

FILE

Temperature Controlled Warehousing and
Transportation Services



10/15/2009

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

09-971-TR-CVF

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2009 OCT 19 PM 4:14
PUCO

To Whom It May Concern:

FST Express Inc.
2040 Atlas St.
Columbus, Ohio 43228

Request for Administrative Hearing

I am requesting an Administrative Hearing on the Notice of Preliminary Determination based on the out come of the conference that was done on 9/23/09 on Case No. 3219300919C

Christina Ross is the person that conducted our phone conference, she said that there was nothing that she could do on these violations do to our rating level.

She also said that the only way we could change the out come on these violations, was to present or case in an Administrative Hearing.

The person to contact in this matter is Jim Vaughan.

All of my contact information is listed below.

Please contact me with date, time and location of the Hearing.

Sincerely yours,

Jim Vaughan
Driver Relations,
Safety & Compliance Mgr
FST Logistics Inc.
2040 Atlas St.
Columbus, Ohio 43228
614-529-7900 or 800-758-4599x1540
jvaughan@fstusa.com

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The Public Utilities Commission of Ohio

Ted Strickland, Governor
Alan R. Schriber, Chairman

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

Commissioners

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

September 28, 2009

MR. JIM VAUGHAN
COMPLIANCE MANAGER FST EXPRESS INC
2040 ATLAS STREET
COLUMBUS, OH 43228

RE: **NOTICE OF PRELIMINARY DETERMINATION**
Case No. 3219300919C
Officer:

Dear MR. VAUGHAN:

On July 16, 2009, a vehicle operated by FST EXPRESS INC, and driven by DENNIS D TAYLOR, 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 | |
|----------|---|------------|
| 172.331 | Markings for other bulk packages-(shipper)-4 | \$ 0.00 |
| 177.823A | No markings when required-(carrier)-see above | \$ 3360.00 |
| 177.817E | Shipping paper accessibility-Non-HM shipping | \$ 1680.00 |
| 177.817A | Improper shipping papers (carrier)-see above | \$ 0.00 |
| 177.817A | Improper shipping papers (carrier)-see above | \$ 0.00 |
| 177.817A | Improper shipping papers (carrier)-see above | \$ 0.00 |

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)