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September 6, 2017

SENT VIA FEDERAL EXPRESS

Ohio Public Utilities Commission
Att: Docketing Division
180 East Broad Street
Columbus, OH 43215-3793

17-1960-TR-CVF

Re: **REQUEST FOR ADMINISTRATION HEARING**
FedEx Custom Critical, Inc.
Case No.: CR201509180518

To Whom It May Concern:

Pursuant to Rule 4901:2-7-13, O.A.C., FedEx Custom Critical, Inc., by counsel, hereby requests that the Notice of Preliminary Determination issued on August 27, 2017, a copy of which is attached hereto as Exhibit A, be scheduled for an administrative hearing. All further communications regarding this matter and Respondent's Request for Hearing should be directed to the undersigned as legal counsel:

Timothy W. Wiseman
SCOPELITIS GARVIN LIGHT HANSON & FEARY
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September 6, 2017

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Please feel free to contact me with any questions or further correspondence related to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'TWD', followed by a horizontal line extending to the right.

Timothy W. Wiseman

TWW/kkc

cc: Sheryl Doubell
Allan Brown



Public Utilities Commission

Asim Z. Haque, Chairman

Commissioners

M. Beth Trombold
Thomas W. Johnson
Lawrence K. Friedeman
Daniel R. Conway

08/27/2017

CR201509180518
Timothy W. Wiseman
10 West Market Street Suite 1400
Indianapolis, IN 46204

RE: **NOTICE OF PRELIMINARY
DETERMINATION**

Case No. CR201509180518

Dear Sir or Madam:

On 09/18/2015, a compliance review of your facility located at 1475 BOETTLE RD, UNIONTOWN, OH, U.S.A., 44685 was conducted. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified FEDEX CUSTOM CRITICAL INC (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
382.303(b)	Failing to conduct post accident testing on driver for controlled substances.	800.00
396.3(b)	Failing to keep minimum records of inspection and vehicle maintenance.	0.00
396.11(a)	Failing to require driver to prepare driver vehicle inspection report.	1950.00
382.303(a)	Failing to conduct post accident alcohol testing on driver following a recordable crash.	1200.00

TOTAL AMOUNT DUE: \$3,950.00

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 FEDEX CUSTOM CRITICAL INC in the following amount:

