

**Kansas Corporation Commission  
Commission Meeting  
July 26, 2018**

10:00 a.m. 1<sup>st</sup> floor hearing room  
KCC Offices, 1500 Arrowhead, Topeka, Kansas

**MINUTES**

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on July 26, 2018 in the 1<sup>st</sup> floor hearing room of the Kansas Corporation Commission, 1500 Arrowhead, Topeka, Kansas.

Present: Chair Albrecht and Commissioner Emler. Commissioner Keen was absent. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Emler moved for approval of the Items on the Consent Agenda dated July 26, 2018 containing pages one through three and are attached to these Minutes. Chair Albrecht seconded the motion.

The motion was approved.

There being no further matters before the Commission, Commissioner Emler moved for adjournment of the Commission meeting. Chair Albrecht seconded the motion. The motion was approved. The Commission adjourned the July 26, 2018 Commission Meeting at 10:01 a.m.

Respectfully submitted,



Lynn M. Retz  
Secretary to the Commission



Shari Feist Albrecht, Chair

Absent

Dwight D Keen, Commissioner



Jay Scott Emler, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, July 26, 2018

NOTICE TO THE PUBLIC: There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Business Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered separately or placed on the earliest possible Business Meeting agenda for discussion.

## Consent Agenda

| ITEM NO. | DESCRIPTION   | DOCKET NUMBER   | REMOVED |
|----------|---|-----------------|---------|
| 1        | In the Matter of the Audit of Tempo Telecom, LLC the Kansas Universal Service Fund (KUSF) Administrator Pursuant to K.S.A.2016 Supp. 66-2010(b) for KUSF Operating Year 20, Fiscal Year March 2016 - February 2017<br><i>Order Adopting Audit Report</i>            | 18-TEMT-043-KSF |         |
| 2        | In the Matter of the Investigation to Determine the Assessment Rate for the Twenty –Second Year of the Kansas Universal Service Fund, Effective March 1, 2018.<br><i>Order Approving Traffic Factors for Netfortris Acquisition Co., Inc.</i>                       | 18-GIMT-084-GIT |         |
| 3        | In the Matter of a General investigation Into the Adjustment of Intrastate Switched Access Charges for Rural Telephone Companies in Compliance with K.S.A. 66-2005(c) and Federal Communications Commission Reforms.<br><i>Order Nunc Pro Tunc Correcting Order</i> | 19-GIMT-006-GIT |         |
| 4        | In the Matter of Mid-America Pipeline Company, LLC Company Filing for Approval of K.C.C. Tariff 19.10.0, Canceling K.C.C. Tariff 19.9.0, to Implement Increased Rates based on FERC Indexing Methodology.<br><i>Order Approving Tariff Revisions</i>                | 18-MDAP-520-TAR |         |

**Consent Agenda**

| ITEM NO. | DESCRIPTION   | DOCKET NUMBER     | REMOVED |
|----------|---|-------------------|---------|
| 5        | In the Matter of the Application of Virgil Stuber ("Operator") for an Operator's License Renewal.<br><b><i>Order Consolidating and Rescinding Denial</i></b>  | 18-CONS-3263-CMSC |         |
| 5        | In the Matter of the Application of Virgil Stuber ("Operator") for Exception to K.A.R. 82-3-120(k) to Allow Issuance of an Operator's License Less than One Year Subsequent to Revocation of Previous License<br><b><i>Order Consolidating and Rescinding Denial</i></b>  | 18-CONS-3348-CEXC |         |
| 6        | In the Matter of the Investigation of Alexander and Rays TV and Appliance, Inc. of Olathe, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.<br><b><i>Order Reinstating Intrastate Motor Carrier Operations</i></b>      | 12-TRAM-157-PEN   |         |
| 7        | In the Matter of the Investigation of Cuahthemoc S. Ortiz, d/b/a Ortiz Trucking of Garden City, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.<br><b><i>Order Reinstating Intrastate Motor Carrier Operations</i></b> | 13-TRAM-034-PEN   |         |
| 8        | In the Matter of the Investigation of Shawn A. Cross, d/b/a Cross and Company of Overland Park, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.<br><b><i>Penalty Order</i></b>   | 19-TRAM-016-PEN   |         |
| 9        | In the Matter of the Emergency Suspension of Operating Authority of Lima's Flooring LLC of Olathe, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations.<br><b><i>Order Reinstating Motor Carrier Operating Authority</i></b>   | 18-TRAM-489-OOS   |         |
| 10       | In the Matter of the Emergency Suspension of Operating Authority of KC3 Trucking LLC of Cimarron, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations.<br><b><i>Emergency Suspension of Operating Authority Order</i></b>  | 19-TRAM-014-OOS   |         |
| 11       | In the Matter of the Emergency Suspension of Operating Authority of Collins AG Service LLC of Waverly, Kansas, for Failure to Comply With New Entrant Safety Requirements as Required by Motor Carrier Safety Statutes, Rules and Regulations.<br><b><i>Emergency Suspension of Operating Authority Order</i></b>   | 19-TRAM-015-OOS   |         |
| 12       | Transportation orders to be approved by the Commission on the Consent Agenda.<br><b><i>Transportation Economic Orders</i></b>   | 18-TRAM-5165-TRA  |         |

