

NC

FILE

07-740-TR-CVF 3

ROBERT KNITTEL
PRESIDENT



(440) 647-2945
Fax (440) 647-4499

June 20, 2007

Public Utilities Commission of Ohio
Docketing Division
180 East Broad Street, 13th Floor
Columbus, OH 43215-3793

Re: Case # OH3251003902D
Contact Person: Jeffery Knittel
Contact Number: 440 647 2945
Contact Fax: 440 647 4499

PUCO

2007 JUN 26 AM 9:05

RECEIVED-DOCKETING DIV

To Whom It May Concern:

I am sending you this letter to as a "Request for Administrative Hearing" with the Commission's Docketing Division with regards to the following case. Per the instruction sheet you provided I am attaching a copy of the "Notice of Preliminary Determination".

Please contact Jeffrey Knittel in regards to this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy L. Kallos".

Wendy L. Kallos
Office and Payroll

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.

Technician JS Date Processed 6-26-07

44901 State Rt. 18



Wellington, Ohio 44090



The Public Utilities Commission of Ohio

Monitoring marketplaces and enforcing rules to assure safe,
adequate and reliable utility services.

Ted Strickland, Governor
Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus
Donald L. Mason, Esq.
Valerie A. Lemmie
Paul A. Centolella

June 13, 2007
MR JEFFERY KNITEL
VP
OH3251003902D

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As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against JERRY D SMITH in the following forfeiture:

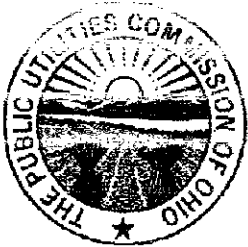
Code	Violation
391.41A	No medical certificate on driver's possession...
391.11B4	Driver not physically qualified:HAS CORRECTIVE LENS

Total Forfeiture Agreed : \$350.00

Please include a certified check or money order for the total forfeiture Agreed, made payable to "Treasurer State of Ohio," and mail to: PUCO FISCAL, 180 E. Broad St, 13th floor, Cols. OH 43215-3793. FOR PROPER CREDIT. BE SURE TO PUT THE CASE NUMBER ON THE FACE OF THE CHECK.

Please consult the enclosed additional information concerning this Notice of Preliminary Determination.

Robert E. Marvin, Director
Transportation Department
Public Utilities Commission of Ohio



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June 13, 2007

MR JEFFERY FOWLER
VP
44901 STATE RT 18
WELLINGTON, OH 44090

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. OH3251003902D
Officer: WW

Dear MR KNITEL:

On January 20, 2006, a vehicle operated by ATLAS CONCRETE WALLS INC, and driven by KERRY D SMITH, was inspected within the State of Ohio. As the result of discovery of the following apparent violations the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code	Violation
391.41A	No medical certificate on driver's possession...
391.11B4	Driver not physically qualified:HAS CORRECTIVE LEN

Total Forfeiture Assessed : \$350.00

A conference was conducted pursuant to Rule 4901:2-7-10(B), O.A.C., at which the Respondent had a full opportunity to present any reasons why the violations did not occur as alleged, mitigating circumstances regarding the amount of any forfeiture, and any other information relevant to the action proposed to be taken by Staff.

(continued)