

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

In the Matter of the Investigation of **Copperpoint -)**
Kansas City LLC d/b/a Dick Ray Master Plumber)
Heating and Cooling, of Overland Park, Kansas,)
Regarding the Violation(s) of the Motor Carrier Safety) Docket No. 24-TRAM-543-UCR
Statutes, Rules and Regulations and the Commission's)
Authority to 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 Copperpoint - Kansas City LLC d/b/a Dick Ray Master Plumber Heating and Cooling (Carrier). In support of its Motion, Staff states as follows:

1. On February 1, 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 8, 2024, the Commission issued a Penalty Order in this docket assessing a \$1,400 civil penalty against Carrier for failure to pay its 2023 and 2024 UCR fees.

3. As of April 16, 2024, Commission records indicated that Carrier had not complied with the collection letter or the requirements of the Penalty Order.

4. On April 24 2024, Staff filed its Motion to Suspend Intrastate Motor Carrier Operations (Motion to Suspend).

5. After Staff had filed its Motion to Suspend,, the Carrier contacted Staff regarding UCR fees. Staff educated the Carrier regarding the UCR fees. Shortly after speaking with Staff,

¹ Staff's R&R, p. 1 (Feb. 1, 2024).

the Carrier paid its UCR fees and provided proof to Staff of the payment. Due to the Carrier's misunderstanding and confusion concerning UCR fees, Staff determined the Penalty Order should be vacated.

6. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on February 8, 2024.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to Copperpoint - Kansas City LLC d/b/a Dick Ray Master Plumber Heating and Cooling in this docket on February 8, 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-543-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.

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

Zachary Wooten, WAREHOUSE MANAGER
Copperpoint - Kansas City LLC
D/B/A Dick Ray Master Plumber Heating and Cooling
4303 Merriam Dr
Overland Park, KS 66203
purchasing@dickray.com

/S/ Kiley McManaman

Kiley McManaman