20190627145216 Kansas Corporation Commission



Phone: 785-271-3100 Fax: 785-271-3354 http://kcc.ks.gov/

Laura Kelly, Governor

Dwight D. Keen, Chair Shari Feist Albrecht, Commissioner Susan K. Duffy, Commissioner

1500 SW Arrowhead Road

Topeka, KS 66604-4027

June 27, 2019

Travis Hummel, President Hummel Tree Service, Inc. 601 Pottawatomie Ave Manhattan, KS 66502 NOTICE OF PENALTY ASSESSMENT 19-TRAM-522-PEN

This is a notice of a penalty assessment against Hummel Tree Service, Inc. (Hummel Tree Service) for violation(s) of Kansas Motor Carrier Safety Statutes, Rules, and Regulations discovered during a compliance review conducted on May 7, 2019, by Kansas Corporation Commission Special Investigator B.T. Scott. Penalties are assessed in accordance with the FY 2019 Uniform Penalty Assessment Matrix, approved by the Commission on August 7, 2018. For a full description of the penalty(s) and terms and obligations please refer to the Order attached to this notice.

**IF YOU ACCEPT THE PENALTY:** Hummel Tree Service has been assessed a \$100 penalty. You have thirty (30) days from the date of service of the Penalty Order to pay the penalty. Please remit payment of \$100, through your personal account with the Kansas Corporation Commission's KTRAN system 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.

The attached Order requires a representative of Hummel Tree Service to attend a Commission-sponsored safety seminar within ninety (90) days from the date of the Order and to provide the undersigned Litigation Counsel with written proof of attendance. A schedule of dates and locations for safety seminars can be found at the Commission's website <u>http://www.kcc.state.ks.us/trans/safety\_meetings.htm</u>. The Order also requires your company to submit to one follow-up safety compliance review within 18 months from the date of the Order. Transportation Staff will contact your company at a later date to determine an appropriate time for this review.

**IF YOU CONTEST THE PENALTY ORDER: You have the right to request a hearing.** A request for hearing must be made in writing, setting forth the specific grounds upon which relief is sought. Hummel Tree Service must file, within fifteen (15) days from the date of service of this Order, the request for hearing with the Commission's electronic filing system found at https://puc.kcc.ks.gov/e-filing/e-express/, and mail a copy of the request for hearing to the undersigned at the above address. If you do not have access to the internet, you can mail an original and seven copies of the request to the Secretary to the Commission at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy to the undersigned Litigation Counsel. K.A.R. 82-1-215; K.S.A. 2018 Supp. 77-542.

**IF YOU FAIL TO ACT:** Failure to pay the penalty of \$100 within thirty (30) days from the date of service of the Penalty Order or failure to comply with the terms of the Order, or in the alternative, failure to provide a timely written request for a hearing, will result in the Order becoming final and may result in additional sanctions of suspension and/or revocation of your motor carrier operating authority.

Respectfully. hsan A. Lat

Litigation Counsel (785) 271-3118

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

Before Commissioners:	Dwight D. Keen, Chair Shari Feist Albrecht Susan K. Duffy
In the Matter of the Invest	stigation of <b>Hummel</b> )
Tree Service, Inc., of	Manhattan, KS, )

Regarding the Violation of the Motor Carrier ) Safety Statutes, Rules and Regulations and the ) Docket No. 19-TRAM-522-PEN Commission's Authority to Impose Penalties, ) Sanctions and/or the Revocation of Motor ) Carrier Authority.

#### PENALTY ORDER

)

The above-captioned matter comes before the State Corporation Commission of the State of Kansas (Commission). Having examined its files and records, and being duly advised in the premises, the Commission finds and concludes as follows:

#### JURISDICTION I.

1. Pursuant to K.A.R. 82-4-1b, 66-1,111, 66-1,112, 66-1,114, 66-1,114b and 66-

1,115, the Commission is given full power, authority and jurisdiction to supervise and control motor carriers, as defined in K.A.R. 82-4-1, doing business or procuring business in Kansas, and is empowered to do all things necessary and convenient for the exercise of such power, authority and jurisdiction.

