

LOUISIANA PUBLIC SERVICE COMMISSION

ORDER NUMBER T-37766

KENN TRANSPORT LLC
EX PARTE

Docket No. T-37766, In re: Application for a Common Carrier Certificate of non-hazardous oilfield waste for disposal, statewide.

(Decided March 6, 2026.)

ORDER

Background

Kenn Transport LLC (“Kenn Transport” or the “Applicant”) submitted an application with attachments (“Application”) on October 29, 2025, seeking from the Louisiana Public Service Commission (“LPSC” or “Commission”) a Common Carrier Certificate of non-hazardous oilfield waste for disposal, statewide. Notice of the Application was published in the Commission’s *Official Bulletin* on November 7, 2025, for a 15-day intervention period. No interventions were filed.

At a status conference on December 9, 2025, representatives of the Applicant and the Commission Staff agreed to a procedural schedule, which was included in the *Report of Status Conference* issued on the same day. Kenn Transport and Commission Staff filed their pre-hearing statements on February 9 and February 4, 2026, respectively. On February 6, 2026, Kenn Transport filed an unopposed motion to reschedule the hearing, which was granted in a ruling issued that same day. As there are no intervenors and the Commission Staff supports the Application, the Application is unopposed.

Jurisdiction and Applicable Law

The Commission derives its jurisdiction over common carriers and public utilities from the Louisiana Constitution of 1974. Article IV, Section 21(B) of the Constitution provides, in pertinent part, that:

[t]he [C]ommission shall regulate all common carriers and public utilities and have such other regulatory authority as provided by law. It shall adopt and enforce reasonable rules, regulations and procedures necessary for the discharge of its duties, and shall have other powers and perform other duties as provided by law.

In addition, La. R.S. 45:163 provides that “[t]he [C]ommission has the power and authority necessary to supervise, govern, regulate, and control motor carriers...which transport household goods, passengers, or waste intrastate and to fix reasonable and just rates, fares, tolls, or charges

for the commodities furnished or services rendered by such motor carriers.” La. R.S. 45:164 states that “[n]o motor carrier of waste shall operate without first having obtained from the [C]ommission a common carrier certificate or contract carrier permit.” La. R.S. 45:164(B) provides that an applicant for a common carrier certificate, contract carrier permit, or expansion of authority granted in an existing certificate must prove fitness by proving all of the following:

- (1) The applicant holds, or is capable of acquiring, an insurance policy that complies with [C]ommission rules.
- (2) The applicant has the financial ability to provide the transportation of waste for disposal in a safe and efficient manner.
- (3) The applicant holds, or is capable of acquiring all the necessary authorizations required by any and all regulatory authorities for the transportation of waste for disposal.
- (4) The applicant holds, or is capable or [sic] acquiring for use, equipment and man power to provide transportation services in a safe and efficient manner.
- (5) The applicant has in place, or is capable of establishing, a safety program necessary for the safe and efficient transportation of waste for disposal.

The Commission’s *General Order* dated January 23, 2018 incorporated the above requirements into Rule 33 of the Commission’s *Rules of Practice and Procedure*, which now reads (in pertinent part) as follows:

- A. An applicant applying for a common carrier certificate, contract carrier permit, or expansion of authority granted in an existing certificate or permit authorizing the transportation of non-hazardous oilfield waste, hazardous waste or non-hazardous industrial solid waste shall prove fitness...in a hearing before an administrative law judge or hearing officer by proving that the applicant:
 1. holds, or is capable of acquiring, an insurance policy providing coverage of two hundred fifty thousand dollars for injury or death per person or five hundred thousand dollars per occurrence, and ten thousand dollars property damage,
 2. has the financial ability to provide the transportation of waste for disposal in a safe and efficient manner,
 3. holds, or is capable of acquiring, all of the necessary authorizations required by any and all regulatory authorities for the transportation of waste for disposal[,]
 4. holds, or is capable of acquiring for use, equipment and man power to provide transportation services in a safe and efficient manner, and
 5. has in place, or is capable of establishing, a safety program necessary for the safe and efficient transportation of waste for disposal.

