

FILE

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19-2232-TR-CVF

To Whom it may concern,

This is a "Request for Administrative Hearing" for PC Trucking, LLC doing business as Phillip Clum.

Case No. OH3288012046C & Case No. OH3288012046D

Contact Name: Phillip Clum

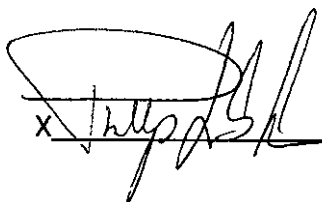
Address: 2160 Co. Rd. 10

Ada, OH. 45810

Phone #: 567-242-4899

Thank You,

Phillip Clum

 12-17-19

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 12/20/19

PUCO

2019 DEC 20 PM 2:00

19-2232-TR-CVF



Public Utilities Commission

Sam Randazzo, Chairman

Commissioners

M. Beth Trombold
Lawrence K. Friedman
Dennis P. Deters
Daniel R. Conway

November 20, 2019

Mr. Phillip Clum
2160 Co Rd 10
ADA, OH 45810

2019 DEC 20 PM 2:00
PUCO

RE: **NOTICE OF PRELIMINARY DETERMINATION**
Case No. OH3288012046C

Dear Sir or Madam:

On 09/16/2019, a vehicle operated by PC TRUCKING LLC, and driven by, CLUM, PHILLIP J was inspected within the state of Ohio. As a result of discovery of the following violation(s) of the Commission's rules, Staff of the Commission timely notified PC TRUCKING LLC pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against PC TRUCKING LLC in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
393.104 A	Group 1	Inadequate/damaged securement device/system	\$ 0.00
393.60E -WS	Group 0	Windshield - Obstructed	\$ 0.00
393.95 A	Group 0	No/discharged/unsecured fire extinguisher	\$ 0.00
393.95F	Group 0	No / insufficient warning devices	\$ 0.00
393.55E	Group 0	No or Defective ABS Malfunction Indicator Lamp for trailer manufactured after 03/01/1998	\$ 0.00
393.83 G	Group 0	Exhaust leak under truck cab and/or sleeper	\$ 0.00
393.60 D	Group 0	Glazing permits < 70% of light	\$ 0.00
393.47E	Group 0	Clamp or Roto type brake out-of-adjustment	\$ 0.00
393.53B	Group 0	CMV manufactured after 10/19/94 has an automatic airbrake adjustment system that fails to compensate for wear	\$ 0.00

180 East Broad Street
Columbus, Ohio 43215-3793

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396.3A 1B	Group 1	Brakes (general) Explain:	\$ 0.00
396.3A 1BOS	Group 1	BRAKES OUT OF SERVICE: The number of defective brakes is equal to or greater than 20 percent of the service brakes on the vehicle or combination	\$ 0.00
	Group 1	Group 1 Violations	\$ 400.00
<u>Original Amount Due:</u>			\$400.00

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which PC TRUCKING LLC had a full opportunity to present reasons why the violation(s) 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 the Staff.

As a result of the conference, staff has made a preliminary determination that the commission should assess a civil forfeiture against PC TRUCKING LLC in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
393.104 A	Group 1	Inadequate/damaged securement device/system	\$ 0.00
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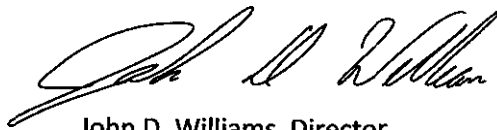
New Amount Due: \$400.00

Within 30 days of this notice you must either: 1) pay the assessed civil forfeiture or, 2) submit a written Request for an Administrative Hearing.

Failure to comply with either option above shall constitute a waiver of your right to further contest the violation(s) and will conclusively establish the occurrence of the violation(s). 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. In addition, your Ohio operating authority and/or commercial driving privileges may be sanctioned as permitted by law.

Please consult the enclosed instruction sheet for additional information regarding this "Notice of Preliminary Determination."

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Williams", is positioned above the printed name.

John D. Williams, Director
Transportation Department

cc: Mark Banks





Public Utilities Commission

Sam Randazzo, Chairman

Commissioners

M. Beth Trombold
Lawrence K. Friedman
Dennis P. Deters
Daniel R. Conway

November 20, 2019

PUCO

DEC 20 PM 2:01

Phillip Clum
2160 Co Rd 10
Ada, OH 45810

RE: **NOTICE OF PRELIMINARY DETERMINATION**
Case No. OH3288012046D

Dear Sir or Madam:

On 09/16/2019, a vehicle operated by PC TRUCKING LLC, and driven by, CLUM, PHILLIP J was inspected within the state of Ohio. As a result of discovery of the following violation(s) of the Commission's rules, Staff of the Commission timely notified PHILLIP CLUM pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against PHILLIP CLUM in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
395.8E	Group 1	False report of drivers record of duty status	\$ 0.00
395.8E	Group 1	False report of drivers record of duty status	\$ 0.00
<u>Original Amount Due:</u>			\$0.00

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which PHILLIP CLUM had a full opportunity to present reasons why the violation(s) 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 the Staff.

As a result of the conference, staff has made a preliminary determination that the commission should assess a civil forfeiture against PHILLIP CLUM in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
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<u>New Amount Due:</u>			\$0.00

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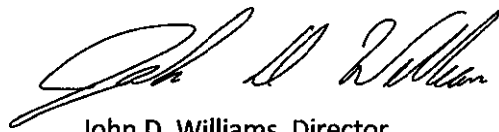


Within 30 days of this notice you must either; 1) pay the assessed civil forfeiture or, 2) submit a written Request for an Administrative Hearing.

Failure to comply with either option above shall constitute a waiver of your right to further contest the violation(s) and will conclusively establish the occurrence of the violation(s). 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.* In addition, your Ohio operating authority and/or commercial driving privileges may be sanctioned as permitted by law.

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John D. Williams, Director
Transportation Department

cc: Mark Banks

