

FILE

21282 TR CVE

March 20, 2021

To: Ohio Public Utilities Commission

From: Robert Brown

3820 Wyalusing Avenue

Philadelphia, Pa. 19104

Re: Notice of Preliminary Determination

Case No. OH3223004014D

PUCB

2021 MAR 29 PM 2:28

RECEIVED - PUBLIC UTILITIES COMMISSION

To Whom It May Concern:

I am writing this letter to request an Administration Hearing about a notice that I received. I received a Notice of Preliminary Determination, 4901:2-7-12, Ohion Administrative Code (OAC). If you need to reach me my name is Robert Brown 3820 Wyalusing Avenue Philadelphia, Pa. 1904, (267) 279-5589.

Thank you

Robert Brown

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 SUL Date Processed 3.29.21

March 9, 2021

BROWN, ROBERT  
3820 WYALUSING AVE  
Philadelphia, PA, PA 19104RE: **NOTICE OF PRELIMINARY DETERMINATION**  
Case No. OH3223004014D

Dear Sir or Madam:

On 01/26/2021, a vehicle operated by PROSPERE LOGISTICS INC, and driven by, BROWN, ROBERT was inspected within the state of Ohio. As a result of discovery of the following violation(s) of the Commission's rules, Staff of the Commission timely notified ROBERT BROWN pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against ROBERT BROWN in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
395.8E	Group 1	False report of drivers record of duty status	\$ 0.00
390.3E	Group 4	Prohibited from performing safety sensitive functions per 382.501(a) in the Drug and Alcohol Clearinghouse.	\$ 3,174.00
	Group 1	Group 1 Violations	\$ 100.00
<b><u>Original Amount Due:</u></b>			<b>\$3,274.00</b>

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which ROBERT BROWN had a full opportunity to present reasons why the violation(s) 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 the Staff.

As a result of the conference, staff has made a preliminary determination that the commission should assess a civil forfeiture against ROBERT BROWN in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
395.8E	Group 1	False report of drivers record of duty status	\$ 0.00
390.3E	Group 4	Prohibited from performing safety sensitive functions per 382.501(a) in the Drug and Alcohol Clearinghouse.	\$ 3,174.00



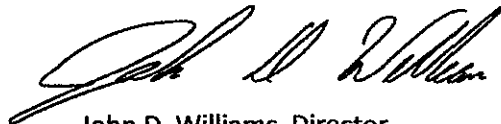
**New Amount Due:** \$3,274.00

Within 30 days of this notice you must either; 1) pay the assessed civil forfeiture or, 2) submit a written Request for an Administrative Hearing.

Failure to comply with either option above shall constitute a waiver of your right to further contest the violation(s) and will conclusively establish the occurrence of the violation(s). 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. In addition, your Ohio operating authority and/or commercial driving privileges may be sanctioned as permitted by law.

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

Sincerely,



John D. Williams, Director  
Transportation Department

cc: Michael Hines

