**

Implement Safety Improvement Practices: The following are recommended practices related to Policies and Procedures.

- Develop a policy and procedure describing how management will monitor and track logs for falsification.
- Establish a policy that prohibits dispatchers from assigning a load to drivers without hours available to complete the load on time.
- Develop a policy stating that drivers should not violate their Hours-of-Service (HOS) Out-of-Service (OOS) order under any circumstances, and immediately contact the carrier when a driver is placed OOS.
- Develop a policy requiring drivers to report their available hours to dispatch during "check-in" calls.
- Develop policies and procedures for ensuring proper retention of Record of Duty Status (RODS) according to regulations.
- Establish a policy requiring drivers to submit copies of all roadside inspections to carrier management within 24 hours.
- Develop a policy stating that drivers are required to submit all Records of Duty Status (RODS) and supporting documentation, such as expense receipts, within 13 days of the end of the trip.
- Establish a policy stating that drivers are required to check with their supervisor, manager, or dispatcher to review their "fit-for-duty" status before starting a job, and that drivers who are ill to the extent that their ability and/or alertness is impaired are prohibited from working on safety-sensitive assignments.
- Develop a written and progressive disciplinary policy focused on taking corrective action to ensure drivers comply with regulations and policies. A progressive disciplinary policy could include, among other things, written warnings, suspensions, or work restrictions, monetary penalties, and termination. This policy should also specify consequences for any carrier official who knowingly and willfully allows Hours-of-Service (HOS) violations.

Seek Out Resources:

- You are encouraged to review your company's record at the following website: <http://ai.fmcsa.dot.gov/SMS>. You will need to use your PIN Number that has been provided by the FMCSA.
- Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

22. I acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of KC Granite & Cabinetry LLC operating authority and/or the impoundment of KC Granite & Cabinetry LLC vehicles.



ATTACHMENT “B”

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSISTANCE
700 SW Jackson, Ste 704
Topeka, KS 66603
Phone #: (785)296-7189 Fax #: (785)296-2858
truckinspection@khp.ks.gov

Report Number: KSCUMT000970
Inspection Date: 9/26/2012 Certification Date:
Time Started: 06:58 Time Ended: 07:46
Inspection Level: I - Full Inspection
HM Inspection Type: No HM Inspection

KC GRANITE & CABINETRY, LLC
10045 LACKMAN ROAD
LENEXA, KS 66219
USDOT #: Phone #:
MC/MX #: Fax #:
State #: S00000012174

Driver: TAI, TINY
License #: State: NJ
Date of Birth:

Location: FRANKLIN COUNTY - 059 MilePost: 182
Highway: I-35 SB Origin: LENEXA, KS Bill of Lading:
County: FRANKLIN Destination: WICHITA, KS Cargo: CABINETS
Shipper: CARRIER

VEHICLE IDENTIFICATION:

Unit	Type	Make	Year	State	License #	Equipment ID	Unit VIN	GVWR	CVSA #	CVSA Issued #	OOS Str.#
1	TR	FORD	2006	KS				11,500			

BRAKE ADJUSTMENTS:

Axis #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS:

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violation Description
391.15A-SIN	391.15(a)	D	Y	4249053	N	N	Driving a CMV while disqualified, Suspended for safety-related or unknown reason and in the state of drivers license issuance.
392.2	392.2	D	N		N	N	Local Laws (general): Driver not in possession of DL at time of stop... (KSA 8-244)
391.41A	391.41(a)	D	N		N	N	No medical certificate on drivers possession
385.301A	385.301(a)	1	N		N	N	Failing to register with FMCSA to obtain a USDOT number, GO TO www.fmcsa.dot.org to register
395.17C	395.17(c)	1	N		N	N	Operating a CMV without periodic inspection, No annual inspection on truck
392.2AU	392.2	1	N		N	N	State Operating Authority violation; Has nothing showing they have proper KCC Authority to operate

* N - Non-OOS or Driver OOS Violation

HazMat: No HM Transported. Placard: NA Cargo Tank:

