

18-1373-TR-CVF

FILE



**Andrea
Henning
Law LLC**

102 Devonshire Ste. C • Lima, OH 45804

August 29, 2018

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

RECEIVED-DOCKETING DIV
2018 AUG 31 PM 1:00
PUCO

Dear Sir or Madam

Please let this letter serve as a request for an administrative hearing for my client Terry Henry- Britt,
Case # OH3291012365D.

Further correspondence regarding the hearing should be directed to my office at:

Andrea Henning Law, LLC
102 Devoshire, Ste C
Lima, OH 45804.

Ph: 419-462-9212

Please find enclosed a copy of the Notice of Preliminary Determination.

Best wishes,

Andrea Henning

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Public Utilities Commission

Asim Z. Haque, Chairman

Commissioners

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

08/02/2018

OH3291012365D
Ms. Andrea Henning
102 Devonshire Ste C
Lima, OH 45804

RE: **NOTICE OF PRELIMINARY
DETERMINATION**
Case No. OH3291012365D

Dear Sir or Madam:

On 05/03/2018, a vehicle operated by CLASSIC CARRIERS INC, and driven by TERRY L HENRYBRITT, 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 TERRY L HENRYBRITT (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
392.82A1	4	Using a hand-held mobile telephone while operating a CMV	250.00
		Total of Group 4	250.00

TOTAL AMOUNT DUE: \$250.00

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 TERRY L HENRYBRITT in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
392.82A1	4	Using a hand-held mobile telephone while operating a CMV	250.00
		Total of Group 4	250.00

180 East Broad Street
Columbus, Ohio 43215-3793

(614) 466-3016
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Public Utilities Commission

Asim Z. Haque, Chairman

Commissioners

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Thomas W. Johnson
Lawrence K. Friedeman
Daniel R. Conway

TOTAL AMOUNT DUE: \$250.00

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,

Rod Moser, Chief of Compliance
Transportation Department

Compliance Officer: Cheryl Streets

