

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

**In the Matter of
Midwest Logistics Systems Ltd.**

Case No. 17-2556-TR-CVF

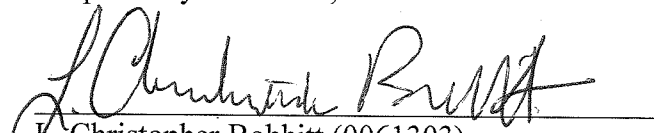
REQUEST FOR ADMINISTRATIVE HEARING

On behalf of our client, Midwest Logistics Systems Ltd., pursuant to O.A.C. 4901:2-7-13, please accept this as a Request for Administrative Hearing in connection with Case No. CR201810190017. A copy of the Notice of Preliminary Determination being appealed is attached as Exhibit A. A hearing is requested for each of the alleged violations cited in the Notice of Preliminary Determination 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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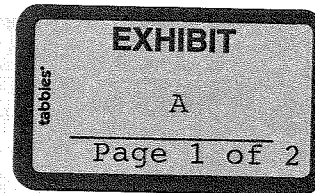
Peter Voelker (0085462)
General Counsel, Midwest Logistics Systems Ltd.
pvoelker@midwestlogisticssystems.com

Attorneys for Midwest Logistics Systems Ltd.



Public Utilities Commission

Asim Z. Haque, Chairman



Commissioners

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

12/13/2017

CR201810190017
PETER J VOELKER
8779 STATE ROUTE 703
CELINA, OH 45822

RE: **NOTICE OF PRELIMINARY
DETERMINATION**

Case No. CR201810190017

Dear Sir or Madam:

On 10/19/2017, a compliance review of your facility located at 7021 STATE ROUTE 703, CELINA, OH, U.S.A., 45822 was conducted. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified MIDWEST LOGISTICS SYSTEMS LTD (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
391.45(b)(1)	Using a driver not medically examined and certified during the preceding 24 months.	0.00
391.11(b)(4)	Using a physically unqualified driver.	1000.00
395.8(f)	Failing to require driver to prepare record of duty status in form and manner prescribed.	0.00
391.11(b)(4)	Using a physically unqualified driver.	0.00
391.45(b)(1)	Using a driver not medically examined and certified during the preceding 24 months.	0.00
392.2	Operating a commercial motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated - Unsafe Driving.	0.00

TOTAL AMOUNT DUE: \$1,000.00

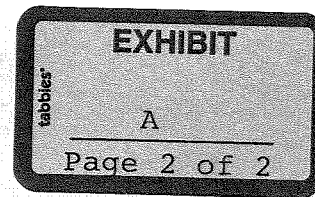
A conference was conducted pursuant to rule 4901:2-7-10, O.A.C., at which the Respondent had a full opportunity to present any reasons why the violation did not occur as alleged, mitigating circumstances regarding the amount of any forfeiture, and any other information relevant to the action proposed to be taken by Staff.





Public Utilities Commission

Asim Z. Haque, Chairman



Commissioners

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

As a result of the conference, Staff has made a Preliminary Determination that the Commission should assess a civil forfeiture against MIDWEST LOGISTICS SYSTEMS LTD in the following amount:

CODE	VIOLATION	FORFEITURE
391.45(b)(1)	Using a driver not medically examined and certified during the preceding 24 months.	0.00
391.11(b)(4)	Using a physically unqualified driver.	1000.00
395.8(f)	Failing to require driver to prepare record of duty status in form and manner prescribed.	0.00
391.11(b)(4)	Using a physically unqualified driver.	0.00
391.45(b)(1)	Using a driver not medically examined and certified during the preceding 24 months.	0.00
392.2	Operating a commercial motor vehicle not in accordance with the laws, ordinances, and regulations of the jurisdiction in which it is being operated - Unsafe Driving.	0.00

TOTAL AMOUNT DUE: \$1,000.00

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

(614) 466-3016
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This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 17-2556-TR-CVF

Summary: Request for Administrative Hearing electronically filed by Mr. Bryan M Griffith on behalf of Midwest Logistics Systems Ltd. and Mr. L Christopher Bobbitt and Mr. Peter Voelker