

THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS

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

In the Matter of the Investigation of CP)
Cranston LLC, of Oakley, Kansas,)
Regarding the Violation of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 17-TRAM-522-PEN
Commission's Authority to Impose Penalties,)
Sanctions and/or the Revocation of Motor)
Carrier Authority.)

ORDER AMENDING PENALTY ORDER

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

I. BACKGROUND

1. Respondent is registered as a motor carrier with the U.S. Department of Transportation (USDOT) and operates under USDOT Number 2402568.
2. On June 6, 2017, the Commission issued Respondent a Penalty Order assessing it a \$500 penalty as a result of two (2) violations of the Kanas Motor Carrier Safety Regulations found during a Compliance Review conducted on April 26, 2017, by Transportation Division Special Investigator Penny Fryback.
3. On June 19, 2017, Staff Filed a Motion to Amend the Penalty Order to change the year, model and VIN number of the trailers that were listed in paragraphs 8a. and 8b in the Order.

4. Staff states in its motion the trailers listed in the paragraphs stated above should be changed from a 2015 Hitchcock trailer, VIN ending in 302524, to a 2004 Merritt trailer, VIN ending in 017026.

II. FINDINGS AND CONCLUSIONS

5. The Commission finds it has jurisdiction over Respondent because it is a motor carrier as defined in K.S.A. 2016 Supp. 66-1,108.

6. Based on the available facts, the Commission finds that Staff's Motion to Amend Penalty Order to list the correct trailers that were used in the transportation described in the Penalty Order is reasonable.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) The Penalty Order issued on June 6, 2017, to CP Cranston LLC, of Oakley, Kansas, is hereby amended to list the trailers used in the transportations described in paragraphs 8a. and 8b of the Order as a 2004 Merritt trailer, VIN ending in 017026.


(B) The parties have fifteen (15) days, plus three (3) days if service of this order is by mail, from the date this order was served in which to petition the Commission for reconsideration of any issue or issues decided herein. K.S.A. 66-118b; K.S.A. 2016 Supp. 77-529(a)(1).

(C) The Commission retains jurisdiction over the subject matter and the parties for the purpose of entering such further orders as it may deem necessary and proper.

BY THE COMMISSION IT IS SO ORDERED.

Apple, Chairman; Albrecht, Commissioner; Emler, Commissioner

Dated: JUN 22 2017


Lynn M. Retz
Secretary to the Commission

AAL

Order Mailed Date

JUN 23 2017

CERTIFICATE OF SERVICE

17-TRAM-522-PEN

I, the undersigned, certify that the true copy of the attached Order has been served to the following parties by means of first class mail/hand delivered on JUN 22 2017.

CHANCE CRANSTON, MEMBER
CP CRANSTON LLC
520 HUDSON AVE
OAKLEY, KS 67748
Fax: 785-671-1257
chancecranston1@hotmail.com

AHSAN LATIF, LITIGATION COUNSEL
KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA, KS 66604-4027
Fax: 785-271-3354
a.latif@kcc.ks.gov

/S/ DeeAnn Shupe

DeeAnn Shupe

Order Mailed Date
JUN 23 2017