

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.)

ENTRY

The Commission finds:

- (1) Commission Staff served a notice of preliminary determination upon Cryogenic Transportation (Respondent), in accordance with Ohio Adm.Code 4901:2-7-12, alleging violations of the Commission's transportation regulations.
- (2) On December 31, 2013, Respondent requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13, O.A.C.
- (3) The parties participated in a prehearing conference on January 28, 2014.
- (4) On February 6, 2014, Staff and Respondent filed a joint motion to dismiss. In the motion, Staff states its conclusion that further prosecution of the two alleged violations of 49 C.F.R. 396.3(a)(1)(T) is unwarranted and that it agrees with the Ohio State Highway Patrol that the violations should be deleted. Staff adds that Respondent does not contest the alleged violation of 49 C.F.R. 172.202(a)(5) and Respondent agrees that this violation may be included in its Safety-Net Record and history of violations, insofar as it may be relevant for purposes of determining future penalty actions. Staff concludes by stating that in light of the foregoing, the parties believe that all issues in this matter are resolved, and the parties request that the case be dismissed.
- (5) The Commission finds that the parties' motion to dismiss the matter is reasonable and should be granted.

It is, therefore,

ORDERED, That the parties' motion to dismiss the matter is granted. It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

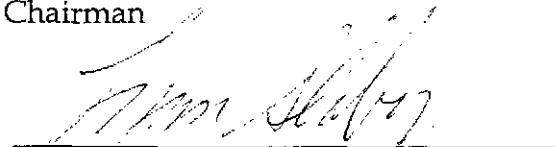
THE PUBLIC UTILITIES COMMISSION OF OHIO



Todd A. Snitchler, Chairman




Steven D. Lesser



Lynn Slaby



M. Beth Trombold

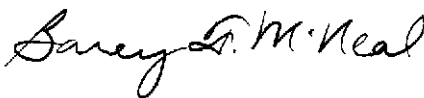


Asim Z. Haque

JML/sc

Entered in the Journal

MAR 05 2014



Barcy F. McNeal
Secretary