

11-2807-TR-CVF 3

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PUCO

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April 28, 2011

The Public Utilities Commission of Ohio
Attention: Docketing Division
180 E. Broad Street, 11th Floor
Columbus, OH 43215-3793
Via U.S. Mail and Facsimile to (614) 466-0313

Re: Johnson Controls, Inc.
Your Case No. 3269007191S
Our File No. 457-144

REQUEST FOR ADMINISTRATIVE HEARING

Dear Ohio PUC:

This office represents Johnson Controls, Inc. ("JCI"). Attached hereto is the PUC's Notice of Preliminary Determination in the above-referenced case dated April 1, 2011 and received in our offices on April 4, 2011. Please direct all communications concerning this matter to our offices at the address and telephone number set forth in this letter.

The Notice of Preliminary Determination indicates PUC's intent to assess a \$640 civil penalty against JCI for an alleged violation of "Code 173.30, Improper Loading and Unloading of Vehicle." JCI disputes the alleged violation on the following grounds:

This is to certify that the images appearing are an accurate and complete reproduction of a case file document delivered in the regular course of business.
Technician Am Date Processed 5/3/11

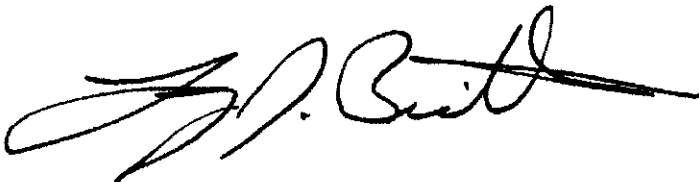
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1. JCI did not commit the violation as alleged;
2. JCI has taken, and is taking, significant steps to ensure no violations of the Ohio transportation regulations.

Please contact our offices before setting this matter on for hearing to ensure our availability to attend. If you have any questions/concerns regarding this request for an administrative hearing, please do not hesitate to contact me.

Respectfully,

BRITTON & ASSOCIATES, S.C.

A handwritten signature in black ink, appearing to read "L. J. Britton", with a long horizontal flourish extending to the right.

Larry J. Britton
Shannon M. Trevithick
SMT/smt



**Public Utilities
Commission**

John R. Kasich, Governor
Todd A. Snitchler, Chairman

Commissioners

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

April 1, 2011

MR. SHANNON. TREVITHICK
ATTORNEY AT LAW JOHNSON CONTROLS
735 NORTH WATER STREET
16TH FLOOR WEST
MILWAUKEE, WI 53202

RE: NOTICE OF PRELIMINARY DETERMINATION
Case No. 3269007191S
Officer:

Dear MR. TREVITHICK:

On January 5, 2011, a vehicle operated by SOUTHWIND TRANSPORTATIO and driven by DAVID F WEBBER, 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	
173.30	IMPROPER LOADING AND UNLOADING OF VEH	\$ 640.00

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 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)

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APR - 4 2011

BRITTON AND ASSOCIATES