

3. Pursuant to K.S.A 66-1,115a and 66-1,119, the Commission has the power and

authority to authorize a change in a motor carrier's service.

II. STAFF'S STATEMENT OF FACTS

4. Pursuant to K.A.R. 82-4-32, each applicant filing an application for private carrier permits shall provide the Commission with all information required to complete the application within 30 days of the original filing date or the application may be dismissed.

5. HEARTLAND PUMPING LLC submitted an application for a permit of private authority to the Kansas Corporation Commission on December 15, 2014.

6. On or about December 18, 2014, and January 23, 2015, Commission Staff (Staff) forwarded notices of incomplete application status to HEARTLAND PUMPING LLC.

HEARTLAND PUMPING LLC has failed to present the following items to the Commission as required to complete the application process:

- a. application fee
- b. liability insurance (Form E)
- c. attendance at safety meeting

7. HEARTLAND PUMPING LLC failed to properly complete the application and, therefore, is unable to demonstrate that it is in compliance with the Commission's regulations and other applicable state laws.

III. STAFF'S RECOMMENDATION

8. Due to HEARTLAND PUMPING LLC's failure to provide the requested items resulting in an incomplete application, Staff recommends the Commission dismiss its application for permit of private authority, pursuant to K.A.R. 82-4-32.

IV. CONCLUSIONS OF LAW

9. Based on the available facts, the Commission finds that Staff's request to dismiss the

application of HEARTLAND PUMPING LLC for permit of private authority, is reasonable under the circumstances.

IT IS, THEREFORE, BY THE COMMISSION ORDERED THAT:

(A) The application of HEARTLAND PUMPING LLC of GARDEN CITY KS, for a Private Carrier Permit is hereby dismissed.

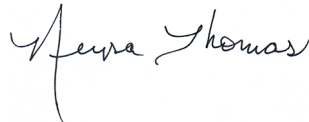
(B) A party may file a petition for reconsideration of this Order within fifteen (15) days from the date of service of this Order. If service is by mail, service is complete upon mailing and three (3) days shall be added to the above time frame. K.S.A. 66-118b; K.S.A. 77-529(a)(1).

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

BY THE COMMISSION IT IS SO ORDERED.

Feist Albrecht, Chr; Emler, Com.; Apple, Com.

Dated: FEB 23 2015



Neysa Thomas
Acting Executive Director

ORDER MAILED FEB 23 2015