

FILE

4/30/2019

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

RECEIVED-DOCKETING DIV

2019 MAY 14 PM 5:10

PUCO

Re: Request for Administration Hearing

Case Numbers: OH1238003630D ✓

OH 1238003630C ✓

19-1104-TR-CVF

Rod Moser:

Mr. Moser,

I have been attempting to educate our public employees on "Agriculture Exemption" laws for the state of Ohio. I respectfully request an administrative hearing on the above referenced cases.

Please note, your "Notice of Preliminary Hearing" letters are not correct. Northeastern Inc. was not the operator of the vehicle at time of infraction.

Thank You for your assistance with this matter.

Sincerely,



Michael B Davet
10525 Stafford Rd
Chagrin Falls, Ohio 44023
216-533-3779

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.
Technician mmm Date Processed 05/14/19

FILE
Ohio

**Public Utilities
Commission**

Mike DeWine, Governor
M. Beth Trombold, Interim Chair

Commissioners

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

04/16/2019

OH1238003630D
Michael Davet
10525 STAFFORD RD
CHAGRIN FALLS, OH 44023

RE: **NOTICE OF PRELIMINARY
DETERMINATION**
Case No. OH1238003630D

PUCO

2019 MAY 14 PM 3:16

RECEIVED-SOCKETING DIV

Dear Sir or Madam:

On 02/22/2019, a vehicle operated by NORTHEASTERN INC, and driven by Michael B Davet, 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 Michael B Davet (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
391.41 A-F	4	Operating a property-carrying vehicle without possessing a valid medical certificate.	100.00
		Total of Group 4	100.00

TOTAL AMOUNT DUE: \$100.00

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 Michael B Davet in the following amount:

CODE	GROUP	VIOLATION	FORFEITURE
391.41 A-F	4	Operating a property-carrying vehicle without possessing a valid medical certificate.	100.00
		Total of Group 4	100.00

180 East Broad Street
Columbus, Ohio 43215-3793

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

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Daniel R. Conway

TOTAL AMOUNT DUE: \$100.00

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

