Nolker Trucking LLC

11561 Highway C Richmond, Mo. 64085 Phone 816-456-6767 816-470-2470

Ohio Public Utilities Commission Compliance Division 180 E. Broad St, 4th Floor Columbus, OH. 43215-3793

RE: Case # OH3259005336C

Dear Sirs:

The conference referred to in your letter was nothing more than a conversation with a lady who knew nothing whatsoever about the circumstances involved in the alleged violation.

I called at the scheduled time only to be greeted by a message saying she was not available. I reached her on the sixth try which was 22 minutes later. Her knowledge of the situation was limited to "it says here" you failed to secure, etc. There was no "conference" and the whole procedure was a waste of time. She finally said that the next step was a teleconference with the officer present and told me I would be called to schedule the conference.

This is to certify that the twages appearing are as accurate and complete reproduction of a case file locument delivered in the regular course of busines rechnician Date Processed 1117/10

Jory 1 M.

I'm still waiting for the phone call since my driver did not fail to secure his spare tires and the officer made an arbitrary judgment that a padlock should be used on spare tire chain which is not supported by FMCSA regulations.

As before, I can be reached at 816-456-6767

Respectfully

Jim Molker

Alan R. Schriber, Chairman

Commissioners

Valerie A. Lemmie Paul A. Centolella Cheryl Roberto Steven D. Lesser

October 18, 2010

MR JIM NOLKER FLIGHTPRO LLC 11561 HIGHWAY C RICHMOND, MO 64085

RE: NOTICE OF PRELIMINARY DETERMINATION

Case No. OH3259005336C

Officer: WW

Dear MR NOLKER:

On July 30, 2010, a vehicle operated by FLIGHTPRO LLC, and driven by LARRY O MURPHY, was inspected within the State of Ohio. As the result of discovery of the following apparent violation 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

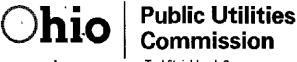
392.9A2

Failing to secure vehicle equipment - 3 spare tire

Total Forfeiture Assessed: \$100.00

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 violation 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)



Ted Strickland, Governor Alan R. Schriber, Chairman Commissioners

Valerie A. Lemmie Paul A. Centolella Cheryl Roberto Steven D. Lesser

October 18, 2010 MR JIM NOLKER FLIGHTPRO LLC OH3259005336C

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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 FLIGHTPRO LLC in the following forfeiture:

Code

Violation

392.9A2

Failing to secure vehicle equipment - 3 spare tire

Total Forfeiture Agreed: \$100.00

Please include a certified check or money order for the total forfeiture Agreed, made payable to "Treasurer State of Chio," 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