

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Peter S. Becknall, Notice of)
Apparent Violation and Intent to Assess) Case No. 10-149-TR-CVF
Forfeiture.) (OH1276002768D)

ENTRY

The Commission finds:

- (1) Peter S. Becknall (respondent) was timely served with a notice of preliminary determination in accordance with Rule 4901:2-7-12, Ohio Administrative Code, alleging a violation of 49 C.F.R. 392.3 (operating a commercial motor vehicle while ill or fatigued). No forfeiture was assessed for the alleged violation. However, on February 8, 2010, respondent requested an administrative hearing.
- (2) A prehearing conference was held in this case on April 21, 2010. At the prehearing conference, the parties established a hearing date of June 3, 2010.
- (3) Subsequently, by entry issued April 28, 2010, the case was scheduled for hearing on June 3, 2010.
- (4) On June 1, 2010, respondent contacted the attorney examiner by telephone and indicated that he would withdraw his request for a hearing in this matter.
- (5) On June 16, 2010, respondent submitted a letter stating that he was going to stop the process of trying to get the violation removed from his Department of Transportation inspection, because he could not afford to travel to Ohio.
- (6) In view of respondent's withdrawal of his request for a hearing, this case should be dismissed. In addition, the violation of 49 C.F.R. 392.3 should be included in respondent's Safety-Net record and history of violations, insofar as it may be relevant for purposes of determining future penalty actions.

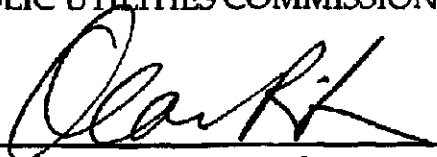
It is, therefore,

ORDERED, That this case be dismissed. It is, further,

ORDERED, That the violation of 49 C.F.R. 392.3 be included in respondent's Safety-Net record and history of violations. It is, further.

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



Alan R. Schriber, Chairman



Paul A. Centolella



Valerie A. Lemmie



Steven D. Lesser

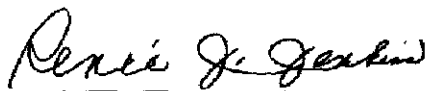


Cheryl L. Roberto

KKS/vrm

Entered in the Journal

JUL 14 2010



Renee J. Jenkins
Secretary