BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Investigation of SAVE THE)	
BEE'S RESCUE COMPANY, of SHAWNEE,)	
Kansas, Regarding the Violation(s) of the Motor)	
Carrier Safety Statutes, Rules and Regulations and the)	Docket No. 22-TRAM-014-PEN
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 SAVE THE BEE'S RESCUE COMPANY (Carrier). In support of its Motion, Staff states as follows:

- 1. On July 9, 2021, Commission Staff Special Investigator (SI) Verna Jackson submitted a Report and Recommendation regarding Carrier's failure to pay its Unified Carrier Registration (UCR) fees for year 2020 and 2021. As explained by Ms. Jackson, motor carriers must pay annual UCR fees in order to lawfully operate in interstate commerce.¹
- 2. On July 29, 2021, the Commission issued a Penalty Order in this docket assessing a \$300 civil penalty against Carrier for failure to pay its 2020 UCR fees.
- 3. Staff after being contacted by carrier and reviewing available records determined that Carrier is not required to have a USDOT number, therefore not required to pay UCR fees. Additionally, the USDOT number for the carrier has been deactivated. Staff has determined the Penalty Order issued for not paying their 2020 UCR fees should be vacated.
- 4. Therefore, based on the fact that Carrier is not required to have a USDOT number and not required to pay UCR fees, Staff requests the Commission vacate the Penalty Order issued to Carrier on July 29, 2021.

¹ Staff's R&R, p. 1 (Jul. 9, 2021).

WHEREFORE, for the reasons stated above, Staff respectfully requests the Commission vacate the Penalty Order issued to SAVE THE BEE'S RESCUE COMPANY in this docket on July 29, 2021.

Respectfully submitted,

/s/ Ahsan Latif

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For Commission Staff

CERTIFICATE OF SERVICE

22-TRAM-014-PEN

I, the undersigned, certify that a true and correct copy of the above and foregoing motiont was placed in the United States mail, postage prepaid this 19th day of August, 2021, to the following:

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

SAVE THE BEES RESCUE COMPANY 11515 W 55TH STREET SHAWNEE, KS 66203

Abigail Emery

* Denotes those receiving the Confidential version