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IceMiller

LEGAL COUNSEL

Arena District 250 West Street Suite 700 Columbus, OH 43215-7509

14-0334-TR-CVF

February 25, 2014

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Delivered via Certified Mail - RRR

Public Utilities Commission of Ohio
ATTN: Docketing Division
180 East Broad Street
Columbus, OH 43215

Re: Request for Administrative Hearing
Case No. CR201307180384
MC Trucking Company

RECEIVED-DOCKETING DIV
2014 FEB 27 PM 2:07
PUCO

Dear Sir/Madam:

The undersigned is counsel for MC Trucking Company in the above-referenced matter. MC Trucking Company, 11641 Mosteller Road, Cincinnati, Ohio 45241, contests the attached Notice of Preliminary Determination in its entirety and requests an administrative hearing pursuant to 4901:2-7-13, O.A.C. The undersigned also requests that this matter be set for a prehearing conference pursuant to 4901-1-26.

Very truly yours,

ICE MILLER LLP



Corey V. Crognale

CVC:lec

Enclosure

cc: Mr. Dave Coniglio

This is to certify that the signed documents are an accurate and complete reproduction of a hard file document delivered in the regular course of business
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Public Utilities Commission

John R. Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners

Steven D. Lesser
Asim Z. Haque
Lynn Slaby
M. Beth Trombold

02/11/2014

CR201307180384
TIM RENNEKER, MC TRUCKING CO
11641 MOSTELLER RD
CINCINNATI, OH 45241

RE: **NOTICE OF PRELIMINARY
DETERMINATION**
Case No. CR201307180384

Dear Sir or Madam:

On 07/18/2013, a compliance review of your facility located at P O BOX 158, SABINA, OH, U.S.A., 45169 was conducted. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified THE M C TRUCKING CO LLC (Respondent) pursuant to rule 4901:2-7-07, Ohio Administrative Code (O.A.C.), that it intended to assess a civil forfeiture against the Respondent in the following amount:

CODE	VIOLATION	FORFEITURE
396.3(b)	Failing to keep minimum records of inspection and vehicle maintenance.	425.00
396.3(b)	Failing to keep minimum records of inspection and vehicle maintenance.	1050.00
396.11(a)	Failing to require driver to prepare driver vehicle inspection report.	0.00
390.35	Making, or causing to make fraudulent or intentionally false statements or records and/or reproducing fraudulent records.	1500.00
390.35	Making, or causing to make fraudulent or intentionally false statements or records and/or reproducing fraudulent records.	10250.00
396.17(a)	Using a commercial motor vehicle not periodically inspected.	1325.00
396.17(a)	Using a commercial motor vehicle not periodically inspected.	450.00

TOTAL AMOUNT DUE: \$15,000.00

A conference was conducted pursuant to rule 4901:2-7-10, 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.

180 East Broad Street
Columbus, Ohio 43215-3793

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1-468-0016
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Public Utilities Commission

John R. Kasich, Governor
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Commissioners

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Lynn Slaby
M. Beth Trombold

As a result of the conference, Staff has made a Preliminary Determination that the Commission should assess a civil forfeiture against THE M C TRUCKING CO LLC in the following amount:

CODE	VIOLATION	FORFEITURE
396.3(b)	Failing to keep minimum records of inspection and vehicle maintenance.	425.00
396.3(b)	Failing to keep minimum records of inspection and vehicle maintenance.	1050.00
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396.17(a)	Using a commercial motor vehicle not periodically inspected.	1325.00
396.17(a)	Using a commercial motor vehicle not periodically inspected.	450.00

TOTAL AMOUNT DUE: \$15,000.00

Within 30 days of this notice, you must either: (1) pay the assessed civil forfeiture or (2) file a written request for an administrative hearing pursuant to rule 4901:2-7-13, O.A.C. Failure to file a written request for an administrative hearing within 30 days shall constitute a waiver of your right to further contest the violations and will conclusively establish the occurrence of the violations. Such failure shall also constitute a waiver of your right to further contest liability to the state of Ohio for the civil forfeiture described in the notice and will result in the forfeiture amount being referred to the Ohio Attorney General's office for collection.

Please consult the enclosed instruction sheet for additional information regarding this Notice of Preliminary Determination.

Sincerely,

Milan Orbovich, Director
Transportation Department

Compliance Officer: Michael Hines

180 East Broad Street
Columbus, Ohio 43215-3793

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