2. Pursuant to K.S.A. 2018 Supp. 66-1,129a, 66-1,130 and 66-1,142b, the Commission may suspend operations, revoke or amend certificates, and initiate sanctions or fines against every motor carrier and every person who violates any provision of Kansas law in regard

to the regulation of such motor carriers and persons, or who fails to obey any order, decision or regulation of the Commission.

3. The Commission has the authority, pursuant to K.A.R. 82-1-237, to investigate an entity under the Commission's jurisdiction and issue an order on the Commission's own motion when the Commission believes the entity is in violation of the law or any order of the Commission.

#### II. BACKGROUND

4. Hummel Tree Service, Inc. (Hummel Tree Service) operates under USDOT number 1800607.

5. Travis Hummel attended the Procedures for Safety Compliance Seminar presented by the Kansas Corporation Commission, on August 25, 2015, on behalf of Hummel Tree Service.

6. Hummel Tree Service is a private motor carrier which primarily hauls logs, poles, beams and lumber.

# **III. STATEMENT OF FACTS**

7. Pursuant to the jurisdiction and authority cited above, on May 7, 2019, Commission Staff (Staff) Special Investigator B.T. Scott conducted a safety compliance review of the operations of Hummel Tree Service. A copy of the safety compliance review is included in this Penalty Order as Attachment "A" and is hereby incorporated by reference. As a result of this investigation, the special investigator identified one (1) violation(s) of the Motor Carrier Safety Regulations.

a. On March 21, 2019, Hummel Tree Service required or permitted its driver,
Cody Robb, to operate a CDL-required commercial motor vehicle, a 2008

Ford, VIN ending in 563410, GVWR 30,000 lbs., in intrastate commerce in and around the area of Manhattan, Kansas. This trip is evidenced by an invoice for the work performed, dated March 21, 2019, a copy of which is attached hereto as Attachment "B" and is hereby incorporated by reference. At the time of this transportation, Hummel Tree Service failed to have a person designated to determine that drivers undergo suspicion testing and that person receive 60 minutes training for alcohol abuse and 60 minutes training for controlled substance use. The carrier's inability to produce documentation of this training and its failure to have a designated person to attend 60 minutes of training on alcohol misuse and an additional 60 minutes of training on controlled substances use is a violation of 49 C.F.R. 382.603, adopted by K.A.R. 82-4-3c, and authorized by K.S.A. 2018 Supp. 66-1,129. Staff recommends a fine of \$100.

#### IV. STAFF'S RECOMMENDATIONS

8. Based upon the available facts, Staff recommends the Commission finds Hummel Tree Service committed one (1) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

9. Additionally, Staff recommends a civil penalty of \$100 for one (1) violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations.

10. Staff further recommends that a representative from Hummel Tree Service be required to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and provide Litigation Counsel with written proof of attendance. A schedule of the dates and locations for safety seminars can be found on the Commission's website at http://kcc.ks.gov/trans/safety meetings.htm.

11. Finally, Staff recommends that Hummel Tree Service submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the motor carrier at a later date to determine an appropriate time for this review.

### V. CONCLUSIONS OF LAW

12. The Commission finds it has jurisdiction over Hummel Tree Service because it is a motor carrier as defined in K.A.R. 82-4-1.

13. The Commission finds Hummel Tree Service committed one (1) violation(s) of Kansas law that governs motor carriers, including various provisions of the Federal Motor Carrier Safety Regulations (FMCSRs), as adopted by the Kansas Administrative Regulations, and is therefore subject to sanctions or fines imposed by the Commission.

#### THE COMMISSION THEREFORE ORDERS THAT:

A. Hummel Tree Service, Inc., of Manhattan, KS is hereby assessed a \$100 civil penalty for one (1) violation(s) of Kansas law governing the regulation of motor carriers, the Kansas Administrative Regulations and provisions of the Federal Motor Carrier Safety Regulations, as adopted by the Kansas Administrative Regulations.

B. Hummel Tree Service is hereby ordered to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order, and is to provide Litigation Counsel with written proof of attendance.

C. Hummel Tree Service is ordered to submit to one follow-up safety compliance review within eighteen (18) months from the date of this Order. Transportation Staff will contact the carrier to set up the appointment.

