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**Attorneys at Law**

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Max Kravitz (1946-2007)

Of Counsel:  
William H. Bluth\*

\*Also Admitted in NY

rparsons@kravitzllc.com

September 15, 2009

09-809-TR-CVF

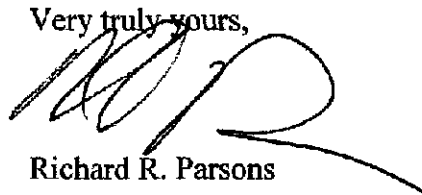
The Public Utilities Commission of Ohio  
Attention: Docketing Division  
180 East Broad Street, 13<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

Re: **Request for Administrative Hearing**  
-Timothy Smith, Notice of Preliminary Determination,  
Case No. OH0779001660D  
-Nobscot Organ Works, Notice of Preliminary Determination,  
Case No. OH0779001660C

Dear Staff:

I represent the alleged driver, Timothy Smith, and the alleged carrier, Nobscot Organ Works, in the above-captioned matters. On Mr. Smith and Nobscot Organ Works' behalf, I hereby file with the PUCO this "Request for Administrative Hearing" to further contest the civil forfeiture orders in these matters. Please direct all correspondence to the undersigned at the above address. Copies of the Notices of Preliminary Determination are enclosed for your reference.

Very truly yours,



Richard R. Parsons

Enclosures

cc: Tim Smith

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 Sm Date Processed SEP 16 2009



# 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  
Valerie A. Lemmie  
Paul A. Centolella  
Cheryl Roberto

September 9, 2009

MR RICHARD PARSONS  
NOBSCOT ORGAN WORKS  
65 E STATE ST SUIT 200  
COLUMBUS, OH 43215

RE: **NOTICE OF PRELIMINARY DETERMINATION**

Case No. OH0779001660C

Officer: WW

Dear MR PARSONS:

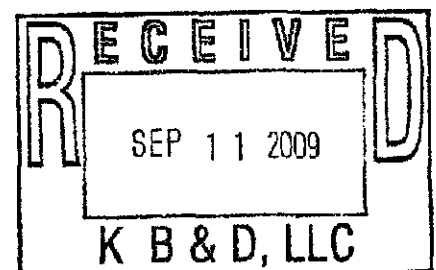
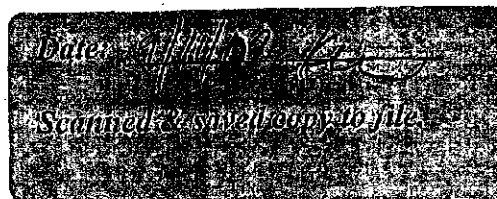
On May 18, 2009, a vehicle operated by NOBSCOT ORGAN WORKS, and driven by TIMOTHY E SMITH, was inspected within the State of Ohio. As the result of discovery of the following apparent violations the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code	Violation
392.2UCR	Failure to pay UCR fee
392.9AA1	Operating without the Required Operating Authority

Total Forfeiture Assessed : \$600.00

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.

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September 9, 2009  
MR RICHARD PARSONS  
NOBSCOT ORGAN WORKS  
OH0779001660C

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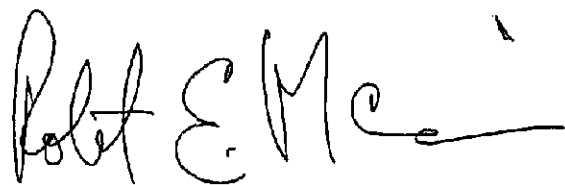
As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against NOBSCOT ORGAN WORKS in the following forfeiture:

Code	Violation
392.2UCR	Failure to pay UCR fee
392.9AA1	Operating without the Required Operating Authority

Total Forfeiture Agreed : \$600.00

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.

A handwritten signature in black ink, appearing to read "Robert E. Marvin", with a long horizontal flourish extending to the right.

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



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COLUMBUS, OH 43215

RE: **NOTICE OF PRELIMINARY DETERMINATION**

Case No. OH0779001660D

Officer: WW

Dear MR PARSONS:

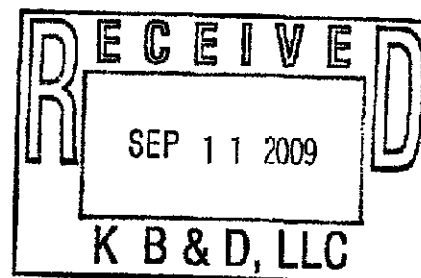
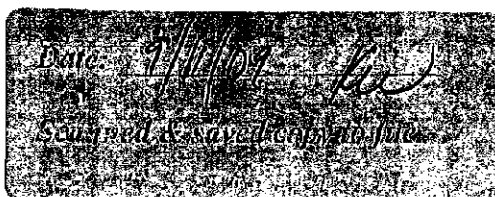
On May 18, 2009, a vehicle operated by NOBSCOT ORGAN WORKS, and driven by TIMOTHY E SMITH, was inspected within the State of Ohio. As the result of discovery of the following apparent violations the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code	Violation
395.8A	No drivers record of duty status
391.41A	No medical certificate on drivers possession

Total Forfeiture Assessed : \$200.00

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)



September 9, 2009  
MR RICHARD PARSONS

OH0779001660D

PAGE -2

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

Code	Violation
395.8A	No drivers record of duty status
391.41A	No medical certificate on drivers possession

Total Forfeiture Agreed : \$200.00

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



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