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PUCO

February 1, 2002

Mrs. Daisy Crockron, Chief  
Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street, 10<sup>th</sup> Floor  
Columbus, Ohio 43215-3793

02-324-TR-027

Re: Notice of Preliminary Determination to  
John Boggs  
(Case No. OHJU301699C)  
Request for Administrative Hearing

Dear Mrs. Crockron:

Attached hereto, in accordance with the requirements of Section 4901:2-7-13, O.A.C., is a Notice of Preliminary Determination involving John Boggs.

Respondent, John Boggs, respectfully requests an Administrative Hearing in the above-captioned matter. In accordance with Commission rules, the following information is provided:

Authorized Representative: David A. Ferris  
CARLILE PATCHEN & MURPHY, LLP  
366 East Broad Street  
Columbus, Ohio 43215  
Telephone: (614)628-0808  
Facsimile: (614)221-0216

Please advise if any additional information is required.

Very truly yours,

CARLILE PATCHEN & MURPHY LLP

  
David A. Ferris

cc: John Boggs  
Robert E. Marvin, Transportation Department

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  
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Bob Taft, Governor

Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus

Judy A. Jones

Donald L. Mason

Clarence D. Rogers, Jr.

January 8, 2002

MR. DAVID A. FERRIS  
ATTORNEY JOHN BOGGS  
366 EAST BROAD STREET  
COLUMBUS, OH 43215

RE: NOTICE OF PRELIMINARY DETERMINATION  
Case No. OHJU301699C

Dear MR. FERRIS:

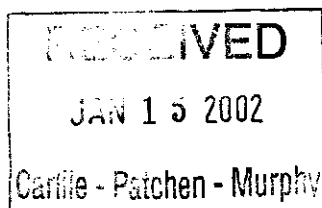
On July 16, 2001, a vehicle operated by JOHN BOGGS, and driven by MONT E CLINE, was inspected within the State of Ohio. As the result of discovery of the following apparent violation the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code	Violation
393.100	CARGO SHIFTING OR FALLING LOADING TO PREVENT

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)





The Public Utilities Commission of Ohio

Bob Taft, Governor

Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus

Judy A. Jones

Donald L. Mason

Clarence D. Rogers, Jr.

MR. DAVID A. FERRIS  
ATTORNEY JOHN BOGGS  
January 8, 2002  
OHJU301699C

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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 JOHN BOGGS in the following forfeiture:

Code	Violation
393.100	CARGO SHIFTING OR FALLING LOADING TO PREVENT

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, 10th 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