D. Pursuant to K.S.A. 2018 Supp. 77-537 and K.S.A. 77-542, any party may request a hearing on the above issue(s) by submitting a written request setting forth the specific grounds upon which relief is sought. The request may be electronically filed with the Commission's electronic filing system at https://puc.kcc.ks.gov/e-filing/e-express/, within fifteen (15) days from the date of service of this Order, and a copy of the request mailed to the Litigation Division. If you do not have access to the internet, you can mail an original and seven copies of the request to the Secretary to the Commission, at 1500 S.W. Arrowhead Road, Topeka, Kansas 66604, and mail a copy of the request to Litigation Counsel. A hearing will be scheduled only upon written request. Failure to timely request a hearing will result in a waiver of Hummel Tree Service's right to a hearing, and this Penalty Order will become a Final Order assessing a \$100 civil penalty against Hummel Tree Service, and ordering a representative from Hummel Tree Service to attend a Commission-sponsored safety seminar within ninety (90) days from the date of this Order and provide Litigation Counsel with written proof of attendance, and to submit to a safety compliance review within 18 months from the date of this Order.

E. If a request for hearing is filed, attorneys for all parties shall enter their appearances in Commission proceedings by giving their names and addresses for the record. For civil penalties exceeding \$500, a corporation shall appear before the Commission by its attorney,

unless waived by the Commission for good cause shown and a determination that such waiver is in the public interest. K.S.A. 77-515(c); K.A.R. 82-1-228(d)(2); K.A.R. 82-1-202(a). For civil penalties less than \$500, a corporation may appear by a duly authorized representative of the corporation. K.S.A. 2018 Supp. 66-1,142b(e) and amendments thereto.

F. If you do not request a hearing, the payment of the civil penalty of \$100 is due in thirty (30) days from the date of service of this Order. Payment of \$100 must be made through your personal account with the Kansas Corporation Commission's KTRAN system located at <u>https://puc.kcc.ks.gov/ktran/</u>. You must have an account through KTRAN to pay the penalty.

G. Failure to pay the \$100 civil penalty within thirty (30) days from the date of service of this Penalty Order, *see* K.S.A. 66-1,105, and/or failure to comply with the provisions of this Order, may result in suspension of Hummel Tree Service's motor carrier operating authority without further notice. Additionally, the Commission may impose further sanctions to include, but not limited to, the issuance and enforcement of revocation of authority and/or cease and desist orders, and any other remedies available to the Commission by law, without further notice.

H. The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders, as necessary.

# BY THE COMMISSION IT IS SO ORDERED.

Keen, Chair; Albrecht, Commissioner; Duffy, Commissioner

Dated: \_\_\_\_\_

Lynn M. Ref

Lynn M. Retz Secretary to the Commission

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# **ATTACHMENT "A"**

US DOT	Logui		L TREE SERVICE	INC				
1800607	Operati	ng (DBA						
MC/MX #:			Federa	al Tax ID:	(EIN)			
Review Type: Com	pliance Review	<i>w</i> (CR)						
Scope: Princ	ipal Office		Location of Revie	ew/Audit: Cor	mpany facility ir	n the U. S.	Те	rritory:
Operation Types	nterstate Int	rastate	1.144 					
Carrier:	N/A No	on-HM	Business: Corpor	ation				
Shipper:	N/A N/	/A	Gross Revenue:		for y	ear ending	: 12/31/20	18
Cargo Tank:	N/A							
<b>Company Physical</b>	Address:							
601 POTTAWATO	MIE AVE							
MANHATTAN, KS	66502-6415							
Contact Name:	Robyn Jan	nes						
Phone numbers:	(1)			Fax	ĸ			
E-Mail Address:								
Company Mailing A	ddress:					•		
601 POTTAWATO	MIE AVE							
MANHATTAN, KS	6502-6415							
Carrier Classification	on							
Private Propert	У							
Cargo Classificatio	n							
Logs, Poles, Be	ams, Lumber							
Equipment								
	Ownee		Leased Trip Lea				Term Leas	ed Trip Leased
Truck	12		0	0 Trail	er	4		0 0
Power units used in t								
Percentage of time used in the U.S. 100								
Does carrier transport placardable quantities of HM? No								
Is an HM Permit re	equired?			N/A				
Driver Information								
	Inter In	tra	Average trip lea	ased drivers/	month: 0			
< 100 Miles:		5	2.		rivers: 5			
>= 100 Miles:					rivers: 2		·	

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s,





HUMMEL TREE SERVICE INC U.S. DOT # 1800607 Review Date 06/05/2019

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at.

