

3. Pursuant to K.S.A. 66-1,105, “[e]very order and decision of the commission on matters covered by this act shall become operative and effective within 30 days after service, and

the motor carrier shall carry the provisions of the order into effect, unless the order is enjoined or set aside by a court of proper jurisdiction.”

4. Carrier is a motor carrier as defined in 49 C.F.R. Part 390.5, as adopted by K.A.R. 82-4-3f, that operates commercial motor vehicle(s) in interstate commerce.

5. Carrier is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT number 3386429.

6. Pursuant to K.S.A. 66-1,139a and K.A.R. 82-4-30a, motor carriers operating interstate commerce must pay Unified Carrier Registration (UCR) fees annually.

7. On July 29, 2025, the Commission issued Carrier a Penalty Order that assessed a civil penalty of \$300 for failure to pay the Unified Commercial Registration (UCR) fees for 2025 by January 1, 2025, as required by 49 C.F.R. 367.40 and adopted by K.A.R. 82-4-30a, in this docket.¹ The Commission’s Penalty Order is incorporated herein by reference and made a part of this Order.

8. Carrier’s USDOT Profile was updated on September 16, 2024, by the filing of an MCS-150 form that lists its current physical and mailing address, phone number and email address. A copy of Carrier’s MCS-150 form was attached to the Commission’s Penalty Order and is hereby incorporated by reference.

9. The Carrier was served with the Penalty Order via certified mail, return receipt requested, on August 2, 2025. A Proof of Service was filed in this docket on September 9, 2025. The Carrier had 30 days from the date served to pay the civil penalty of \$300.

¹See Penalty Order (Jul. 29, 2025).

10. Carrier was sent a collection letter to the mailing address listed on its MCS-150 form on September 3, 2025, reminding it of the amount due and giving it 10 days from the date of the collection letter to pay. A copy of the collection letter is attached hereto.

11. As of October 6, 2025 Commission records indicate that Carrier has not complied with the collection letter or the requirements of the Penalty Order.

12. Staff requests the Commission find that Carrier was properly served and received sufficient notice of the requirement to comply with the Penalty Order issued July 29, 2025, including written notice by the collection letter sent September 3, 2025.

13. Based on the presented facts herein, Staff requests the Commission issue an order suspending Carrier's intrastate motor carrier operations until such time as Carrier as well as its 2025 UCR fees, at which time Staff will recommend the Commission enter 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.

Respectfully submitted,

/s/ Ahsan A. Latif

Ahsan A. Latif, #24709
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Andrew J. French, Chairperson
Dwight D. Keen, Commissioner
Annie Kuether, Commissioner

Laura Kelly, Governor

September 3, 2025

Smoke N Seoul LLC
119 E Colleen Dr
Gardner, KS 66030

Re: Docket No. 25-TRAM-497-UCR
In the Matter of the Investigation of **Smoke N Seoul LLC of Gardner, Kansas**, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.

On July 29, 2025, a Penalty Order was issued against Smoke N Seoul LLC for violations of motor carrier safety statutes, rules and regulations. The order required two things to be completed: first it assessed it a civil penalty of \$300 and second it ordered you to remit payment of your outstanding 2024 and 2025 UCR fees.

To date, this civil penalty has not been paid and/or the 2024 and 2025 UCR fees remain unpaid. According to our records, evidence has not been provided to the Commission to avoid sending this matter to a collection agency and/or submission to the Kansas state setoff program for the garnishment of any tax refund that might be due you. Please remit payment of \$300, through your personal account in the Kansas Corporation Commission's KTRAN application located at <https://puc.kcc.ks.gov/ktran/>. If you have not received a letter from the Transportation Division assigning you a PIN, please contact that Division at 785-271-3145. You must have an account through KTRAN to pay the penalty owed.

In addition to payment of the penalty, the Commission order required payment of outstanding UCR fees for 2024 and 2025. As soon as possible, remit payment of UCR fees for 2024 and 2025 through the UCR payment portal available at <https://www.ucr.gov/>.

Payment of both the penalty and the unpaid UCR fees must be made within the next 10 days.

This letter further serves as notice that operation of a commercial motor vehicle in violation of a Commission Penalty Order may subject your company to additional civil penalties and sanctions, including the issuance and enforcement of out-of-service orders and possible impoundments.

Thank you for your prompt attention to this matter. If you have any questions or concerns, please feel free to call the Transportation Director Mike Hoeme at the Kansas Corporation Commission at 785-271-3333 or at mike.hoeme@ks.gov.

Respectfully,

/s/ Ahsan A. Latif

Ahsan A. Latif
Litigation Counsel
ahsan.latif@ks.gov

CERTIFICATE OF SERVICE

25-TRAM-497-UCR

I, the undersigned, certify that a true copy of the attached Motion has been served to the following by means of electronic service on October 6, 2025.

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
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GREGORY STEPHEN STEARS, OWNER
SMOKE N SEOUL LLC
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greg@smokenseoul.com

/S/ Kiley McManaman

Kiley McManaman