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18-1811-TR-CVF

- Request for an administrative hearing

Name: Paul C Massie  
Phone number: (567)-371-2180  
Address: 2043 Shorewood Ln. Lima, Ohio, 45806  
Case number: CR201806260311  
DOT number: 3153376

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# Public Utilities Commission

Asim Z. Haque, Chairman

Commissioners

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

10/28/2018

CR201806260311  
Paul C Massie  
2043 Shorewood Lane  
Lima, OH 45806

RE: **NOTICE OF PRELIMINARY  
DETERMINATION**

Case No. CR201806260311

Dear Sir or Madam:

On 06/26/2018, a compliance review of your facility located at 2043 Shorewood Lane, Lima, OH, U.S.A., 45806 was conducted. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified PAUL C MASSIE (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
382.115(a)	Failing to implement an alcohol and/or controlled substances testing program on the date the employer begins commercial motor vehicle operations.	1000.00
391.23(a)	Failing to investigate driver's background.	400.00
391.21(a)	Using a driver who has not completed and furnished an employment application.	0.00
396.3(b)	Failing to keep minimum records of inspection and vehicle maintenance.	425.00

**TOTAL AMOUNT DUE: \$1,825.00**

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 PAUL C MASSIE in the following amount:

180 East Broad Street  
Columbus, Ohio 43215-3793

(614) 466-3016  
www.PUCO.ohio.gov





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TOTAL AMOUNT DUE: \$1,825.00

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: Thomas Persinger