Special Checks: ☐ Alcohol/Controlled Substance Check ☐ Traffic Enforcement ☐ Post Crash Inspection
☐ Conducted by Local Jurisdiction ☐ PASA Conducted Inspection ☐ PEBT Inspection
☐ Size and Weight Enforcement ☐ Drug Interdiction Search Arrests:

Inspection Notes: Vehicle observed sb and saw it had no DOT # on it. Vehicle was marked up with decals and advertisements... Truck GVWR was 11,500 and they were hauling cabinets to Wichita from Lenexa, KS. PRIVATE CARRIER—Hauling merchandise. Driver and passenger had very little English skills, so it was very hard to communicate about purpose of trip. Driver advised he forgot his DL at home, so I obtained Name and DOB. DL Check out of NJ, showed driver to have an expired DL as of 2006. Driver was placed OOS for this. Again, language barrier kept me from getting very vital info as to whether company had DOT# or what not... I did a search in CVIEW and ASPENASS, and found nothing by company name.

Special Study Fields:

Special Study1	Special Study6
Special Study2	Special Study7
Special Study3	Special Study8
Special Study4	Special Study9
Special Study5	Special Study10

Report Prepared By: T.W. Jones Badge #: 0432 Copy Received By: TAI, TINY Page 1 of 2

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KSCUMT000970

DRIVER/VEHICLE EXAMINATION REPORT

Kansas Highway Patrol
 MOTOR CARRIER SAFETY ASSISTANCE
 700 SW Jackson, Ste 704
 Topeka, KS 66603
 Phone #: (785)296-7189 Fax #: (785)296-2858
 truckinspection@khp.ks.gov

Report Number: KSDUMT000970
 Inspection Date: 9/25/2012 Certification Date:
 Time Started: 08:59 Time Ended: 07:46
 Inspection Level: I - Full Inspection
 HM Inspection Type: No HM Inspection

KC GRANITE & CABINETRY, LLC
 10045 LACKMAN ROAD
 LENEXA, KS 66219
 USDOT #: Phone #:
 MC/MX #: Fax #:
 State #: S00000012174

Driver: TAI, TIN Y
 License #: [REDACTED] State: NJ
 Date of Birth: [REDACTED]

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129, K.C.C. Reg. 82-4-3, I hereby declare TIN Y. TAI "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: Has Valid Driver's License. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____

"**" DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. "**/" "CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.

Signature of Carrier Official: X Date: _____

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.

Signature of Repairer: X Facility: _____ Date: _____

Report Prepared By:
 T.W. Jones

Badge #
 0432

Copy Received By
 TAI, TIN Y

Page 2 of 2

X _____

X _____

KSDUMT000970

ATTACHMENT “C”

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.2.3

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSIST.
700 SW Jackson, Ste 704, Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858
truckinspection@khp.ks.gov

Report Number: KS00QI000244
Inspection Date: 03/20/2013
Start: 11:00 AMCT End: 12:10 PM CT
Inspection Level: I - Full
HM Inspection Type: None

KC GRANITE & CABINETRY LLC
10045 LACKMAN RD
LENEXA, KS 66219
USDOT#: 02365081
MC/MX#:
State#:

Phone#:
Fax#:

Driver: BORUNDA-ANDRADE, ARMANDO -
License#: NONE State: MX
Date of Birth:
CoDriver:
License#: State:
Date of Birth:

Location: JOHNSON COUNTY - 091
Highway: I-35
County:

MilePost: 217
Origin: LENEXA, KS
Destination: OLATHE, KS

Shipper:
Bill of Lading:
Cargo: HOUSEHOLD GOODS

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	New CVSA #	OOS#
1	TR	FORD	2002	KS				12000			

