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March 11, 2014

Docketing Division  
Public Utilities Commission of Ohio  
180 East Broad Street (4<sup>th</sup> Floor)  
Columbus, Ohio 43215-3793

RECEIVED-DOCKETING DIV  
2014 MAR 13 PM 3:11  
PUCO

RE: CASE NO. 14 0404 -TR-CVF  
OH3211302053C  
ROEDER CARTAGE COMPANY, INCORPORATED.

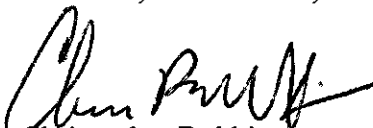
Ladies/Gentlemen:

On behalf of our client, Roeder Cartage Company, Incorporated, enclosed please find a Request For Administrative Hearing.

Please date stamp a copy of this letter and the enclosed Request For Administrative Hearing and return it to us in the enclosed stamped envelope.

Very truly yours,

SANBORN, BRANDON, DUVAL & BOBBITT CO., L.P.A.

  
L. Christopher Bobbitt

LCB/jgs

Enclosure

cc: Mr. Robert Mitchell  
Director of Safety and Training  
Roeder Cartage Company, Incorporated

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 le Date Processed MAR 13 2014

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of  
Roeder Cartage Company, Incorporated

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)  
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Case No. 14 0404 -TR-CVF

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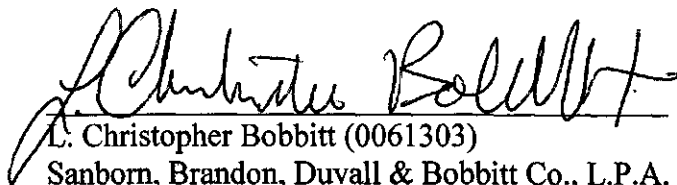
**REQUEST FOR ADMINISTRATIVE HEARING**

On behalf of our client, Roeder Cartage Company, Incorporated, please accept this as a Request for Administrative Hearing in connection with OH3211302053C. A copy of the Notice of Preliminary Determination being appealed is attached as Exhibit A.

Please serve all further correspondence in connection with this matter to L. Christopher Bobbitt, Sanborn, Brandon, Duvall & Bobbitt Co., L.P.A., at the address indicated below.

Please also provide us with every document which has been reviewed or prepared in the course of this investigation at you earliest convenience.

Respectfully submitted,



L. Christopher Bobbitt (0061303)  
Sanborn, Brandon, Duvall & Bobbitt Co., L.P.A.  
2515 West Granville Road  
Columbus, Ohio 43235  
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cbobbitt@sdbdlaw.com  
Attorney for Roeder Cartage Company,  
Incorporated

## EXHIBIT A



# Public Utilities Commission

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

## Commissioners

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

03/06/2014

OH3211302053C  
Roberto Mitchell  
1979 N. DIXIE HIGHWAY  
LIMA, OH 45801

RE: **NOTICE OF PRELIMINARY  
DETERMINATION**  
Case No. OH3211302053C

Dear Sir or Madam:

On 10/04/2013, a vehicle operated by ROEDER CARTAGE COMPANY INCORPORATED, and driven by TIMOTHY E SUTHERLAND, was inspected within the State of Ohio. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified ROEDER CARTAGE COMPANY INCORPORATED (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	GROUP	VIOLATION	FORFEITURE
173.24B1	-	Release of Hazardous Materials from package	1900.00
173.24F1	-	Closures for packagings must not be open or leaking - dome lid	1260.00
173.24F1	-	Closures for packagings must not be open or leaking - flange from main valve	1260.00
173.33A	-	Cargo tank general requirements	0.00
178.345-11B	-	DOT406/407/412 tank valves	1680.00
		Total Hazmat	6100.00

**TOTAL AMOUNT DUE: \$6,100.00**

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.

As a result of the conference, Staff has made a Preliminary Determination that the Commission should assess a civil forfeiture against ROEDER CARTAGE COMPANY INCORPORATED in the following amount:

180 East Broad Street  
Columbus, Ohio 43215-3793

(614) 485-3018  
www.PUCO.ohio.gov

*An equal opportunity employer and service provider*



## Public Utilities Commission

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

### Commissioners

Steven D. Lesser  
Asim Z. Haque  
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		Total Hazmat	6100.00

**TOTAL AMOUNT DUE: \$6,100.00**

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: Alla Magaziner-Tempesta