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Ltc Inc. 523 W. Darfield, Sto. Shelburn, In 47879 812: 397-5151

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FILE

May 23, 2005

PUC0

Public Vilities Commission of Ohio 180 East Broad Street, 13th Floor Columbus, Oh 43215-3793

05.700.TR.CVF

This is a request for administrative hearing with the Commissions docketing division,

Case No. 0H3 281001755 C further communication regarding this matter should be directed to Joseph K v 3 minior at the above address and number.

Kta, dr. Joseph Smissoof

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 \_\_\_\_\_\_ Date Processed MAY 2.6 2005



## The Public Utilities Commission of Ohio

Bob Taft, Governor Alan R. Schriber, Chairman

Monitoring marketplaces and enforcing rules to assure safe, adequate, and reliable utility services

Ronda Hartman Fergus Judy A. Jones Donald L. Mason

larence D. Rogers, Jr.

Commissioners

May 10, 2005

MR JOSEPH KUZMISSION KUZMISSION TRUCKING CO INC 523 W GARFIELD ST SHELBURN, IN 47879

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3281001755C

Dear MR KUZMISSION:

On December 8, 2004, a vehicle operated by KUZMISSION TRUCKING CO INC, and driven by SAMUEL W KOESTER, was inspected within the State of Ohio. As the result of discovery of the following apparent violation the Staff timely notified Respondent pursuant to Rule 4901:2-7-07, O.A.C., that it intended to make a civil monetary assessment against Respondent in the following amount:

Code 393.104C Violation

Damaged vehicle structures/anchor points 5th ancho

Total Forfeiture Assessed: \$100.00

A conference was conducted pursuant to Rule  $4901:2-7-10\,(B)$ , 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.

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n K. Schriber, Chairman

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May 10, 2005 MR JOSEPH KUZMISSION KUZMISSION TRUCKING CO INC OH3281001755C

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As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against KUZMISSION TRUCKING CO INC in the following forfeiture:

Code 393.104C Violation

Damaged vehicle structures/anchor points 5th ancho

Total Forfeiture Agreed: \$100.00

Please include a certified check or money order for the total forfeiture Agreed, made payable to "Treasurer State of Ohio," and mail to: PUCO FISCAL, 180 E. Broad St, 10th floor, Cols. OH 43215-3793.
FOR PROPER CREDIT, BE SURE TO PUT THE CASE NUMBER ON THE FACE OF THE CHECK.

Please consult the enclosed additional information concerning this Notice of Preliminary Determination.

Robert E. Marvin, Director Transportation Department

Public Utilities Commission of Ohio