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
391.41A	391.41A	D	N	E000156608	N	N	No medical certificate in driver's possession
391.11B5-DNL	391.11B5-DNL	D	Y	E000156607	N	N	Driver does not have a valid operator's license for the CMV being operated.
392.2-SLLS2	392.2-SLLS2	D	N	E000156606	N	N	State/Local Laws - Speeding 6-10 miles per hour over the speed limit. 75 in a 65 zone
392.2FC	392.2FC	D	N		N	N	Following too close
393.81	393.81	1	N		N	N	Horn inoperative
387.303B4	387.303B4	D	N		N	N	No copy of certificate of registration - LATEST COPY EXPIRED 05-31-2012
392.2P	392.2P	D	Y		N	N	Fail to provide proof of insurance 40-3104
396.17C	396.17C	1	N		N	N	Operating a CMV without periodic inspection

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: Traffic Enforcement;

* Pursuant to the authority contained in Title 49, CFR; K.S.A. 66-1,129; K.C.C. Reg. 82-4-3, I hereby declare ARMANDO BORUNDA-ANDRADE "OUT OF SERVICE". No person and/or carrier shall permit and/or require this driver to operate any commercial vehicle until: Has Valid Driver's License. This Out of Service condition may result in the assessment of a Civil Penalty being issued against the Carrier indicated on this report. Driver Initials _____

* NOTE TO MECHANIC: The undersigned certifies that all mechanical defects listed on this report HAVE BEEN CORRECTED at the time of signature.

Signature Of Repairer X:

Facility:

Date:

"I" DRIVER: THIS FORM IS REQUIRED TO BE RETURNED TO THE CARRIER BY REGULATION. "*/" must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.

*CARRIER CERTIFICATION: All defects on this sheet must be corrected or acknowledged PRIOR TO RE-DISPATCH and then certified by a responsible carrier official who must sign below. RETURN THIS FORM WITHIN 15 DAYS to the Motor Carrier Division of the KANSAS HIGHWAY PATROL at the address listed at the top of this form.

Signature Of Motor Carrier X:

Title:

Date:

Report Prepared By:
R.G. Armitage

Badge #:
0113

Copy Received By:
ARMANDO BORUNDA-ANDRADE

Page 1 of 2



02365081 KS KS00QI000244

X

X

DRIVER/VEHICLE EXAMINATION REPORT

Query Central 3.2.3

Kansas Highway Patrol
MOTOR CARRIER SAFETY ASSIST.
700 SW Jackson, Ste 704, Topeka, KS 66603
Phone: (785)296-7189 Fax: (785)296-2858
truckinspection@khp.ks.gov

Report Number: KS00QI000244
Inspection Date: 03/20/2013
Start: 11:00 AM CT End: 12:10 PM CT
Inspection Level: I - Full
HM Inspection Type: None

KC GRANITE & CABINETRY LLC
10045 LACKMAN RD
LENEXA, KS 66219
USDOT#: 02365081
MC/MX#:
State#:

Phone#:
Fax#:

Driver: BORUNDA-ANDRADE, ARMANDO -
License#: NONE State: MX
Date of Birth:
CoDriver:
License#: State:
Date of Birth:

Inspection Notes

Truck was stopped for speeding 75/65 and following too closely. Driver stated that his DL was suspended and gave a Mitricula Consular ID card. NO record KDOR. Driver was cited and placed OOS.

Special Studies No Special Study Data Recorded

Report Prepared By:
R.G. Armitage

Badge #:
0113

Copy Received By:
ARMANDO BORUNDA-ANDRADE

Page 2 of 2



02365081 KS KS00QI000244

X _____ X _____

PLEASE FORWARD THE ATTACHED DOCUMENT (S) ISSUED IN THE ABOVE-REFERENCED DOCKET
TO THE FOLLOWING:

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
AMBER SMITH, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
MICHAEL VAN AKEN, TRUCK MANAGER KC GRANITE & CABINETRY, LLC 10045 LACKMAN RD LENEXA, KS 66219		

ORDER MAILED **JUN 12 2013**

The Docket Room hereby certified that on this _____ day of _____, 20_____, it caused a true and correct copy of the attached ORDER to be deposited in the United States Mail, postage prepaid, and addressed to the above persons.