

FILE

11-0680-TR-CVF

Schiavoni, Schiavoni, Bush & Muldowney Co., L.P.A.

ATTORNEYS AT LAW
87 Westchester Drive, Youngstown, Ohio 44515
330-799-5940 • 330-799-5961
800-230-4008 TOLL FREE • FAX 330-799-5998

LOUIS J. SCHIAVONI
JOSEPH J. BUSH III
SHAWN MULDOWNNEY
JOSEPH L. SCHIAVONI*

February 3, 2011

OFFICE LOCATIONS
AUSTINTOWN, OHIO
ASHTABULA, OHIO

The Public Utilities Commission of Ohio
180 East Broad St. 11th Floor
Columbus, OH 43215-3793

RE: John Norris
YOUR CASE NO: OH3281007714C

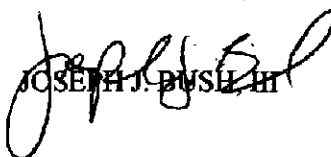
Dear Public Utilities Commission of Ohio:

Please set this case for an Administrative Hearing. I have enclosed, per your notice, the Notice of Preliminary Determination. We wish to contest the fine of \$600.00 in this matter.

Please set this matter for a hearing.

If you have any questions, please feel free to call.

Very truly yours,


JOSEPH J. BUSH III

JB/jp

enc.

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Public Utilities Commission

John Kasich, Governor
Steven D. Lesser, Chairman

Commissioners

Valerie A. Lemmie
Paul A. Centolella
Cheryl Roberto

January 18, 2011

MR JOSEPH BUSH III
NORRIS CRANE AND RIGGING LTD
87 WESTCHESTER DR
YOUNGSTOWN, OH 44515

PUCO

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RECEIVED-BOOKETING DIV.

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3281007714C

Officer: WW

Dear MR BUSH III:

On September 16, 2010, a vehicle operated by NORRIS CRANE AND RIGGING LTD, and driven by JOHN W NORRIS, 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
396.3A1BOS	BRAKES OUT OF SERVICE: The number of defective bra
393.48A	Inoperative or Defective Brakes on 1st axle left s
392.9A1	Failing to secure cargo as specified in 49 CFR 393
392.9A1	Failing to secure cargo as specified in 49 CFR 393
393.104A	Inadequate/damaged securement device/system on fro
393.47A	Inadequate brakes for safe stopping on right front

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.

(continued)

REC'D JAN 24 2011



Public Utilities Commission

John Kasich, Governor
Steven D. Lesser, Chairman

Commissioners

Valerie A. Lemmie
Paul A. Centolella
Cheryl Roberto

January 18, 2011
MR JOSEPH BUSH III
NORRIS CRANE AND RIGGING LTD
OH3281007714C

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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 NORRIS CRANE AND RIGGING LTD in the following forfeiture:

Code	Violation
396.3A1BOS	BRAKES OUT OF SERVICE: The number of defective bra
393.48A	Inoperative or Defective Brakes on 1st axle left s
392.9A1	Failing to secure cargo as specified in 49 CFR 393
392.9A1	Failing to secure cargo as specified in 49 CFR 393
393.104A	Inadequate/damaged securement device/system on fro
393.47A	Inadequate brakes for safe stopping on right front

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, 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