

FILE



# 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

October 26, 2009

MR. CHARLES ARN

3809 HUNTMERE AVENUE  
AUSTINTOWN, OH 44515

RE: **NOTICE OF PRELIMINARY DETERMINATION**

Case No. OH0841007229D

Officer: CS

Dear MR. ARN:

On May 7, 2009, a vehicle operated by DART TRUCKING COMPANY INC, and driven by CHARLES L ARN, was inspected within the State of Ohio. As the result of discovery of the following apparent violations 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
392.16	Failing to use seat belt while operating CMV- dri
391.11B4	Using a physically unqualified driver- corrective

Total Forfeiture Assessed : \$350.00

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 violations 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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As a result of the conference, Staff has made a Preliminary Determination that the Commission should make a civil monetary assessment against CHARLES L ARN in the following forfeiture:

Code	Violation
392.16	Failing to use seat belt while operating CMV- dri
391.11B4	Using a physically unqualified driver- corrective

Total Forfeiture Agreed : \$350.00

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

TO: Ohio Public Utilities Commission

ATTENTION: Docketing Division

I, Charles L. Ann Jr., respectfully  
request an administrative hearing, in order  
to further contest the civil forfeiture  
regarding Case No. OH 0841007229D.

Charles L. Ann Jr.  
3809 Kentmere Ave  
AUSTINTOWN, OH 44515

phone # 330 718 3061 or  
330 506 5228

a copy of the Notice of Preliminary Determination  
is enclosed.

Sincerely,

Charles L. Ann Jr.  
*Charles L. Ann Jr.*