

NC
**BEAVER
PETROLEUM**

FILE

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1507 WAYNESBURG DRIVE, S.E. P.O. BOX 20308
CANTON, OHIO 44701-0308

The BEAVER PETROLEUM CO. INC.

Phone: (330) 454-2242

Fax: (330) 454-7848

08-571-TR-CVF

The Public Utilities Commission of Ohio
Attention: Docketing Division
180 East Broad Street, 13th Floor
Columbus, OH 43215

To Whom It May Concern:

I am filing a "Request for Administrative Hearing" on the behalf of Jim Gainey in regards to case #0841005797D.

Please direct further communication to:

Jim Gainey
4086 New State Rd.
Willard, OH 44890
330-417-8807

Regards,

Peter Eells

Peter Eells
Beaver Petroleum Co.

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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

April 7, 2008
MR JIM GAINNEY

0841005797D

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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 JAMES H GAINNEY in the following forfeitures:

Code	Violation	
383.93B4	NO HM ENDORSEMENT ON CDL	\$ 82.50
2-5-07D	Operating a Hazmat Vehicle after being placed	\$ 1000.00

Total Forfeiture Agreed :

Please include a certified check or money order for the N.P.D. forfeiture total, made payable to "Treasurer State of Ohio," and mail to: PUCO FISCAL, 180 E. Broad St, 10th 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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April 7, 2008

MR JIM GAINNEY

4086 NEW STATE RD
WILLARD, OH 44890

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. 0841005797D

Officer:

Dear MR GAINNEY:

On January 9, 2008, a vehicle operated by BEAVER PETROLEUM C and driven by JAMES H GAINNEY, 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 amounts:

Code	Violation	
383.93B4	NO HM ENDORSEMENT ON CDL	\$ 82.50
2-5-07D	Operating a Hazmat Vehicle after being placed	\$ 1000.00

Total Forfeiture Assessed :

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)