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August 9, 2017

Hon Kerry Sheets
Attorney Examiner
Public Utilities Commission of Ohio Attorney General
180 E. Broad St.
Columbus, OH 43215

Re: In the Matter of Planet Freight, LLC, Notice of Apparent Violation and Intent to
Assess Forfeiture
Case No. 17-1082-TR-CVF

Dear Examiner Sheets:

It has come to my attention that the Settlement Agreement filed in this case contains errors not material to the compromise agreed to by the parties. Specifically, paragraph II.A. of the Settlement Agreement states that the alleged violations were “no evidence of adequate public liability and property damage insurance in violation of 49 C.F.R. §177.834(j), and two instances of excessive weight in violation of 49 C.F.R. §387.301(a).” In fact, the proper section for the inadequate insurance violation is 49 C.F.R. §387.301(a), not 49 C.F.R. §177.834(j). Because the excessive weight violations were deleted when the Notice of Preliminary Determination was issued, those violations were not relevant to the settlement in this case.

Only the description of the violations was in error. The actual agreement correctly notes that “Respondent agrees to a violation of 49 C.F.R. §387.301(a),” for inadequate insurance.

The error was clerical in nature and does not affect the settlement reached by the parties.

Staff submits this letter for purposes of clarifying the public record, and requests that the Commission proceed to approve the agreement as otherwise written.

Very truly yours,

Werner L. Margard III

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Assistant Attorney General

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

8/9/2017 11:09:35 AM

in

Case No(s). 17-1082-TR-CVF

Summary: Notification re: Settlement Agreement electronically filed by Mrs. Tonneta Y Scott
on behalf of PUCO