

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Cryogenic Transportation, :
Notice of Apparent Violation and Intent to : Case No. 13-2448-TR-CVF
Assess Forfeiture. : (OH3258005752C)

JOINT MOTION TO DISMISS

Pursuant to O.A.C. 4901:2-7-12, the Staff of the Public Utilities Commission of Ohio (“Staff”) served Cryogenic Transportation (“Respondent”) with a Notice of Preliminary Determination regarding two (2) alleged violations of 49 C.F.R. § 396.3(a)(1)(T) and one (1) violation of 49 C.F.R. § 172.202(a)(5).

Staff has determined that further prosecution of the two alleged violations of 49 C.F.R. § 396.3(a)(1)(T) is unwarranted and agrees with the Ohio State Highway Patrol that the violations should be deleted. In addition, the Respondent is not contesting the violation of 49 C.F.R. § 172.202(a)(5) and agrees that this violation may 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.

Staff and Respondent believe that the foregoing resolves all issues in this matter and request that this case be dismissed.

Respectfully Submitted,

Respondent:

**On behalf of the Staff of
the Public Utilities Commission of Ohio:**

/s/ Vern Ingham (per e-mail authorization 2/6/14)

Vern Ingham
President/COO
Cryogenic Transportation
1960 Sumneytown Pike Ste. 300
Lansdale, PA 19446

/s/ Devin D. Parram

Devin D. Parram
Assistant Attorney General
Public Utilities Section
180 East Broad Street
Columbus, OH 43215-3793

CERTIFICATE OF SERVICE

I certify that a true copy of the **Joint Motion to Dismiss** filed on Behalf of the Staff of the Public Utilities Commission of Ohio and the Respondent was served by regular U.S. mail, postage prepaid, upon Respondent, Cryogenic Transportation, 1960 Sumneytown Pike Ste. 300, Lansdale, PA 19446 on February 6, 2014.

/s/ Devin D. Parram

Devin D. Parram
Assistant Attorney General

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

2/6/2014 1:22:32 PM

in

Case No(s). 13-2448-TR-CVF

Summary: Motion Joint Motion to Dismiss electronically filed by Mr. Devin D Parram on behalf of PUCO