# This report will be used to assess your safety compliance.

Person(s) Interviewed Name: Travis Hummel

Name: Robyn James

Title: President Title: Office Manager



	Part R	Violations		L	
	T art 2	Violations			
1 Primary: 382.603 FEDERAL		Discovered	Checked		/Vehicles n Checked
Failing to ensure person designated training for alcohol and/or 60 minute Example	es of training for control	led substances.	noion tootang i		
Cody Robb 3/21/2019 Travis Hummel - Supervisor, Not Tra	ained.				
3/21/2019 Travis Hummel - Supervisor, Not Tr			OOS Vehic	:le (CR): 0	
3/21/2019 <u>Travis Hummel - Supervisor, Not Tr</u> Safety Fitness Rating Information: Total Miles Operated	30,000	Number of Ve	hicle Inspect	ed (CR): 0	
3/21/2019 Travis Hummel - Supervisor, Not Travis Fitness Rating Information:			hicle Inspecte OS Vehicle (I	ed (CR): 0 MCMIS): 0	
3/21/2019 <u>Travis Hummel - Supervisor, Not Tr</u> Safety Fitness Rating Information: Total Miles Operated	30,000	C	hicle Inspecte OS Vehicle (I	ed (CR): 0 MCMIS): 0	
3/21/2019 Travis Hummel - Supervisor, Not Tr Safety Fitness Rating Information: Total Miles Operated Recordable Accidents	30,000	C	hicle Inspecte OS Vehicle (I	ed (CR): 0 MCMIS): 0	





# Part B Requirements and/or Recommendations

1. FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012.

The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials indidents.

Motor carrier's currently have the ability to preview how the imrovements impact their individual safety data in SMS. These improvements include (1) Changes to the SMS metodology that identify higher risk carriers while addressing industry biases. (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carreiers hauling hazardous materials (HM)), so that such firms can be selected for CSA inteventions at more stringent levels; and, (3) more specific fact-based displays of SMS results on the SMS Web site.

The data preview my be found at http:/csa.fmcsa.dot.gov/. During the data preview period, the Agency requests comments on the impacts of the changes.

#### 2. For all Investigations

• Understand Why Compliance Saves Time and Money: Compliance with FMCSRs will not only save lives, but also saves your business time and money. Tracking how much your business spends on non-compliance activities can help you understand the many benefits of compliance to your business and why safety is good business.

• Document and Follow Through on Action Plans. Document and follow through on action plans to ensure the actions you are taking are creating improvement in safety management and compliance.

• NOTICE<sup>•</sup> A pattern and/or repeated violations of the same or related acute or critical regulations (violations of the same Part in Title 49, Code of Federal Regulations) will cause the maximum penalties allowed by law to be assessed under Section 222 of the Motor Carrier Safety Improvement Act of 1999 (MCSIA). A pattern of violations means two or more violations of acute and/or critical regulations in three or more Parts of Title 49, Code of Federal Regulations discovered during any eligible investigation Repeated violations means violation(s) of an acute regulation of the same Part of Title 49, Code of Federal Regulations discovered in an investigation after one or more closed enforcement actions within a six year period and/or violation(s) of a critical regulation in the same Part of Title 49, Code of Federal Regulations discovered in an investigation after two or more closed enforcement actions within a six year period.

• NOTICE 49 CFR Part 391.23 requires prospective employers to, at a minimum, investigate a driver's employment information, crash record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.

