

NC
FILE



North American Transport Services

10-96-TR-CVF

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PUCO

January 25, 2010

The Public Utilities Commission of Ohio
Attention: Docketing Division
180 East Broad Street, 11th Floor
Columbus, OH. 43215-3793

Re: Request for Administrative Hearing - Case # 3251008674C

This letter serves as "Request for Administrative Hearing for the above mentioned case. For communications concerning this case, please contact:

Rigo Diaz, Manager
11400 NW 32nd Avenue
Miami, Florida 33167
P.305.805.9400
F.786.866.5686
C.305772.2330
rdiaz@natransportservices.com

Sincerely,

Rigo Diaz
Manager

Cc: Roberto Reyes - Safety File

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Public Utilities Commission

Ted Strickland, Governor
Alan R. Schriber, Chairman

Commissioners

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

January 15, 2010

RIGO DIAZ
NORTH AMERICAN TRANSPORT SERVICES L
11400 NW 32 AVENUE
MIAMI, FL 33167

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. 3251008674C
Officer:

Dear DIAZ:

On October 28, 2009, a vehicle operated by NORTH AMERICAN TRANSPORT SERVICES L and driven by ROBERT P REYES, 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 amounts:

Code	Violation	
393.45	Brake tubing and hose adequacy:...RIGHT STEER	\$ 0.00
393.48A	Inoperative or Defective Brakes:RIGHT STEER B	\$ 270.00
396.3A1BOS	BRAKES OUT OF SERVICE: The number of defectiv	\$ 270.00
393.48A	Defective Brakes:...#4 LEFT HAS A NON-MANUFAC	\$ 0.00
393.207A	Axle positioning parts defective:...#4 RIGHT	\$ 0.00
396.3A1BL	Brake-reserve system pressure loss:...WILL NO	\$ 180.00
393.45	Brake tubing and hose adequacy:...AIR HOSE ON	\$ 0.00

Total Forfeiture Assessed :

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)

**Public Utilities
Commission**Ted Strickland, Governor
Alan R. Schriber, Chairman

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Cheryl Roberto

January 15, 2010

RIGO DIAZ
NORTH AMERICAN TRANSPORT SERVICES L
3251008674C

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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 NORTH AMERICAN TRANSPORT SERVICES L in the following forfeitures:

Code	Violation	
393.45	Brake tubing and hose adequacy:...RIGHT STEER	\$ 0.00
393.48A	Inoperative or Defective Brakes:RIGHT STEER B	\$ 270.00
396.3A1BOS	BRAKES OUT OF SERVICE: The number of defectiv	\$ 270.00
393.48A	Defective Brakes:...#4 LEFT HAS A NON-MANUFAC	\$ 0.00
393.207A	Axle positioning parts defective:...#4 RIGHT	\$ 0.00
396.3A1BL	Brake-reserve system pressure loss:...WILL NO	\$ 180.00
393.45	Brake tubing and hose adequacy:...AIR HOSE ON	\$ 0.00

Total Forfeiture Agreed :

Please include a certified check or money order for the N.P.D. forfeiture total, 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