

1. Respondent is a motor carrier as defined in K.S.A. 2013 Supp. 66-1,108, that operates commercial motor vehicle(s) in intrastate commerce in a manner that requires authority.
2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 658052.
3. On March 23, 2012, Respondent was issued a penalty assessment for violations of the Kansas Motor Carrier Safety Statutes, Rules and Regulations discovered during a compliance review conducted on February 17, 2012, by Kansas Corporation Commission Special Investigator Carrie Padgett.
4. The Penalty Order was mailed to Respondent on March 26, 2012. Commission records show no indication that the mailing was returned. Thus, service of this Penalty Order is presumed.

5. As of November 14, 2014, Commission records indicate Respondent has not complied with requirements of the Penalty Order in that Respondent had thirty (30) days from service to pay the fine amount of \$6,000, and fiscal records indicate the fine is in collections with an unpaid balance of \$5,400.

6. Staff asks that the Commission find Respondent received sufficient notice of the Penalty Order, and requisite opportunity to pay the penalty assessment.

7. Staff asks that the Commission find Respondent has failed to act upon the Commission's Order.

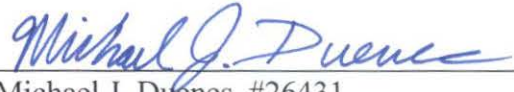
8. Staff asks the Commission find that Respondent's failure to comply with the requirements of the Penalty Order poses a potential immediate threat to the safety and welfare of the public of the state of Kansas.

9. Based on the presented facts, Staff requests the Commission issue a Suspension of Operating Authority Order until such time as Respondent pays the penalty amount of \$5,400, and brings its motor carrier operation into compliance with motor carrier safety statutes, rules and regulations, at which time Staff will recommend the Commission enter an order of reinstatement of motor carrier operating authority.

10. Furthermore, Staff requests the Commission order Respondent to attend a Commission-sponsored safety seminar within the next ninety (90) days, and to provide Staff with written proof of attendance.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order suspending Respondent's operating authority and ordering Respondent to attend a Commission-sponsored safety seminar within the next ninety (90) days, and to provide Staff with written proof of attendance.

Respectfully submitted,




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For Commission Staff

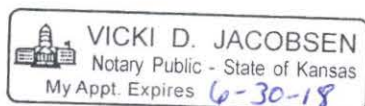
VERIFICATION

STATE OF KANSAS)
) ss.
COUNTY OF SHAWNEE)

Michael J. Duenes, 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 Suspend Motor Carrier Operating Authority*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.


Michael J. Duenes, S.Ct. #26431
Litigation Counsel
The State Corporation Commission
of the State of Kansas

SUBSCRIBED AND SWORN to before me this 14th day of November, 2014.




Notary Public

My appointment expires: June 30, 2018

CERTIFICATE OF SERVICE

12-TRAM-679-PEN

I, the undersigned, hereby certify that a true and correct copy of the above and foregoing docket was placed in the United States mail, postage prepaid, or hand-delivered this 14th day of November, 2014, to the following:

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