

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF PHILADELPHIA
ENERGY SOLUTIONS, INC., NOTICE OF
APPARENT VIOLATION AND INTENT TO
ASSESS FORFEITURE.

CASE NO. 18-978-TR-CVF
(OH1569000327S3)

ENTRY

Entered in the Journal on October 3, 2018

I. SUMMARY

{¶ 1} The Commission closes this case, as all violations and forfeitures against Philadelphia Energy Solutions, Inc. have been dismissed and deleted.

II. DISCUSSION

{¶ 2} R.C. 4923.04 provides that the Commission shall adopt rules applicable to the transportation of persons or property by motor carriers operating in interstate and intrastate commerce. Pursuant to Ohio Adm.Code 4901:2-5-03(A), the Commission adopted the Federal Motor Carrier Safety Regulations (FMCSR) for the purpose of governing transportation by motor vehicle in the state of Ohio. Further, R.C. 4923.99 authorizes the Commission to assess a civil forfeiture of up to \$25,000 per day against any person who violates the safety rules adopted by the Commission.

{¶ 3} On June 1, 2018, Philadelphia Energy Solutions, Inc. (PESI) filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 4} A prehearing conference was conducted on July 9, 2018. After the conference, Staff continued discussions with PESI and agreed to further review the facts in the case.

{¶ 5} Staff filed a notice of dismissal on July 26, 2018. In the notice, Staff states that it has further reviewed the facts in the case and will dismiss the forfeiture proceeding, as the violations have been removed from PESI's record and reassigned to a different entity. Staff adds that the parties are requesting dismissal of the case.

{¶ 6} The Commission finds Staff's request to dismiss the case to be reasonable. Accordingly, dismissal should be granted.

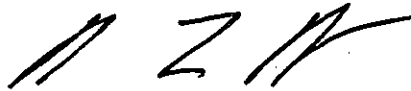
III. ORDER

{¶ 7} It is, therefore,

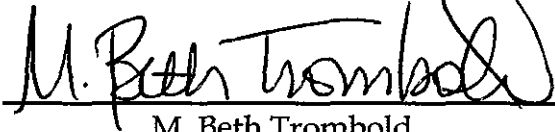
{¶ 8} ORDERED, That this case be dismissed. It is, further,

{¶ 9} ORDERED, That a copy of this Entry be served upon PESI and all other interested parties of record.


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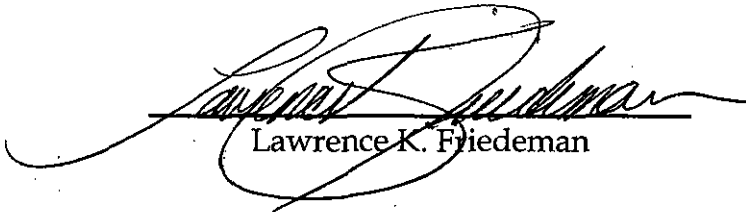
Asim Z. Haque, Chairman



M. Beth Trombold



Thomas W. Johnson



Lawrence K. Friedeman

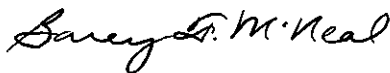


Daniel R. Conway

JML/hac

Entered in the Journal

OCT 03 2018



Barcy F. McNeal
Secretary