

FILE

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of a Settlement Agreement)
Between the Public Utilities Commission)
Of Ohio and D&J Transport of Beaver)
Ohio, LLC.)

Case No. 09-1056-TR-CVF
(CR09C160)

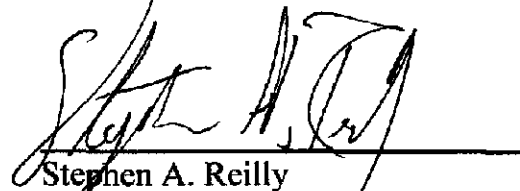
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**MOTION OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO
FOR AN ORDER MODIFYING THE PAYMENT SCHEDULE
OF THE CIVIL FORFEITURE ASSESSED HEREIN**

D&J Transport of Beaver Ohio, LLC requested a modification of the payment schedule for the civil forfeiture assessed herein in a letter docketed on February 25, 2010, a copy of which is attached hereto. In that letter, D&J Transport requests that the six monthly payments it is to make to satisfy the civil forfeiture commence on May 1, 2010 and end on November 1, 2010. Staff does not object to this modification and, therefore, moves with D&J Transport for the modification.

The parties also move for an expedited ruling.

Respectfully submitted,



Stephen A. Reilly
Assistant Attorney General
Public Utilities Section

180 East Broad Street
Columbus, Ohio 43215

Telephone: 614.466.4396

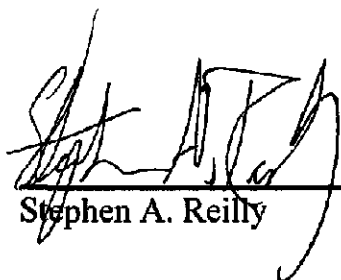
FAX: 614.644.8764

stephen.reilly@puc.state.oh.us

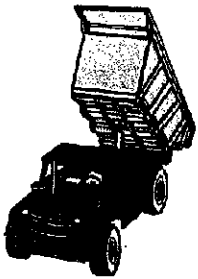
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Technician OR Date Processed 2-26-2010

CERTIFICATE OF SERVICE

I certify a copy of the foregoing was served upon D&J Transport of Beaver Ohio, LLC by serving it at 109 Middle Street, P.O. Box 356, Piketon, OH 45661 by ordinary U.S. mail on the 26th day of February, 2010.



Stephen A. Reilly



D and J TRANSPORT OF BEAVER, OHIO, LLC

109 MIDDLE STREET, P.O. BOX 356

PIKETON, OHIO 45661

FAX: 740-289-1879

PHONE: 740-289-4822

CELLULAR: 740-222-0121

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FEB. 24 2010

**ATTORNEY GENERAL'S OFFICE
PUBLIC UTILITIES SECTION**

February 9, 2010

Public Utilities Commission of Ohio
ATTENTION: Assistant Attorney General Steve Reilly
180 East Broad Street, 6th Floor
Columbus, Ohio 43125-3793

Case # CR09C357 and 09-1056-TR-CVS

Mr. Reilly,

I am writing this letter to ask for an extension on my repayment plan for the above mentioned cases. This has been a very slow year (the worst we've ever had) for our company with revenues being cut by over half. When the agreement was made I anticipated a much better year. We have signed an agreement to work with a company on an ARRA project in Ross county this summer. With these funds I will start paying my obligation beginning May 1, 2010 and ending November 1, 2010.

I appreciate your consideration in this matter. If you have any questions please call me at 740-222-0121.

Sincerely,

Glenn Pittman