

NY
JIM C. KLEPPER

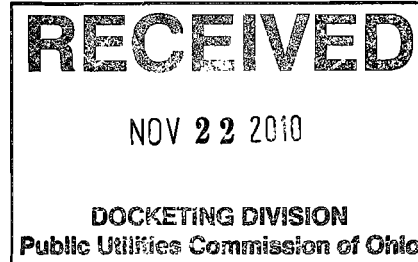
Attorney at Law

FILE

10-2808 TR-CVF₃
1101 Sovereign Row
Oklahoma City, OK 73108
1/405/948-6576
Fax 405-948-7959

November 16, 2010

Docketing Division
Public Utilities Commission of Ohio
180 East Broad Street (13th Floor)
Columbus, OH 43215-3793




RE: Charles J. Case
Case No.: 3202304962D

To Whom It May Concern:

On behalf of our client, Charles J. Case, please accept this as a Request for Administrative Hearing in connection with the above matter.

Please also provide us with every document which has been reviewed or prepared in the course of this investigation as soon as possible.

Sincerely,


Jim C. Klepper

JCK/lcm

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Technician SM Date Processed 11/23/10



**Public Utilities
Commission**

Ted Strickland, Governor
Alan R. Schriber, Chairman

Commissioners

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

September 7, 2010

MR. JIM KLEPPER
OHIO ATTORNEY
1101 SOVEREIGN ROW
OKLAHOMA CITY, OK 73108

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. 3202304962D
Officer:

Dear MR. KLEPPER:

On March 23, 2010, a vehicle operated by OLD DOMINION FREIGHT LIN and driven by CHARLES J CASE, 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	
392.10A3	Failing to stop at railroad crossing-placarde	\$ 600.00
391.11B4	OPERATING CMV W/O CORRECTIVE LENSES	\$ 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)



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3202304962D

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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 CHARLES J CASE in the following forfeitures:

Code	Violation	
392.10A3	Failing to stop at railroad crossing-placarde	\$ 600.00
391.11B4	OPERATING CMV W/O CORRECTIVE LENSES	\$ 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