...

- D. The provisions of this rule are applicable to all applications for common carrier certificates and contract carrier permits of waste and all applications for expansion of existing waste authority, including those applications which are presently pending before the Commission but have not yet gone to hearing on the merits.
- E. All restrictions on existing certificates or permits are valid until expansion of authority is applied for and a new certificate or permit is granted. However, any restrictive language in any existing common carrier certificate or any contract carrier permit of waste that prevents the carrier from applying for expanded authority for any period of time is null and void...
- F. Certificates or permits issued after the adoption of this rule shall not contain restrictions.

The Hearing

A hearing on the Application was convened on February 20, 2026, at which the Applicant and Commission Staff appeared through counsel.

Testimony and Evidence Presented by the Applicant

Mr. Melvin Kennedy testified in support of the Application.

Testimony of Melvin Kennedy

Since its formation, Mr. Kennedy has been the sole owner and member of Kenn Transport, and is responsible for all aspects of its day-to-day business operations. Mr. Kennedy testified regarding his employment background, including 14 years in oil and gas transportation and his present ownership of another transportation company, Hawk Transport, LLC. Kenn Transport is a Texas company formed in June 2023, with its principal business address in Forney, Texas, and its only terminal located in Greenwood, Louisiana. Mr. Kennedy testified that its address in Louisiana as registered with the Louisiana Secretary of State's office, and the address that should be used for LPSC communications, is 114 Jordan St., Grambling, Louisiana, 71245. Per Mr. Kennedy, Kenn Transport operates in Louisiana and Texas providing oil and gas related transportation services, and presently has LPSC authority to transport saltwater. Mr. Kennedy stated that the Applicant is seeking the requested authority to expand its service offerings to customers so it can pick up and dispose of waste in Louisiana. Kenn Transport currently has six total employees, five of which (all drivers) are in Louisiana.

Mr. Kennedy identified the Application and various regulatory documents submitted therewith, including documents filed with and obtained from the Texas and Louisiana Secretary of State's offices. He averred that Kenn Transport is in good standing with the Texas and Louisiana Secretary of State's offices and state and federal regulatory agencies.

Mr. Kennedy identified an *ACORD Certificate of Liability Insurance* showing the Applicant¹ as the insured and confirmed that the policies listed are current, cover all of Kenn Transport's equipment and drivers, meet or exceed the minimum requirements, and will be renewed on or before expiration. Mr. Kennedy expressed his understanding of the Commission's requirement to maintain insurance on file with the Commission.

Mr. Kennedy identified documents depicting Kenn Transport's finances, asserting that it is financially able to provide safe and efficient transportation of waste, and stating there are no financial factors that would limit that ability. Per Mr. Kennedy, the Applicant is current on federal and state tax filings, has not filed for bankruptcy, is not the subject of a tax audit, and has not had any issues funding payroll.

Mr. Kennedy testified regarding the Applicant's equipment, stating that all equipment will be leased from Hawk Transport. Mr. Kennedy addressed the maintenance policies and practices, including pre-trip and post-trip inspections, maintenance schedules, and maintenance documentation. Mr. Kennedy averred that all equipment to be used by the Applicant for transporting LPSC-regulated waste is in good working order. Per Mr. Kennedy, trucks are equipped with GPS, front-facing cameras, and are governed to 75 miles per hour. Mr. Kennedy confirmed his understanding of LPSC rules regarding leasing and owner-operators, and stated that Kenn Transport will comply with those rules.

Mr. Kennedy addressed the Applicant's safety policies and practices. Mr. Kennedy explained that Applicant conducts pre-employment, random, reasonable suspicion, and post-incident drug screenings. Kenn Transport has a hands-free cell phone policy in compliance with federal regulations. Mr. Kennedy testified that the Applicant conducts and documents monthly safety meetings, as needed safety meetings, and job safety analysis meetings. Per Mr. Kennedy, Kenn Transport is a member of the ISNetworld safety network.

