

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

Before Commissioners: Shari Feist Albrecht, Chair
 Jay Scott Emler
 Pat Apple

In the Matter of the Investigation of BMS)
Transportation Company, Inc. of Platte City,)
Missouri, Pursuant to the Kansas Highway)
Patrol Issuance of a Notice of Violation for)
Violation(s) of the Kansas Motor Carrier) Docket No. 15-GIMM-212-KHP
Safety Statutes, Rules and Regulations and)
the Commission's Authority to Impose)
Penalties, Sanctions and/or the Revocation)
of Motor Carrier Authority.)

ORDER GRANTING CONTINUANCE

This matter comes before the Kansas Corporation Commission (Commission) for consideration and determination. Having reviewed the pleadings and record, the Commission finds and concludes as follows:

1. On or about July 7, 2014, the Kansas Highway Patrol (KHP) issued a Notice of Violation assessing fines against BMS Transportation Company, Inc. (BMS), for violations found during a June 23, 2014, routine motor carrier stop and inspection.
2. On or about November 19, 2014, BMS submitted a Request for Hearing.
3. On November 24, 2014, Commission Staff (Staff) filed a Notice of Hearing setting the matter for hearing before the Commission on January 14, 2015, at 9:30 a.m.
4. On December 2, 2014, Staff requested rescheduling the hearing to occur February 16, 2015,¹ because a KHP witness in this docket recently experienced a significant family tragedy and loss. Staff also requested extending the filing date for the parties' prefiled direct

¹ The Commission is not available February 16, 2015.

testimony to ten days prior to the newly-scheduled hearing date, and allowing rebuttal testimony to be presented at the hearing. BMS does not oppose this request for a continuance.


THEREFORE, THE COMMISSION ORDERS:

- A. The hearing is rescheduled for February 11, 2015 at 10:00 a.m.
- B. The filing date for the parties' prefiled direct testimony is extended to January 30, 2015, and the rebuttal testimony may be presented at the hearing.
- C. The parties have fifteen days, plus three days if service of this order is by mail, from the date this Order was served to petition for reconsideration.²
- D. The Commission retains jurisdiction over BMS Transportation Company, Inc. of Platte City, Missouri, and the subject matter of this Docket for the purpose of issuing such additional orders as it may deem necessary.

BY THE COMMISSION IT IS SO ORDERED.

Albrecht, Chair; Emler, Commissioner; Apple, Commissioner.

Dated: DEC 11 2014


ORDER MAILED DEC 12 2014
Thomas A. Day
Acting Executive Director

BF/mf

² K.S.A. 66-118b; K.S.A. 77-529(a)(1).

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

NAME AND ADDRESS	NO. CERT. COPIES	NO. PLAIN COPIES
KEN PRATT BMS TRANSPORTATION COMPANY, INC. PO BOX 2326 PLATTE CITY, MO 64079		
MICHAEL DUENES, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		
BRIAN G. FEDOTIN, ASSISTANT GENERAL COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604-4027 ***Hand Delivered***		

ORDER MAILED DEC 12 2014

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.