09-598-TR.CVF

RECEIVED-DOCKETING DIV

LINDEN BULK TRANSPORTATION CO., INC

200 TREMLEY POINT ROAD - LINDEN, N.J. 07036 - (908) 862-3883 FAX (908) 862-5090

PUCO

July 13, 2009

Certified Mail - R.R.R.

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

Re: Case No: 0499007204C

Request for Administrative Hearing

To Whom It May Concern:

Please accept this letter as a Request for Administrative Hearing for the above referenced Case. As required, enclosed is a copy of the Notice of Preliminary Determination. Please direct all future correspondence to my attention at 1300 Lower Road, Linden, NJ 07036. My telephone number is 908 862-1400 ext. 302, and my facsimile is 908 862-7549.

Thank you for your attention to this matter.

Respectfully submitted,

Debra F. Salz Vice President

Corperate Counsel

Enclosure

c.c. L. Di Nicola

R. O'Leary

J. Ready



The Public Utilities Commission of Ohio

Ted Strickland, Governor Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus Valerie A. Lemmie Paul A. Centolella Cheryl Roberto

adequate and reliable utility services.

Monitoring marketplaces and enforcing rules to assure safe,

June 29, 2009

JOHN READY LINDEN BULK TRANSPORTATION CO INC 4200 TREMLEY POINT ROAD LINDEN, NJ 07036

RE: **NOTICE OF PRELIMINARY DETERMINATION**

Case No. 0499007204C

Officer:

Dear READY:

On April 15, 2009, a vehicle operated by LINDEN BULK TRANSPORTATION CO INC and driven by EDWIN S HIBBARD, was inspected within the State of Ohio. As the result of discovery of the following apparent violation 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

177.817E

Shipping paper accessibility. INSIDE BINDER \$ 2520.00

Total Forfeiture Assessed :

A conference was conducted pursuant to Rule 4901:2-7-10(B), 0.A.C., at which the Respondent had a full opportunity to present any reasons why the violation 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)



The Public Utilities Commission of Ohio

Ted Strickland, Governor Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus Valerie A. Lemmie Paul A. Centolella Cheryl Roberto

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

June 29, 2009

JOHN READY
LINDEN BULK TRANSPORTATION CO INC
0499007204C

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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 LINDEN BULK TRANSPORTATION CO INC in the following forfeiture:

Code

Violation

177.817E

Shipping paper accessibility. INSIDE BINDER \$ 2520.00

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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