

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

In the Matter of the Investigation of **Robert Koehler**)
d/b/a Koehler Transportation, of Sharon Springs,)
Kansas, Regarding the Violation(s) of the Motor Carrier)
Safety Statutes, Rules and Regulations and the) Docket No. 24-TRAM-704-UCR
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 Robert Koehler d/b/a Koehler Transportation (Carrier). In support of its Motion, Staff states as follows:

1. On May 3, 2024, Commission Staff submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2024. As explained by Staff, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹

2. On May 9, 2024, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for failure to pay its 2024 UCR fees.

3. Carrier contacted Staff after the issuance of the Penalty Order stating that Carrier is no longer operating in interstate commerce. The Carrier's USDOT Profile has been updated to reflect it only operates in intrastate commerce.

4. Additionally, after reviewing available records, Staff could not find evidence the carrier was found operating in interstate commerce. Staff therefore determined the Penalty Order issued for not paying their 2024 UCR fees should be vacated.

¹ Staff's R&R, p. 1 (May 3, 2024).

5. Therefore, based on the facts stated above, Staff requests the Commission vacate the Penalty Order issued to Carrier on May 9, 2024.

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to Robert Koehler d/b/a Koehler Transportation in this docket on May 9, 2024.

Respectfully submitted,

/s/ Ahsan Latif

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For Commission Staff

CERTIFICATE OF SERVICE

24-TRAM-704-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 May 30, 2024.

ROBERT KOEHLER, OWNER
ROBERT KOEHLER
D/B/A KOEHLER TRANSPORTATION
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/S/ Kiley McManaman
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