THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Investigation of Cauthemoc S.)	
Ortiz, d/b/a Ortiz Trucking, of Garden City,)	
Kansas, Regarding the Violation of the Motor)	
Carrier Safety Statutes, Rules and Regulations and)	Docket No. 13-TRAM-034-PEN
the Commission's Authority to Impose Penalties,)	
Sanctions and/or the Revocation of Motor Carrier)	
Authority.)	

MOTION TO REINSTATE INTRASTATE MOTOR CARRIER OPERATIONS

The Staff of the State Corporation Commission of the State of Kansas (Staff and Commission, respectively), by and through its counsel, files its motion requesting the Commission reinstate the Kansas motor carrier operations of Cauthemoc S. Ortiz, d/b/a Ortiz Trucking of Garden City, Kansas (Respondent). In support of its Motion, Staff states as follows:

- 1. Respondent is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108, that operates commercial motor vehicle(s) in intrastate commerce.
- 2. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2112768.
- 3. April 6, 2017, the Commission issued an Order suspending Respondent's intrastate motor carrier operations other than such motor carrier operations expected from the Commission's regulation under K.S.A. 2016 Supp. 66-1,129, due to non-compliance with a Penalty Order issued in this docket on July 30, 2012. The Penalty Order also assessed Respondent a \$3,000 civil fine.
- 4. On May 16, 2017, Respondent submitted a signed Stipulated Settlement Agreement, agreeing to pay the \$3,000 civil fine in installments as set out in the Joint Motion for

Approval of Stipulated Settlement Agreement filed on May 16, 2017. The Respondent further submitted the first required payment.

- 5. Therefore, Staff asks the Commission to find that Respondent has now complied with the requirements of the above-referenced Penalty Order.
- 6. Staff also asks the Commission to reinstate Respondent's Kansas motor carrier operations.
- 7. Furthermore, Staff asks the Commission to order Respondent to attend a Commission-sponsored safety seminar within ninety (90) days, pursuant to paragraph (B) of the Penalty Order, and to provide Transportation Staff with written proof of attendance.

WHEREFORE, for the reasons stated above, Staff respectfully requests that the Commission issue an order reinstating Respondent's Kansas motor carrier operations and ordering Respondent to attend a Commission-sponsored safety seminar within ninety (90) days, pursuant to paragraph (B) of the Penalty Order and provide Transportation Staff with written proof of attendance.

Respectfully submitted,

Ahsan A. Latif, #24709

Litigation Counsel

Kansas Corporation Commission

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For Commission Staff

VERIFICATION

13-TRAM-034-PEN

STATE OF KANSAS)
) ss
COUNTY OF SHAWNEE)

Ahsan A. Latif, 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 Reinstate Intrastate Motor Carrier Operations*, and attests that the statements therein are true and correct to the best of his knowledge, information and belief.

Ahsan A. Latif, S. Ct. #-24709

Litigation Counsel

The State Corporation Commission

of the State of Kansas

SUBSCRIBED AND SWORN to before me this 16th day of May, 2017.

VICKI D. JACOBSEN

Notary Public - State of Kansas

My Appt. Expires 4-30-18

Vici D. Jacohn
Notary Public

My Appointment Expires: June 30, 2018

CERTIFICATE OF SERVICE

13-TRAM-034-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing Motion to Reinstate Intrastate Motor Carrier Operations was served via electronic service this 16th day of May, 2017, to the following:

CUAHTHEMOC S. ORTIZ, OWNER CUAHTHEMOC S. ORTIZ D/B/A Ortiz Trucking 934 AMY ST GARDEN CITY, KS 67846 patriots_patriots@yahoo.com AHSAN LATIF, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 Fax: 785-271-3354 a.latif@kcc.ks.gov

Vicki Jacobsen