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12-1156-TR-CVF

April 2, 2012

FILE

## SENT VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Ohio Public Utilities Commission Att: Docketing Division 180 East Broad Street, 11<sup>th</sup> Floor Columbus, Ohio 43215-3793

Re:

Neier, Inc.

Case No.: 0191006873C

REQUEST FOR ADMINISTRATIVE HEARING

Dear Sir/Madam:

As counsel for Neier, Inc., I write to request an administrative hearing with respect to the referenced matter. A copy of the Notice of Preliminary Determination issued by the Commission on March 19, 2012 is attached pursuant to Commission instructions.

Please direct all future correspondence related to the administrative hearing to my attention.

Very truly yours,

Timothy W. Wiseman

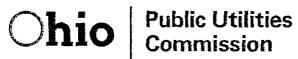
TWW/kkc Enclosure

cc: Kasey Thomas

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 Date Processed APR 0 4 2012

Landy W. Weem



John R Kasich, Governor Todd A. Snitchler, Chairman

March 19, 2012

Commissioners

Paul A. Centolella Cheryl Roberto Steven D. Lesser Andre T. Porter



MR TIMOTHY WISEMAN NEIER INC 10 WEST MARKET STREET SUITE 1500 INDIANAPOLIS, IN 46204

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. 0191006873C Officer:

Dear MR WISEMAN:

On December 28, 2011, a vehicle operated by NEIER INC, and driven by KASEY M KADINGER, 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

172.502A1

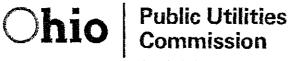
PROHIBITED PLACARDING

900.00

Total Forfeiture Assessed :

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 R Kasich, Governor Todd A. Snitchler, Chairman Commissioners

Paul A. Centolella Cheryl Roberto Steven D. Lesser Andre T. Porter

March 19, 2012 MR TIMOTHY WISEMAN NEIER INC 0191006873C

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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 NEIER INC in the following forfeiture:

Code

Violation

172.502A1

PROHIBITED PLACARDING

\$ 900.00

Total Forfeiture Agreed :

Please include a certified check or money order for the N.P.D. forfeiture total, 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