

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

In the Matter of the Investigation of **Hinman Tree**)
Trimming LLC, of Altamont, Kansas, Regarding the)
Violation(s) of the Motor Carrier Safety Statutes, Rules)
and Regulations and the Commission's Authority to) Docket No. 24-TRAM-528-UCR
Impose Penalties, Sanctions and/or the Revocation of)
Motor Carrier Authority.)

STAFF'S MOTION TO VACATE PENALTY ORDER

The Staff of the State Corporation Commission of the State of Kansas (Staff), by and through its counsel, files its Motion to Vacate the Penalty Order issued to Hinman Tree Trimming LLC (Carrier). In support of its Motion, Staff states as follows:

1. On January 29, 2024, Commission Staff submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2023 and 2024. As explained by Staff, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹

2. On February 6, 2024, the Commission issued a Penalty Order in this docket assessing a \$600 civil penalty against Carrier for failure to pay its 2023 and 2024 UCR fees.

3. Carrier contacted Staff after issuance of the Penalty Order stating they only operate in intrastate commerce. Staff could not find evidence the carrier was found operating in interstate commerce. Staff therefore determined the Penalty Order issued for not paying their 2023 and 2024 UCR fees should be vacated.

4. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on February 6, 2024.

¹ Staff's R&R, p. 1 (Jan. 29, 2024).

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to Hinman Tree Trimming LLC in this docket on February 6, 2024.

Respectfully submitted,

/s/ Ahsan Latif

Ahsan Latif, S. Ct. #24709
Litigation Counsel
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, Kansas 66604
(785) 271-3118 (Telephone)
(785) 271-3124 (Facsimile)
a.latif@kcc.ks.gov (E-mail)

For Commission Staff

CERTIFICATE OF SERVICE

24-TRAM-528-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 April 24, 2024.

Adam Hinman, OWNER
Hinman Tree Trimming LLC
112 S Huston St
Altamont, KS 67330
williehinman@gmail.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604
a.latif@kcc.ks.gov

/S/ Kiley McManaman

Kiley McManaman