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

For the Commission :

Shari Feist Albrecht

Shari Feist Albrecht, Chair

Jay Scott Emler

Jay Scott Emler, Commissioner

Absent

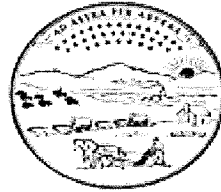
Dwight D. Keen, Commissioner

Attest:

Lynn M. Retz

Lynn M. Retz  
Secretary to the Commission

# STATE OF KANSAS



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GOVERNOR JEFF COLYER, M.D.

SHARI FEIST ALBRECHT, CHAIR | JAY SCOTT EMER, COMMISSIONER | DWIGHT D. KEEN, COMMISSIONER

## Transportation Orders By Docket Number 18-TRAM-5165-TRA

| Order Number | Description   | Removed |
|--------------|---|---------|
| 18-5709      | <i>In the Matter of the Application of CIRTA LLC of KANSAS CITY KS for Authority for a Certificate of Public Service.</i><br>USDOT #3151482 CIRTA LLC of KANSAS CITY KS - Order Granting Application for Certificate of Public Service  |         |
| 18-5712      | <i>In the Matter of the Emergency Suspension of Authority of OBERLE AND SON TRUCKING LLC of PAWNEE ROCK KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i><br>USDOT #2502454 OBERLE AND SON TRUCKING LLC of PAWNEE ROCK KS - Emergency Order Suspending Authority |         |
| 18-5713      | <i>In the Matter of the Emergency Suspension of Authority of BECK BROTHERS INC of CHASE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i><br>USDOT #594739 BECK BROTHERS INC of CHASE KS - Emergency Order Suspending Authority                                  |         |
| 18-5714      | <i>In the Matter of the Emergency Suspension of Authority of A&amp;J TRANSPORT INC of SHAWNEE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i><br>USDOT #1289454 A&J TRANSPORT INC of SHAWNEE KS - Emergency Order Suspending Authority                         |         |
| 18-5715      | <i>In the Matter of the Emergency Suspension of Authority of DONALD W LOSSON of TOPEKA KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i><br>USDOT #2058200 DONALD W LOSSON of TOPEKA KS - Emergency Order Suspending Authority                                   |         |
| 18-5716      | <i>In the Matter of the Emergency Suspension of Authority of ZIMA TRUCKING LLC of GARDEN CITY KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i><br>USDOT #2827267 ZIMA TRUCKING LLC of GARDEN CITY KS - Emergency Order Suspending Authority                     |         |

**Transportation Orders By Docket Number  
18-TRAM-5165-TRA**

| Order Number | Description   | Removed |
|--------------|---|---------|
| 18-5717      | <i>In the Matter of the Emergency Suspension of Authority of KRAIG VALENTINE TRUCKING LLC of LUCERNE MO for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i><br>USDOT #1383345 KRAIG VALENTINE TRUCKING LLC of LUCERNE MO - Emergency Order Suspending Authority             |         |
| 18-5718      | <i>In the Matter of the Emergency Suspension of Authority of WALKENHORST TRANSPORTATION LLC of LEES SUMMIT MO for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i><br>USDOT #3021069 WALKENHORST TRANSPORTATION LLC of LEES SUMMIT MO - Emergency Order Suspending Authority |         |
| 18-5719      | <i>In the Matter of the Emergency Suspension of Authority of OUTLAW TOW AND RECOVERY LLC of SAINT GEORGE KS for Failure to Maintain Insurance Coverage as Required by the Motor Carrier Safety Statutes, Rules and Regulations.</i><br>USDOT #3027279 OUTLAW TOW AND RECOVERY LLC of SAINT GEORGE KS - Emergency Order Suspending Authority     |         |

Total # of Orders: 9

**End of Report**