

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Regulatory Relief for        )  
Specified Motor Carriers.                    )

Case No. 10-0016-TR-EHS

ENTRY

The Commission finds:

- (1) Rule 4901:2-5-02, Ohio Administrative Code (O.A.C.), provides for a regulatory relief from 49 C.F.R. Part 395, hours of service regulations, for motor carriers operating in intrastate commerce when necessary, in times of emergency, to provide for the health and safety of the public. Pursuant to this authority the Commission adopted procedures to be followed in granting regulatory relief to intrastate motor carriers. The Commission Policy for Regulatory Relief in Emergency Situations provides that the Director of the Commission's Transportation Department (Director) may grant relief when the federal government has issued a notice granting relief to carriers in interstate commerce, there is a local emergency, or by an application of any association or individual carrier. Following the grant of regulatory relief, the Director is required to place the matter on a Commission agenda for appropriate action.
- (2) On January 6 and January 8, 2010, respectively, the Ohio Petroleum Marketers & Convenience Store Association and the Ohio Propane Gas Association submitted applications for hours-of-service regulatory relief. Each association stated that extreme weather conditions, including extended periods of cold temperatures combined with the significant accumulation of snow and ice creating hazardous road conditions, have caused interruptions in the availability and/or delivery of residential and commercial heating oil, motor fuels and propane.
- (3) On January 7, 2010, the Director of the Commission's Transportation Department granted regulatory relief from the hours of service requirements pursuant to Rule 4901:2-5-02, O.A.C., for the intrastate transportation of motor fuels and heating oil effective until 12:01 a.m., January 22, 2010. Similar relief was granted to propane transporters on January 8, 2010, which was also effective until 12:01 a.m., January 22, 2010. The

declarations provide relief for intrastate transporters only from 49 C.F.R. 395.3, hours of service regulations.

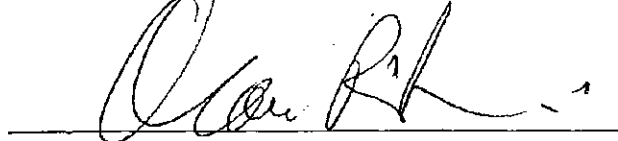
- (4) After review of the Director's action, the Commission finds the relief granted is appropriate and it therefore affirms the Director's action.

It is, therefore,

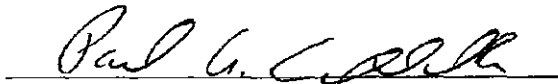
ORDERED, That, pursuant to Rule 4901:2-5-02, O.A.C., and the Policy for Regulatory Relief in Emergency Situations, the Commission affirms the limited grant of relief from hours of service regulations to the carriers set forth herein until 12:01 a.m., January 22, 2010. It is, further,

ORDERED, That a copy of this Entry be served upon the Ohio Petroleum Marketers & Convenience Store Association and the Ohio Propane Gas Association.

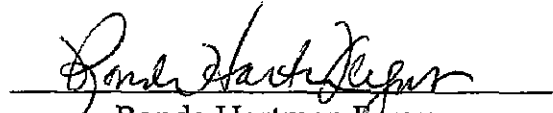
THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



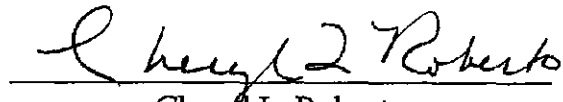
Paul A. Centolella



Ronda Hartman Fergus



Valerie A. Lemmie

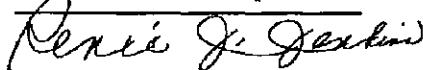


Cheryl L. Roberto

REM:js

Entered in the Journal

JAN 13 2010



Renee J. Jenkins

Secretary