The Pre-Employment Screening Program (PSP) is a screening tool that assists motor carriers in investigating crash history and roadside safety performance of prospective drivers The PSP allows motor carriers to purchase 5 years of crash data and 3 years of roadside inspection data from the Federal Motor Carrier Safety Administration's (FMCSA) Motor Carrier Management Information System (MCMIS). Records are available 24 hours a day via Web request. Motor carriers should visit the following website for more information http://www.psp.fmcsa.dot.gov/Pages/default.aspx

• All motor carriers and truck drivers are needed to fight against terrorism and hijacking. You could be a target. Protect yourself, your trucks, your cargo, and your facilities. Discuss with your employees/drivers the "Security Measures for Truck Drivers and Companies" which were provided and reviewed with motor carrier official. Motor carriers should visit the following website for more information

http://www.fmcsa.dot.gov/documents/Hijacking-Brochure.pdf

FMCSA recently announced planned improvements to the Carrier Safety Measurement System (SMS) which was implemented in December 2010 as part of the Agency's broader Compliance, Safety, Accountability (CSA) initiative. A preview of these improvements is currently available to motor carriers. The system changes are scheduled to be available to the public in July 2012. There will be additional opportunity for public comment on the changes after the preview period ends in July 2012. The improvements to SMS are based on ongoing analysis and feedback from enforcement personnel, the motor carrier industry, and other stakeholders. The changes more effectively identify and prioritize high-risk and other unsafe motor carriers for enforcement interventions designed to reduce commercial motor vehicle crashes and hazardous materials incidents. Motor carrier's currently have the ability to preview how



# HUMMEL TREE SERVICE INC

U.S. DOT # 1800607

### Part B Requirements and/or Recommendations

the improvements impact their individual safety data in SMS. These improvements include (1) Changes to the SMS methodology that identify higher risk carriers while addressing industry biases; (2) better applications of SMS results for Agency interventions by more accurately identifying safety sensitive carriers (i.e., carriers transporting people and carriers hauling hazardous materials (HM)), so that such firms can be selected for CSA interventions at more stringent levels, and, (3) more specific fact-based displays of SMS results on the SMS Web site. The data preview may be found at http://csa.fmcsa.dot gov/. During the data preview period, the Agency requests comments on the impacts of the changes.

For all Investigations that did not result in a Cooperative Safety Plan:

The KCC requires that you prepare a corrective action plan (CAP), addressing the measures taken to correct the violations identified within this report Submit this letter within 30 days outlining the carrier's updated changes to their policies and procedures regarding all listed violations. Explain in detail how, as a carrier representative, you will rectify these deficiencies and prevent their reoccurrence going forward. Include any supporting documentation and evidence as indicated in the recommendations above, (example vehicle inspections performed, proof of drug and alcohol testing in place, etc.) necessary to prove that corrective action has been taken. Submit the letter along with copies of your supporting evidence to:

Email g.davenport@kcc.ks.gov Fax 785.271.3124 or Mail Kansas Corporation Commission Attn<sup>-</sup> Gary Davenport 1500 SW Arrowhead Rd Topeka, KS 66604-4027

3. CONTROLLED SUBSTANCES AND ALCOHOL BASIC PROCESS BREAKDOWN Qualification and Hiring

DESCRIPTION OF PROCESS BREAKDOWN

1- Fail to train Supervisor with 60min on Controlled Substance/60 Min on Alchol for Reasonable Suspicion training

BASIC SPECIFIC RECOMMENDED REMEDIES

1- Contact your consortium or NDWA.org and secure the required training for Reasonable Suspicion

Implement Safety Improvement Practices: The following are recommended practices related to Qualification and Hiring.

• Ensure that the controlled-substance and alcohol-testing program manager is qualified to query applicants and previous employers about their knowledge and experience regarding rules, interpretations, and compliance practices of other companies.

• Ensure that applicants for safety-sensitive positions do not have a current controlled-substance and/or alcohol problem by querying them and checking with their previous employers regarding controlled-substance and alcohol violations, related background, conditions and behaviors indicative of controlled-substance and/or alcohol abuse or misuse, and by conducting pre-employment testing as required by regulation and company policy. Create a detailed written record of each inquiry.

• Review and evaluate driver applicants' gaps in employment, frequent job changes, and incomplete applications. Require applicants to explain reasons for any gaps in their employment record in order to allay suspicion of controlled-substance and/or alcohol abuse or misuse.

• Ensure that contracted service agents are qualified to facilitate the company's adherence to regulations and company policies and procedures.

- Verify that the qualifications of all prospective service agents are in accordance with regulations.
- Ensure that the employment application captures all information required by the Federal Motor Carrier Safety Regulations for example, whether applicants have ever tested positive or have refused to take a controlled substance and alcohol test, and if so, whether they have complied with the return-to-duty process as required by regulations.





