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11-622-TR-CUF

## REQUEST FOR ADMINISTRATIVE HEARING

Case Number: OH 324 0000 237D

Preference: By Telephone

February 3, 2011

Public Utilities Commission of Ohio Attention: Docketing Division 180 East Broad Street, 11th Floor Columbus, OH 43215-3793

Case Number:

OH 324 0000 237D

Re:

**Douglas Bouch** 

Dear Public Utilities Commission of Ohio:

This is a Request for Administrative Hearing in the above-captioned case and pursuant to Rule 4901:2-7-12 of the Ohio Administrative Code.

Further communications regarding this matter should be directed to the undersigned counsel at the address and telephone numbers listed in the top-right corner of this letter. A conference via telephone is preferred. A copy of the Notice of Preliminary Determination is attached. Thank you for your attention to this matter.

Respectfully

ROETZEL & ANDRESS, LPA

Bradley A. Wright

BAW/ct 1729946/01/105941/0048

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January 24, 2011

MR BRADLEY WRIGHT

222 SOUTH MAIN ST AKRON, OH 44308

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3240000237D

Officer: WW

Dear MR WRIGHT:

On AUGUST 16, 2010, a vehicle operated by ESTES EXPRESS LINES, and driven by DOUGLAS S BOUCH, was inspected within the State of Ohio. As the result of discovery of the following apparent violation 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

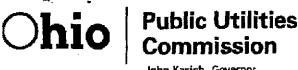
392.3

Operating a CMV while ill or fatigued.

Total Forfeiture Assessed: \$100.00

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 violation 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)



John Kasich, Governor Steven D. Lesser, Chairman Valerie A. Lemmie Paul A. Centolella Cheryl Roberto

January 24, 2011 MR BRADLEY WRIGHT

OH3240000237D

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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 DOUGLAS S BOUCH in the following forfeiture:

Code

Violation

392.3

Operating a CMV while ill or fatigued.

Total Forfeiture Agreed: \$100.00

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, 4th 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.

Robert E. Marvin, Director Transportation Department

Public Utilities Commission of Ohio