Mr. Kennedy testified regarding Kenn Transport's driver hiring and training practices. Mr. Kennedy described the minimum required experience, criminal and motor vehicle background checks, and work history checks that the Applicant undertakes for driver applicants. New driver hires ride along with an experienced driver who then must document a new driver hire's ability to

¹ Mr. Kennedy acknowledged that the *ACORD Certificate of Liability Insurance* has a spelling error in the Applicant's address and testified that he would ensure that insurance documents filed with the LPSC would reflect the correct information for the Applicant.

perform duties safely.

Mr. Kennedy confirmed his understanding of myriad Commission rules and regulations, including filing annual reports and paying inspection and supervision fees, and stated that the Applicant intends to comply with all of the Commission's regulations. He indicated that the Applicant has or is willing to acquire the necessary permits, equipment, finances, and personnel for the transportation of LPSC-regulated waste in a safe, efficient, and LPSC-compliant manner.

In connection with his testimony, Mr. Kennedy identified the following exhibits which were admitted:

Exhibit 1, <i>in globo</i>	The <i>Waste by Motor Vehicle Application</i> filed by Kenn Transport on October 29, 2025, with public attachments.
Exhibit 2	LPSC <i>Official Bulletin #1362</i> dated November 7, 2025, containing publication of instant docket.
Exhibit 3	Kenn Transport's Profit and Loss Statement for 2024 and 2025 (admitted confidentially under seal).
Exhibit 4	Hawk Transport LLC's Profit and Loss Statement for 2023 and 2024 (admitted confidentially under seal).
Exhibit 5	Kenn Transport's <i>Safety Program, Section One, Drug and Alcohol Program</i> . And,
Exhibit 6	Kenn Transport's complete <i>Safety Program</i> (submitted electronically on flash drive).

Commission Staff's Position

The Commission Staff expressed its support for the Application in its pre-hearing statement and confirmed at the hearing that there are no LPSC regulatory issues with the Applicant and that it supports the Application.

Conclusion

Having considered the Application of Kenn Transport, the testimony and evidence presented in support of the Application, the directives of the Commission's *General Order* dated January 23, 2018, Rule 33 of the Commission's *Rules of Practice and Procedure*, and other applicable law, we find that Kenn Transport has established its fitness to operate and that a common carrier certificate should be issued to the Applicant as requested.

Accordingly,

IT IS HEREBY ORDERED that:

1. Kenn Transport LLC be issued a common carrier certificate authorizing operation in Louisiana intrastate commerce as a common carrier of non-hazardous oilfield waste for disposal, statewide.

2. The issuance of the common carrier certificate is conditioned upon the full compliance of Kenn Transport LLC with the laws of the State of Louisiana and the rules and regulations of the Louisiana Public Service Commission.
3. This order is effective immediately pursuant to Rule 43 of the Louisiana Public Service Commission's *Rules of Practice and Procedure*.

BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
March 6, 2026



A handwritten signature in blue ink, appearing to read "Brandon M. Frey".

BRANDON M. FREY
SECRETARY

A handwritten signature in blue ink, appearing to read "Eric F. Skrmetta".

DISTRICT I
CHAIRMAN ERIC F. SKRMETTA

A handwritten signature in blue ink, appearing to read "Jean-Paul P. Coussan".

DISTRICT II
VICE CHAIRMAN JEAN-PAUL P. COUSSAN

A handwritten signature in blue ink, appearing to read "Foster L. Campbell".

DISTRICT V
COMMISSIONER FOSTER L. CAMPBELL

A handwritten signature in blue ink, appearing to read "Mike Francis".

DISTRICT IV
COMMISSIONER MIKE FRANCIS

A handwritten signature in blue ink, appearing to read "Davante Lewis".

DISTRICT III
COMMISSIONER DAVANTE LEWIS