

NC

FILE

17-1765-TR-CVF

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Ohio PUCO

7/31/17

RE: Case CR201704040184

2017 AUG 11 PM 12:25

PUCO

Dear Sir or Madam,

CLV, Inc is requesting an administrative hearing of the above referenced case.

Regards,



Chuck Williams

President

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 M Date Processed AUG 11 2017



Public Utilities Commission

Asim Z. Haque, Chairman

Commissioners

M. Beth Trombold
Thomas W. Johnson
Lawrence K. Friedeman
Daniel R. Conway

07/14/2017

CR201704040184
Mr. Andrew Henderson
PO BOX 1673
CORNELIUS, OH 28031

RE: **NOTICE OF PRELIMINARY DETERMINATION**
Case No. CR201704040184

Dear Sir or Madam:

On 04/04/2017, a compliance review of your facility located at PO BOX 1673, CORNELIUS, OH, U.S.A., 28031 was conducted. As the result of discovery of the following violations of the Commission's rules, Staff of the Commission timely notified CLV INC (Respondent) pursuant to rule 4901:2-7-07, Ohio Administrative Code (O.A.C.), that it intended to assess a civil forfeiture against the Respondent in the following amount:

CODE	VIOLATION	FORFEITURE
395.8(e)(1)	Making, or permitting a driver to make, a false report regarding duty status	0.00
383.37(a)	Allowing, requiring, permitting, or authorizing a driver to operate a CMV during any period in which the driver does not have a current CLP or CDL or does not have a CLP or CDL with the proper class or endorsements. An employer may not use a driver to ope	1000.00

TOTAL AMOUNT DUE: \$1,000.00

A conference was conducted pursuant to rule 4901:2-7-10, 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.

As a result of the conference, Staff has made a Preliminary Determination that the Commission should assess a civil forfeiture against CLV INC in the following amount:





Public Utilities Commission

Asim Z. Haque, Chairman

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Daniel R. Conway

CODE	VIOLATION	FORFEITURE
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TOTAL AMOUNT DUE: \$1,000.00

Within 30 days of this notice, you must **either**: (1) pay the assessed civil forfeiture **or** (2) file a written request for an administrative hearing pursuant to rule 4901:2-7-13, O.A.C. Failure to file a written request for an administrative hearing within 30 days shall constitute a waiver of your right to further contest the violations and will conclusively establish the occurrence of the violations. Such failure shall also constitute a waiver of your right to further contest liability to the state of Ohio for the civil forfeiture described in the notice and will result in the forfeiture amount being referred to the Ohio Attorney General's office for collection.

Please consult the enclosed instruction sheet for additional information regarding this Notice of Preliminary Determination.

Sincerely,

Milan Orbovich, Director
Transportation Department

Compliance Officer: Mark Banks

