

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Milenko Ristic, Notice of)
Apparent Violation and Intent to Assess) Case No. 09-50-TR-CVF
Forfeiture.) (OH3256005836D)

FINDING AND ORDER

The Commission finds:

- (1) On August 26, 2008, a vehicle operated by RDM Logistic LLC and driven by Milenko Ristic (respondent) was inspected within the State of Ohio. The inspection resulted in the discovery of one apparent violation: operating out of service, in violation of Rule 4901:2-5-07(D), Ohio Administrative Code (O.A.C.).
- (2) Respondent was timely served with a Notice of Preliminary Determination (NPD) for Inspection No. OH3256005836D in accordance with Rule 4901:2-7-12, O.A.C. The NPD assessed respondent a total forfeiture of \$1000.00 for the alleged violation.
- (3) On January 22, 2009, respondent made a timely formal request for an administrative hearing pursuant to Rule 4901:2-7-13, O.A.C. Thereafter, a prehearing conference was held and a hearing was scheduled in the matter.
- (4) On April 28, 2009, the parties filed a settlement agreement which, in the parties' opinion, resolves all issues raised in the NPD.
- (5) In the settlement agreement, the parties agree and recommend that the Commission find:
 - (a) Staff and the respondent agree that the respondent will pay a civil forfeiture in the amount of \$500.00.
 - (b) Staff and the respondent agree that the citations may be included in the respondent's Safety-Net record and history of violations insofar as they may be relevant for purposes of determining future penalty actions.
 - (c) The respondent shall have 12 monthly payments to pay the forfeiture of \$500.00. The payment shall be made using certified checks or money orders payable

to "Treasurer State of Ohio" and mailed to PUCO Fiscal, 180 East Broad Street, 4th Floor, Columbus, Ohio 43215-3793.

- (d) This settlement agreement shall not become effective until adopted by the Commission. The date of the entry or order of the Commission adopting the settlement agreement shall be considered the effective date of the settlement agreement.
- (e) This settlement agreement is made in settlement of all factual or legal issues in this case. It is not intended to have any affect whatsoever in any other case or proceeding.
- (6) The Commission finds that the settlement agreement submitted in this case is reasonable. Therefore, the settlement agreement should be approved and adopted in its entirety.

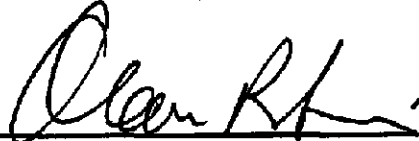
It is, therefore,

ORDERED, That the settlement agreement submitted in this case be approved and adopted in its entirety. It is, further,

ORDERED, That Milenko Ristic pay a civil forfeiture of \$500.00 in accordance with the settlement agreement. Payment should be made payable to "Treasurer, State of Ohio" and mailed to PUCO, Attention: Fiscal Division, 4th Floor, 180 East Broad Street, Columbus, Ohio 43215. In order to assure proper credit, Mr. Ristic is directed to write the inspection number (OH3256005836D) on the face of the checks or money orders. It is, further,

ORDERED, That a copy of this finding and order be served on each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO




Alan R. Schriber, Chairman



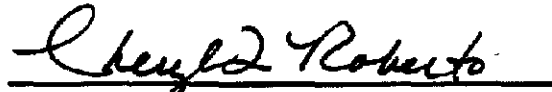
Paul A. Centolella



Valerie A. Lemmie



Steven D. Lesser

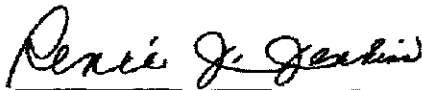


Cheryl L. Roberto

RMB/dah

Entered in the Journal

APR 28 2010



Renee J. Jenkins
Secretary