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PUCO



09-461-TR-CWF

May 26, 2009

Public Utilities Commission of Ohio
ATTN: Docketing Division
180 East Broad St. 13th Floor
Columbus, OH 43215-3793

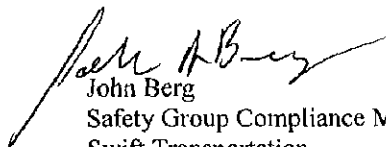
RE: Request for Administrative Hearing

Dear Sir or Madame:

On February 5, 2009 the attached documents were sent to you requesting an administrative hearing. I was notified today that you did not receive this request. I am again requesting a hearing on case # OH3254002996c. Our driver States the coils were properly secured under a tarp, and would like to plead his case in person.

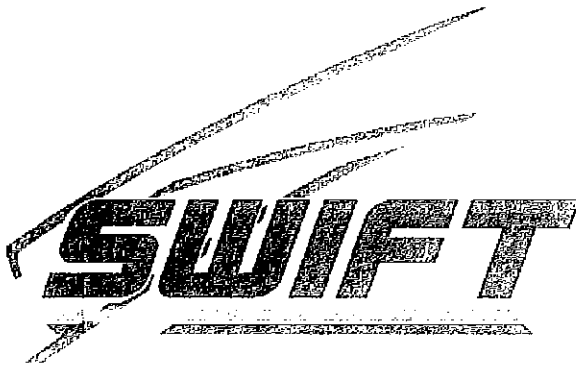
Thank you for your assistance in this matter.

Sincerely,


John Berg
Safety Group Compliance Manager
Swift Transportation
1940 E. Brooks Road
Memphis, TN 38116

901-344-4743

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 Arnd Date Processed 6/1/09



**SAFETY DEPARTMENT
1940 E. Brooks Road
Memphis, TN 38118
800-842-6005 Option #2**

February 5, 2009

**TO: PUBLIC UTILITIES COMMISSION OF OHIO
ATTN: Docketing Division
180 EAST BROAD ST. 13TH FLOOR
COLUMBUS, OH 43215-3793**

**FROM: John A. Berg
Safety Manager
Swift Transportation Company**

RE: REQUEST FOR Administrative Hearing

**NOTICE OF INTENT TO ASSESS FORFEITURE
CASE NUMBER OH3254002996C**

Dear Sir or Madame:

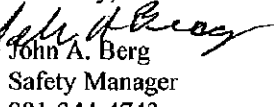
Swift Transportation Co. Inc. has just received the above listed Notice of Intent To Assess Forfeiture.

I am requesting a telephone conference on the Notice of Intent To Assess Forfeiture.

The contact person at Swift Transportation Co. Inc. is John Berg or Dean Garmoe Swift Hazardous Materials Department @ 1-800-842-6005 option #2

Thank you for your assistance in this matter.

Sincerely,


John A. Berg
Safety Manager
901-344-4743



The Public Utilities Commission of Ohio

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

Ted Strickland, Governor
Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus
Valerie A. Lemmie
Paul A. Centolella
Cheryl Roberto

February 3, 2009

MR JOHN BERG
SWIFT TRANSPORTATION COMPANY INC
1940 E BROOKS ROAD
MEMPHIS, TN 38116

RE: **NOTICE OF PRELIMINARY DETERMINATION**

Case No. OH3254002996C

Officer: WW

Dear MR BERG:

On AUGUST 22, 2008, a vehicle operated by SWIFT TRANSPORTATION COMPANY INC, and driven by NICK E MESSMER, 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	Violation
393.120D1	Improper securement of metal coil transported with

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.

(continued)



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February 3, 2009
MR JOHN BERG
SWIFT TRANSPORTATION COMPANY INC
OH3254002996C

PAGE -2

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

Code	Violation
393.120D1	Improper securement of metal coil transported with

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, 13th 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



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adequate and reliable utility services.

Ted Strickland, Governor
Alan R. Schriber, Chairman

Commissioners

Ronda Hartman Fergus
Valerie A. Lemmie
Paul A. Centolella
Cheryl Roberto

May 15, 2009

*Rec'd
5-27-09*

MR JOHN BERG
SWIFT TRANSPORTATION COMPANY INC
1940 E BROOKS ROAD
MEMPHIS TN 38116

Re: Case No. OH3254002996 C

DEAR MR BERG:

A conference was held between you and the staff of the PUCO regarding the above inspection. A Settlement Agreement was subsequently mailed to you on February 3, 2009 with instructions for payment. As of this date, we have not received payment of the civil forfeiture, which is \$100.00.

If payment is not received within two weeks, it will be referred to the Attorney General's Office for collection.

Please mail your check or money order to:

Public Utilities Commission of Ohio
Fiscal Department
180 East Broad Street
Columbus, Ohio 43215-3793

BE SURE TO WRITE THE CASE NUMBER, OH3254002996 C, ON THE FACE OF THE CHECK TO ENSURE PROPER CREDIT. Make your check or money order payable to: TREASURER, STATE OF OHIO.

Thank you for your cooperation. If you have any questions, please our office at (614) 466-0351.

Sincerely,
John J. Canty, Assistant Chief
Compliance Division

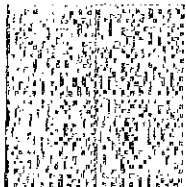


P.O. BOX 30788
MEMPHIS, TN 38130-0788

RETURN RECEIPT
REQUESTED



7008 1830 0003 9877 7158



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\$05.710
05/28/2009
PAID FROM 08710
DE POSTAGE

Public Utilities Commission of Ohio
ATTN: Docking Division
180 EAST BROAD ST. 13th Floor
Columbus, OH
43215-3793

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