

FILE



RICHARD CORDRAY
OHIO ATTORNEY GENERAL

February 16, 2010

The Honorable Dan E. Fullin
The Public Utilities Commission of Ohio
180 East Broad Street, 12th Floor
Columbus, Ohio 43215

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Re: In the Matter of Eagle USA
Notice of Apparent Violation and Intent to Assess Forfeiture
Case No. 09-622-TR-CVF (OH3289002726C)

Dear Examiner Fullin:

On behalf of the Staff of the Transportation Department of the Public Utilities Commission of Ohio (Staff) and Respondent in the above referenced case, I respectfully request the evidentiary hearing scheduled for February 16, 2010 at 10:00 a.m. be vacated for the reason that a settlement on all the issues has been reached by the parties in this case.

Staff is in the process of preparing a settlement agreement, which will be mailed to Respondent for review and approval. Once the settlement agreement is finalized by the parties it will be filed with Docketing. Thank you.

Sincerely,

John H. Jones
Assistant Attorney General
Public Utilities Section
180 East Broad Street, 6th Floor
Columbus, Ohio 43215
(614) 466-4395 Telephone
(614) 644-8764 Fax

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