



August 29, 2018

Public Utilities Commission of Ohio

Attn: Docketing Division

180 East Broad Street

Columbus, OH 43215

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.

in: 419-462-9212

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

Best wishes,

Andrea Henning

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. ____Date Processed_

Ph: 419.462.9212 • andrea@andreahenninglaw.com • www.andreahenninglaw.com



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

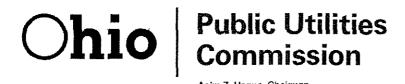
A conference was conducted pursuant to rule 4901:2-7-10, O.A.C., at which the Respondent had a full opportunity to present any reasons why the violation did not occur as alleged, mitigating circumstances regarding the amount of any forfeiture, and any other information relevant to the action proposed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





Commissioners

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

TOTAL AMOUNT DUE: \$250.00

Within 30 days of this notice, you must <u>either</u>: (1) pay the assessed civil forfeiture <u>or</u> (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

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