

NC

FILE

16-0730-TR-CVF

To Public Utilities Commission of Ohio

Phillip Scherer  
16934 Antwerp Rd

**P.O. Box 18**

Harlan Ind 46743  
ph (260) 610 6574

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2016 APR -7 AM 11:13

PUCO

April 4, 2016

Re: Request for an  
Administrative Hearing

Case # OH3258008269C

To: Milan Orbovich, Director,

this is my request in writing for an administrative hearing. This request was conveyed to Mr Hines, compliance officer, quite some time ago. My contact information is at the top of this page. Please note the "P.O. Box 18" in bold. The post office only delivers to this Box. I will not be denied my legal rights because your department can not or will not get my mailing address correct

This is to certify that the images appearing are accurate and complete reproduction of a case file document delivered in the regular course of business

Technician Ann

Date Processed 4/7/16

Sincerely,

Phillip Scherer



# Public Utilities Commission

John R. Kasich, Governor  
Andre Porter, Chairman

COPY

## Commissioners

Thomas W. Johnson  
Asim Z. Haque  
Lynn Slaby  
M. Beth Trombold

03/18/2016

OH3258008269C  
PHILLIP SCHERER  
16934 ANTWERP RD  
HARLAN, IN 46743

RE: **NOTICE OF PRELIMINARY  
DETERMINATION**  
Case No. OH3258008269C

Dear Sir or Madam:

On 01/29/2016, a vehicle operated by PHILLIP SCHERER, and driven by PHILLIP M SCHERER, 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 PHILLIP SCHERER (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
390.21B	4	Carrier name and/or USDOT Number not displayed as required	100.00
392.9BA-INA(4		USDOT REGISTRATION REQUIRED. Operating a commercial motor vehicle in interstate commerce without an active USDOT number.	500.00
		Total of Group 4	600.00

**TOTAL AMOUNT DUE: \$600.00**

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 PHILLIP SCHERER in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
390.21B	4	Carrier name and/or USDOT Number not displayed as required	100.00

180 East Broad Street  
Columbus, Ohio 43215-3793

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# Public Utilities Commission

John R. Kasich, Governor  
Andre Porter, Chairman

## Commissioners

Thomas W. Johnson  
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392.9BA-INA(4	USDOT REGISTRATION REQUIRED. Operating a commercial motor vehicle in interstate commerce without an active USDOT number.	500.00
	Total of Group 4	600.00

TOTAL AMOUNT DUE: \$600.00

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