

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Ezzie Contractors,)
Notice of Apparent Violation and Intent) Case No. 13-862-TR-CVF
to Assess Forfeiture.) (OH3284008880C)

FINDING AND ORDER

The Commission finds:

- (1) On July 30, 2012, Staff conducted a roadside inspection of a commercial motor vehicle operated by Ezzie Contractors (Respondent). The inspection resulted in the discovery of the following apparent violation: 49 C.F.R. 392.2 (failure to pay Unified Carrier Registration fee).
- (2) Respondent was served with a Notice of Preliminary Determination (NPD), pursuant to Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), which contained an assessment of \$500.00 for the violation of 49 C.F.R. 392.2.
- (3) On April 7, 2013, Respondent requested an administrative hearing pursuant to Section 4901:2-7-13, O.A.C.
- (4) On June 26, 2013, the parties filed a settlement agreement in which the parties agree, and recommend that the Commission find, as follows:
 - (a) For purposes of this settlement agreement only, Staff agrees to reduce the civil forfeiture associated with the violation of 49 C.F.R. 392.2 from \$500.00 to \$100.00. The forfeiture reduction is based on Ezzie Contractors' payment of the UCR fee for 2012 and 2013.
 - (b) Respondent agrees to pay the total civil forfeiture of \$100.00 within thirty days of the Commission's order approving this settlement agreement. The payments shall

be made by certified check or money order payable to "Treasurer of State of Ohio" and mailed to PUCO Fiscal, 180 East Broad Street, 4th Floor, Columbus, Ohio 43215-3793. Case Number OH3284008880C should be written on the face of the check.

- (c) The settlement agreement shall not become effective until adopted by the Commission. The date of the Commission order adopting the settlement agreement shall be considered as the effective date of the settlement agreement.
- (d) The settlement agreement is made in settlement of all factual and legal issues in this case. It is not intended to have any effect whatsoever in any other case or proceeding.

- (5) The Commission finds that the settlement agreement submitted in this case is reasonable. Therefore, the settlement agreement shall be approved and adopted in its entirety.

It is, therefore,

ORDERED, That the settlement agreement submitted in this case be approved and adopted in its entirety. It is, further,


ORDERED, That respondent pay a total civil forfeiture of \$100.00 in accordance with the settlement agreement. Payment shall be made by check or money order made payable to "Treasurer, State of Ohio," and mailed to PUCO Fiscal, 180 East Broad Street, 4th Floor, Columbus, Ohio 43215-3793. In order to assure proper credit, respondent is directed to write the inspection number (OH3284008880C) on the face of each check or money order. It is, further,

ORDERED, That a copy of this finding and order be served upon Ezzie Contractors and all other interested parties of record.

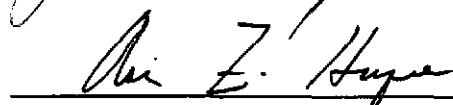
THE PUBLIC UTILITIES COMMISSION OF OHIO


Todd A. Snitchler, Chairman


Steven D. Lesser

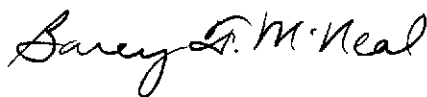

Lynn Slaby


M. Beth Trombold


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JML/sc

Entered in the Journal
JUL 17 2013



Barcy F. McNeal
Secretary