# Part B Requirements and/or Recommendations

• Enhance the recruitment process to identify and attract qualified applicants for the positions of safety director, service agent, and testing personnel by using outside resources such as insurance companies, industry groups, and consultants for employee searches and referrals.

Passenger Carrier Only:

• When hiring part-time or intermittent drivers with concurrent employment, refer to the pre-employment exception under 382.301(d) or check with the concurrent employer to ensure that drivers are participating in the company's program and no testing violations have occurred.

• Verify that the State credentials produced by applicants for the position of school bus driver meet the Commercial Driver's License qualification and testing requirements.

Seek Out Resources<sup>.</sup>

• You are encouraged to review your company's record at the following website: http://ai.fmcsa.dot.gov/SMS You will need to use your PIN Number that has been provided by the FMCSA.

• Contact industry associations to get resources and ideas on safety improvement practices from other carriers in the industry.

4. I acknowledge that these requirements and/or recommendations have been discussed with me and my questions have been answered. I understand that failure to satisfactorily remedy the above-listed requirements, and/or failure to comply with Kansas Motor Carrier Safety Statutes and Regulations could result in the suspension of Hummel Tree Service's operating authority and/or the impoundment of Hummel Tree Service's vehicles.

I understand that monetary penalties will be assessed as a result of violations forund in this compliance review The penalty schedule can be found at this web site http://kcc.ks.gov/trans/penalty\_assessment\_table.htm

X

Printed

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Signed



# **ATTACHMENT "B"**

×	Save More action	15 👻							
	Mar 21, 2019 8:30am to 4:30pm Mar 21, 2019 Time zone								
	🗌 All day Does not repeat 👻								
	Event Details Find a Time	Gue	sts						
₽	Add conferencing 👻	Ado	i gue						
Ļ	Add notification								
<b></b>		Gues	sts ca						
	Work Crew 2 👻 👻		Мо						
Ĉ	Busy 👻 Default visibility 👻 🕐		lnv						
			Ser						
=									
	For pruning river birch, honey locust and bald cypress away from roof. Brush and debris cleaned up and hauled away. 300.00								
	For removal of dead Ponderosa pine, 2 white ash, 2 redbuds, and Callery pear. 2,800.00								
	For grinding out 2 white ash stumps, 2 redbud stumps, Callery pear stump, magnolia stump, and hophornbeam stump. Stump grindings left on site. 400.00								

Need:

(**\*\*** 9) bucket truck, plywood, climbers, Frankenstein, chipper, log truck, Tordon, big grinder, small grinder

#### Details:

- Bald cypress - prune off all of 4" diameter limb near southwest corner of roof.

- <u>Honey locust</u> - south side - prune off all of 4" + 6" diameter limbs heading toward roof and chimney.

- River birch - southeast corner - prune off all of 5" + 2" diameter limbs over roof.

- -\*CAUTION\* nice lawn with sprinkler system.
- Some sprinkler heads and valve boxes marked with purple flags.
- Remove trees with orange spot on trunk.
- Replace white flags for LOCATE before stump grinding.
- \*CAUTION\* brick retaining wall in front near white ash and Callery pear.

- \*WARNING\* - stay off of neighbor's yard to east (dead pine near property line) at 1215 Sharingbrook.

- As of 5 pm, Wednesday, 3/20/2019, we do  $\underline{\text{NOT}}$  have permission to use his driveway  $\underline{\text{OR}}$  yard for access.

- If he allows it, will need to use plywood.

Accepted

# **CERTIFICATE OF SERVICE**

19-TRAM-522-PEN

I, the undersigned, certify that a true copy of the attached Order has been served to the following by means of

first class mail/hand delivered on

TRAVIS HUMMEL, PRESIDENT HUMMEL TREE SERVICE, INC. 601POTTAWATOMIE AVE MANHATTAN, KS 66502-6415 travis@hummeltreeservice.com AHSAN LATIF, LITIGATION COUNSEL KANSAS CORPORATION COMMISSION 1500 SW ARROWHEAD RD TOPEKA, KS 66604 Fax: 785-271-3354 a.latif@kcc.ks.gov

/S/ DeeAnn Shupe DeeAnn Shupe