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FILE

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RUSTY'S TOWING SERVICE INC.

4845 OBETZ REESE ROAD
COLUMBUS, OHIO 43207
(614) 491-6288
FAX (614) 491-3511

RECEIVED-DOCKETING DIV
2011 APR 21 PM 3:24
PUCO

April 19, 2011

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

11-2648-TR-WF

RE: REQUEST FOR ADMINISTRATIVE HEARING
CASE NO. 3242007024C

Sir or Madame:

We are in receipt of your March 25, 2011 letter making a civil monetary assessment against Rusty's Towing Service, Inc.

We request an ADMINISTRATIVE HEARING to discuss the action Rusty's Towing Service, Inc. have taken to correct these violations and attach Addendum A to state our compliance statement.

Please contact Brenda McQuirt, Office Manager to set-up a HEARING date. Her phone number is 614.491-6288. Myself and our consultant from Transportation Management Consultants will attend this ADMINISTRATIVE HEARING.

Sincerely,

William R. McQuirt
President

Attachment: Addendum A – Compliance Statement

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician Sam Date Processed APR 21 2011



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RE: ADDENDUM A – COMPLIANCE STATEMENT
CASE NO. OH3242007024C

Sir or Madame:

I, William R. McQuirt, President of Rusty's Towing Service, Inc. certify that our organization does and will continue to operate in compliance with all of the Federal Motor Carrier Safety Regulations and our Management plan.

We have a company policy that all drivers perform a Pre-Trip Inspection of their vehicles before putting them in service for the day. Each of three violations should have been picked up on his Pre-trip Inspection.

Sincerely,

William R. McQuirt
President



Public Utilities Commission

John Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners

Valerie A. Lemmie
Paul A. Centolella
Cheryl Roberto
Steven D. Lesser

March 25, 2011

MR WILLIAM MCQUIRT
RUSTY 'S TOWING SERVICE INC
4845 OBETZ - REESE RD
COLUMBUS, OH 43207

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3242007024C

Officer: WW

Dear MR MCQUIRT:

On November 27, 2010, a vehicle operated by RUSTY 'S TOWING SERVICE INC, and driven by RICHARD A PAYNE, 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
393.25F	Stop lamp violations - left and right rear
393.9T	Inoperable tail lamp - left and right rear
393.9TS	Inoperative turn signal - left rear

Total Forfeiture Assessed : \$140.00

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)



Public Utilities Commission

John Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners

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Steven D. Lesser

March 25, 2011
MR WILLIAM MCQUIRT
RUSTY 'S TOWING SERVICE INC
OH3242007024C

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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 RUSTY 'S TOWING SERVICE INC in the following forfeiture:

Code	Violation
393.25F	Stop lamp violations - left and right rear
393.9T	Inoperable tail lamp - left and right rear
393.9TS	Inoperative turn signal - left rear

Total Forfeiture Agreed : \$140.00

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