

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

In the Matter of the Investigation of **Hotshot by**)
Firefighters LLC of Wichita, Kansas, Pursuant to)
the Kansas Highway Patrol Issuance of a Notice of) Docket No. 19-GIMM-406-KHP
Violation(s) and Invoice for the Violations of the)
Kansas Motor Carrier Safety Statutes, Rules and)
Regulations.)

STAFF'S MOTION TO SET PREHEARING CONFERENCE

The Staff of the State Corporation Commission of the State of Kansas (“Staff” and “Commission,” respectively), by and through its counsel, Ahsan A. Latif, hereby files its Motion for Prehearing Conference. In Support, Staff states as follows:

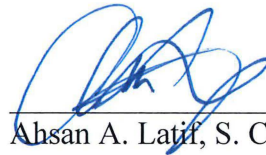
1. On March 8, 2019, the Kansas Highway Patrol issued a Notice of Violation(s) against Hotshot by Firefighters LLC (Respondent), for alleged violations found during a March 7, 2019, routine motor carrier stop and inspection, Driver/Vehicle Inspection Report No. KSHP01001354, conducted by the Kansas Highway Patrol (KHP). Respondent was assessed \$650 in civil fines, comprised of the following violations: a \$100.00 fine for Tire-flat and/or audible air leak, citing 393.75A3 and a \$500.00 fine for False report of drivers record of duty status, citing 395.8E.
2. On March 14, 2019, Respondent initiated a formal challenge with the KHP.
3. On March 25, 2019, the Kansas Highway Patrol denied Respondent’s challenge and advised Respondent of its right to an administrative hearing before the Commission.
4. In a letter postmarked April 1, 2019, Respondent requested a hearing before the Commission.

5. Staff and Respondent have communicated several times with regard to Respondent's Request for Hearing, but have been unable to move forward. Staff requests this docket be referred to the Office of General Counsel for a pre-hearing conference.

6. Staff requests a Prehearing Conference be scheduled in this docket for the purpose of determining if Respondent still wishes to pursue a hearing disputing the alleged violations.

WHEREFORE, Staff respectfully requests the Prehearing Officer set a date for a prehearing conference on Respondent's Request for Hearing.

Respectfully submitted,



Ahsan A. Latif, S. Ct. #24709
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Attorney for Commission Staff

STATE OF KANSAS)
) ss.
COUNTY OF Shawnee)

VERIFICATION

Ahsan A. Latif, being of lawful age, being duly sworn upon his oath deposes and says 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 *Staff's Motion to Set Prehearing Conference* and attests that the statements contained therein are true and correct to the best of his knowledge, information and belief.



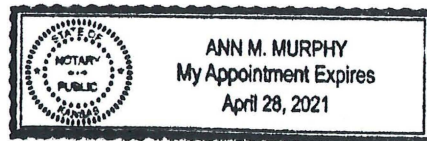
Ahsan A. Latif, S. Ct. # 24709
Litigation Counsel
The State Corporation Commission
of the State of Kansas

Subscribed and sworn to before me this 17th day of July, 2019.



Notary Public

My Appointment Expires: 4-28-21



CERTIFICATE OF SERVICE

19-GIMM-406-KHP

I, the undersigned, certify that a true and correct copy of the above and foregoing Staff's Motion to Set Prehearing Conference was served via electronic service this 17th day of July, 2019, to the following:

MARK D. GARCIA, MANAGING MEMBER
HOTSHOT BY FIREFIGHTERS LLC
5619 SULLIVAN RD
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captainamerica@cox.net

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Ann Murphy
