

**Kansas Corporation Commission**  
**Commission Meeting**  
**November 3, 2022**  
10:00 a.m. 1<sup>st</sup> Floor Hearing Room  
KCC Offices, 1500 SW Arrowhead Rd., Topeka, Kansas

**MINUTES**

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on November 3, 2022, in the 1<sup>st</sup> Floor Hearing Room of the Kansas Corporation Commission, 1500 SW Arrowhead Road, Topeka, Kansas.

Present: Chair Keen, Commissioner Duffy and Commissioner French. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner French moved for approval of the Items on the Consent Agenda dated November 3, 2022, containing pages one through four attached to these Minutes. Commissioner Duffy seconded the motion.

The motion was approved.

2. **Noticed Item:**

**Docket No. 22-TRAM-384-PEN**

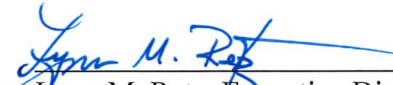
*In the Matter of the Investigation of Sooter Excavating Inc., of Wichita, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority.*

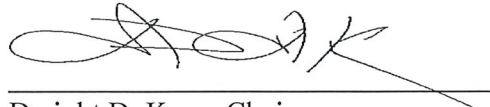
Commissioner French moved for approval of Order # 22-2130 – Penalty Order. Commissioner Duffy seconded the motion.

The order was approved.

**There being no further matters before the Commission, Commissioner French moved for adjournment of the Commission meeting. Commissioner Duffy seconded the motion. The Commission adjourned the November 3, 2022 Commission Meeting at 10:07 a.m.**

Respectfully submitted,

  
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Lynn M. Retz, Executive Director

  
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Dwight D. Keen, Chair

  
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Susan K. Duffy, Commissioner

  
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Andrew J. French, Commissioner



# ITEMS OF Consent Agenda

Approval Date: Thursday, November 3, 2022

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 application of Trans Pacific Oil Corporation for an exception to the 10-year time limitation of K.A.R. 82-3-111 for its Cook #2 well located in the SW/4 of Section 19, Township 14 South, Range 10 West, Ellsworth County, Kansas. <i>Order Designating Presiding Officer and Setting Prehearing Conference</i>	22-CONS-3334-CEXC	
2	In the Matter of the Capital Plan Compliance Docket for Kansas City Power & Light Company and Westar Energy, Inc. Pursuant to the Commission's Order in Docket No. 18-KCPE-095-MER. <i>Order Granting Intervention to the Kansas Municipal Energy Agency</i>	19-KCPE-096-CPL	
3	In the Matter of an Investigation to Determine the Affordable Local Service Rates for Rate-of-Return Regulated Carriers and the Annual Assessment Rate for the Twenty-Seventh Year of the Kansas Universal Service Fund, Effective March 1, 2023. <i>Order Approving Traffic Factors for Nex-Tech Wireless</i>	23-GIMT-261-GIT	

**Consent Agenda**


ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
4	In the Matter of the Investigation of JAN TRANSPORTATION LLC, of KANSAS 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. <i>Penalty Order</i>	23-TRAM-331-PEN	
5	In the Matter of the Investigation of MAGALLANES LOGISTICS dba MAGELLAN TRANSPORTS, of LIBERAL, 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. <i>Penalty Order</i>	23-TRAM-332-PEN	
6	In the Matter of the Investigation of FENNIX TRANSPORTATION INCN, of KANSAS 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. <i>Penalty Order</i>	23-TRAM-333-PEN	
7	In the Matter of the Investigation of SOUSA TRANSPORTATION LLC, of DODGE 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. <i>Penalty Order</i>	23-TRAM-335-PEN	
8	In the Matter of the Investigation of KC TRANSPORTATION CORP, 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. <i>Penalty Order</i>	23-TRAM-337-PEN	
9	In the Matter of the Investigation of GIMEL LLC, 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. <i>Penalty Order</i>	23-TRAM-338-PEN	
10	In the Matter of the Investigation of IDEAL HAULING SOLUTIONS LLC dba IHS, 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. <i>Penalty Order</i>	23-TRAM-339-PEN	
11	In the Matter of the Investigation of MORENO'S MASONRY & CONCRETE LLC, of KANSAS 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. <i>Penalty Order</i>	23-TRAM-340-PEN	

**Consent Agenda**

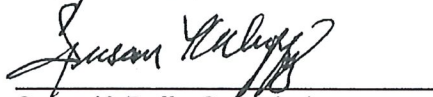
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
12	In the Matter of the Investigation of DREAMLAND CONSTRUCTION LLC, of OLATHE, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <i>Penalty Order</i>	23-TRAM-341-PEN	
13	In the Matter of the Investigation of KING'S TRUCKING LOGISTICS LLC, of KANSAS 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. <i>Penalty Order</i>	23-TRAM-343-PEN	
14	In the Matter of the Investigation of ACTION DEL LLC, of KANSAS 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. <i>Penalty Order</i>	23-TRAM-344-PEN	
15	In the Matter of the Investigation of SMOOTH OPERATOR LOGISTICS LLC, of GALENA, 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. <i>Penalty Order</i>	23-TRAM-345-PEN	
16	In the Matter of the Emergency Suspension of Operating Authority of O&E Trucking LLC, of Goodland, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Motor Carrier Operating Authority</i>	23-TRAM-438-OOS	
17	In the Matter of the Emergency Suspension of Operating Authority of Real Life Logistics LLC, of Olathe, Kansas, for Failure to Comply with New Entrant Safety Requirements as Required by the Motor Carrier Safety Statutes, Rules and Regulations. <i>Emergency Suspension of Operating Authority Order</i>	23-TRAM-439-OOS	
18	Transportation orders to be approved by the Commission on the Consent Agenda. <i>Transportation Economic Orders</i>	23-TRAM-5031-TRA	

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

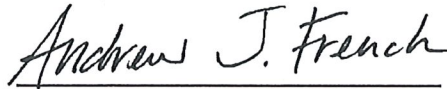
For the Commission :

  
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Dwight D. Keen, Chair


  
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Susan K. Duffy, Commissioner

  
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Andrew J. French, Commissioner

Attest:

  
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Lynn M. Retz  
Executive Director

Transportation Division  
1500 SW Arrowhead Road  
Topeka, KS 66604-4027



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Dwight D. Keen, Chair  
Susan K. Duffy, Commissioner  
Andrew J. French, Commissioner

Laura Kelly, Governor

**Transportation Orders By Docket Number**  
**23-TRAM-5031-TRA**

Order Number	Description	Removed
20221028093720	<i>In the Matter of the Application of IGNASIO GARDEA CORDERO of DODGE CITY KS for Authority for a Certificate of Public Service.</i> USDOT #2332446 IGNASIO GARDEA CORDERO of DODGE CITY KS - Order Granting Application for Certificate of Public Service	
20221028130854	<i>In the Matter of the Application of ALEXIS CASTILLO of GARDEN CITY KS for Authority for a Certificate of Public Service.</i> USDOT #3939731 ALEXIS CASTILLO of GARDEN CITY KS - Order Granting Application for Certificate of Public Service	
20221031151831	<i>In the Matter of the Application of LIVINGSTON TRUCKING LLC of ABILENE KS for Authority for a Certificate of Public Service.</i> USDOT #3952085 LIVINGSTON TRUCKING LLC of ABILENE KS - Order Granting Application for Certificate of Public Service	

Total # of Orders: 3

End of Report