



DAVE YOST

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May 6, 2021

Tanowa Troupe
Secretary
Public Utilities Commission of Ohio
180 East Broad Street
Columbus, Ohio 43215

Re: *Ali Mohammed. (OH3245012970D)*,
Case No. 21-513-TR-CVF

Dear Ms. Troupe:

Staff of the PUCO Transportation Division makes the following statements:

1. On 01/21/2021, a vehicle operated by Nesco Transportation Inc and driven by Ali YMohammed, was inspected within the state of Ohio.
2. On 01/25/2021, as a result of the inspection Ali Y. Mohammed. (Applicant) was served with a Notice of Intent to Assess a Forfeiture (NIF) for violation(s) of the Commission's rules. The notice provided approximately thirty (30) days for the applicant to respond to the notice requesting and administrative hearing or pay the forfeiture due. The notice advised the applicant that failure to respond to the notice would result in admission of the violations as fact and potential suspension of applicant's CDL. The Notice also advised that payment of the forfeiture would act as an admission of the violations.
3. Applicant did not pay the forfeiture amount or otherwise respond to the NIF.
4. On 02/24/2021, a Second NIF was sent to Applicant. The notice provided approximately thirty (30) days for the applicant to respond to the notice requesting and administrative hearing or pay the forfeiture due. The notice advised the applicant that failure to respond to the notice would result in admission of the violations as fact and potential suspension of applicant's CDL. The Notice also advised that payment of the forfeiture would act as an admission of the violations.

5. On 03/23/2021, payment was received from the applicant for the full forfeiture amount of \$500 and the invoice was closed.
6. On 04/26/2021, Applicant called and spoke with the compliance officer assigned to the case twice. The Compliance Officer explained that the case is closed due to payment. The Compliance Officer emailed instructions on filing a motion to reopen the case to nesco.trans@icloud.com.
7. On 04/29/2021, The applicant filed a letter requesting that the Commission reopen his case. The Docketing Division, as is its custom, opened a case and docketed this request.

Staff recommends denial of the request to reopen this case because it is an improper attempt to argue a matter that is already closed. Applicant was provided multiple opportunities to request an administrative hearing of his case. The Applicant was also advised on multiple occasions that payment of the forfeiture would constitute an admission of guilt and acceptance of all penalties against the applicant.

Sincerely,

/s/ Robert Eubanks

Robert Eubanks

Assistant Attorney General

Public Utilities Section

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**On Behalf of the Staff of
The Public Utilities Commission of Ohio**

cc: **Ali Y. Mohammed**

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 21-0513-TR-CVF

Summary: Correspondence Regarding Staff Recommendation electronically filed by Mrs. Kimberly M Naeder on behalf of PUCO