

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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In the Matter of Bryan Passick, Notice of : Case No. 09-255-TR-CVF
Apparent Violation and Intent to Assess : (OH3271004283D)
Forfeiture. :

NOTICE OF DISMISSAL

The Staff of the Public Utilities Commission of Ohio (Staff) hereby agrees to withdraw its notice of preliminary determination of violation submitted to Respondent under Rule 4901:2-7-12, Ohio Administrative Code. Due to a review of the facts in the case and after discussions with the Respondent, the Staff has agreed to dismiss the forfeiture proceeding. The Staff determined that Mr. Passick was engaged in agricultural activities exempt from regulation, and that no violation occurred.

Staff has discussed the matter with Mr. Passick and he sees no need to continue the administrative hearing process. Accordingly, the parties request the Commission dismiss the case close the record.

Respectfully submitted,



Werner L. Margard
Sarah J. Parrot
Assistant Attorneys General
Public Utilities Section
180 East Broad Street
Columbus, OH 43215-3793
(614) 466-4395
FAX: (614) 644-8764

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing **Notice of Dismissal** was served by regular U.S. mail, postage prepaid, upon the party of record on this 21st day of July, 2009.



Werner L. Margard III
Assistant Attorney General

PARTY OF RECORD:

Bryan D. Passick
2607 St. Rt. 314
Fredericktown, OH 43019