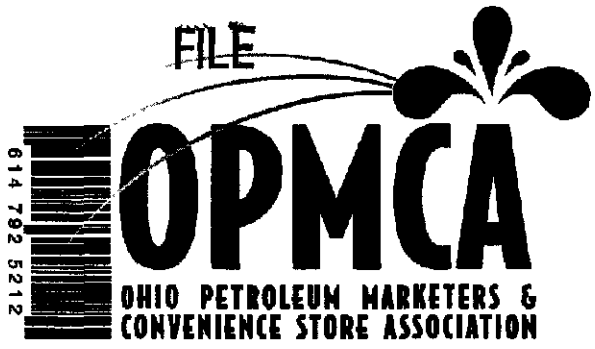


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PUCO



07-151-TR-411C

MEMORANDUM

**TO:** Robert Marvin, Director, PUCO Transportation Department

**FROM:** Jennifer B. Rhoads, Esq.

**CC:** Roger F. Dreyer, OPMCA President  
Dan Fisher, PUCO Transportation Department

**DATE:** February 9, 2007

**RE:** Industry- Specific Application for Regulatory Relief

Attached please find the *Industry-Specific Application for Regulatory Relief* of the Ohio Petroleum Marketers & Convenience Store Association (OPMCA). Should you require any additional information in order to evaluate this emergency request, please contact me at 614/792-5212 or at [jrhoads@opmca.org](mailto:jrhoads@opmca.org).

**I. The name, address, and telephone number, facsimile transmission number of the organization that has gathered the information for carriers in the State of Ohio:**

Ohio Petroleum Marketers & Convenience Store Association (OPMCA)  
4242 Tuller Rd. Suite B  
Dublin, OH 43017  
614/792-5212  
614/792-1706 (fax)

**II. The relationship of the above organization to the individual motor carriers:**

The Ohio Petroleum Marketers & Convenience Store Association ("OPMCA") is a trade association for those who transport and market petroleum, including gasoline, diesel fuel, jet fuel, heating oil and other refined petroleum products. The OPMA is made up of jobbers, retail chains, convenience stores, truck stops and other business entities involved in the wholesale and retail sale of petroleum.

The OPMCA has been in existence since 1922. It has approximately 500 members which operate over 3,500 retail outlets and convenience stores, and employs over 15,000 Ohioans. OPMCA members market 62% of Ohio's motor fuel and 85% of Ohio's home heating fuel. OPMCA also has associate members that serve as contractors and suppliers of goods and services to the petroleum industry. The OPMCA exists to provide to its members and associate members advice, trade information, education, certification, group insurance plans, and governmental representation. The OPMCA is the primary source of information for its members on industry trends, activities, tax changes, legislation, and regulatory matters. The

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OPMCA is affiliated with a national confederation of petroleum marketers in Washington, D.C. called the Petroleum Marketers' Association of America.

**III. The names, addresses, and telephone numbers, facsimile transmission numbers of the individual carriers surveyed:**

Jim Doersam  
Petron, Inc.  
143 W. Water Street  
PO Box 1971  
Chillicothe, OH 45601  
740/775-5500  
740/773-3859 (fax)

Jeff Lykins  
The Lykins Companies  
5163 Wolfpen Pleasant Hill Rd  
Milford, OH 45150  
513/831-8820  
513/831-4518 (fax)

John Skleres  
O & P Oil & Gas, Inc.  
P.O. Box 1298  
Andover, OH 44003  
440/293-6021  
440/293-5807 (fax)

Kim Ullman  
Ullman Oil Company  
Box 23399  
Chagrin Falls, OH 44023  
440/543-5195  
440/543-6549 (fax)

John Heyob  
John Heyob Oil Company, Inc.  
111 May Drive  
Harrison, OH 45030  
513/367-6868  
513/367-6876 (fax)

Gary Armentrout  
Allen Oil Company  
PO Box 668  
Steubenville, OH 43952  
740/ 282-4531  
740/282-6482 (fax)

Doug Beck  
Beck Suppliers, Inc.  
PO Box 808  
Fremont, OH 43420  
419/332-5527  
419/332-3690 (fax)

Benjamin B. Englefield  
Englefield Oil Company  
447 James Parkway  
Heath, OH 43056  
740/928-8215  
740/928-6137 (fax)

Tom Stephenson  
Stephenson Oil  
3938 Stillwell-Beckett Rd.  
Hamilton, OH 45013  
513/863-7080  
513/863-7129 (fax)

Kent Witt  
Hi-Grade Oil Company  
102 South St., Po Box 87  
Quincy, OH 43343-0087  
937/585-4256  
937/585-5502 (fax)

Frank Schafer  
Schafer Oil Company  
PO Box 13  
9109 St. Rt. 66  
Fort Loramie, OH 45845  
937/295-2801  
937/295-3768 (fax)

Harold Miller  
Reliance Fuels  
6025 Secor Road  
Toledo, OH 43613  
419/473-1374  
419/473-8785 (fax)

**IV. A brief statement explaining how the emergency has impacted operations and why regulatory relief is necessary for motor carriers is as follows:**

Extreme weather conditions, including extended periods of cold temperatures combined with hazardous road conditions, have caused interruptions in the availability and/or delivery of residential and commercial heating oil across Ohio. Additionally, these extreme weather conditions, including extended periods of cold temperatures combined with hazardous road conditions, have caused interruptions in the availability and/or delivery of motor fuels across Ohio. In light of these circumstances, the Ohio Petroleum Marketers & Convenience Store Association ("OPMCA") requests that the Director of the Transportation Department of the Public Utilities Commission of Ohio (PUCO) grant industry-specific *temporary* regulatory relief, *not to exceed fourteen days*, from the "hours-of-service" regulations for motor carriers operating in intrastate commerce. The driver "hours of service" regulations will prohibit petroleum marketers from making required deliveries of heating oil as well as motor fuels across the Ohio unless regulatory relief is granted.

**V. A certification that none of the motor carriers involved has an unsatisfactory safety rating from the Federal Highway Administration:**

The Ohio Petroleum Marketers & Convenience Store Association ("OPMCA") certifies to the best of its knowledge that none of the motor carrier members of the Association have an unsatisfactory safety rating from the Federal Highway Administration.