



The Lincoln Building
88 S. Monroe St., Millersburg, OH 44654
Phone: (330) 674-7070 • Fax: (330) 674-7090
www.millermast.com
SteveK@millermast.com

21-0866-TR-CVF

Max A. Miller
Grant A. Mason
Andrew P. Brower

Emily A. Thomas

Of Counsel
Stephen D. Knowling

August 11, 2021

Public Utilities Commission of Ohio
Attn - Docketing Division
180 E. Broad Street - 11th FL.
Columbus OH 43215-3793

RE: Request for an Administrative Hearing
Case No. OH3291013737D

To Whom It May Concern:

Enclosed please find a Request for Administrative Hearing regarding the above referenced matter.

If you have any questions, please do not hesitate to contact me.

Sincerely,

MILLER, MAST & MASON, LTD.



Steve Knowling
Of Counsel

SDK:rec
Enclosure

PUCO

2021 AUG 16 PM 12:05

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PUBLIC UTILITIES COMMISSION OF OHIO
ATTN - DOCKETING DIVISION
180 E. BROAD STREET - 11th FL.
COLUMBUS OH 43215-3793

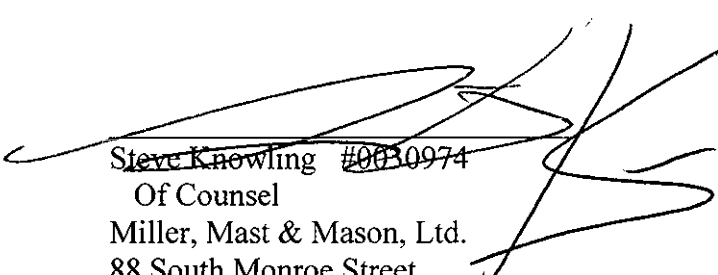
REQUEST FOR AN ADMINISTRATIVE HEARING

RE: Notice of Preliminary Determination
Case No. OH3291013737D

Now comes Mastead Farms, Ltd., and Heath A. Stutzman, by and through their undersigned attorney, and requests an administrative hearing pursuant to Ohio Administrative Code Rule 4901:2-7-13 in the above captioned matter (copy of the "Notice of Preliminary Determination" is attached as Exhibit A.)

Please direct further communications to the undersigned.

Respectfully submitted,



Steve Knowling #0030974
Of Counsel
Miller, Mast & Mason, Ltd.
88 South Monroe Street
Millersburg OH 44654
Phone: (330) 674-7070
Fax: (330) 674-7090
Email: SteveK@millermast.com

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MILLER, MAST
& MASON, Ltd.
ATTORNEYS AT LAW
88 S. MONROE STREET
MILLERSBURG, OHIO 44654

330-674-7070

August 4, 2021

Mr. Steve Knowling
88 South Monroe Street
MILLERSBURG, OH 44654

RE: **NOTICE OF PRELIMINARY DETERMINATION**
Case No. OH3291013737D

Dear Sir or Madam:

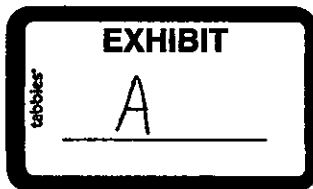
On 05/12/2021, a vehicle operated by MASTEAD FARMS LTD, and driven by, STUTZMAN, HEATH A was inspected within the state of Ohio. As a result of discovery of the following violation(s) of the Commission's rules, Staff of the Commission timely notified HEATH A STUTZMAN pursuant to rule 4901:2-7-07, Ohio Administrative Code (OAC), that it intended to assess a civil forfeiture against HEATH A STUTZMAN in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
391.41 A1-NPH	Group 4	Operating a property-carrying vehicle without possessing a valid medical certificate - no previous history.	\$ 100.00
383.23 A2	Group 4	Operating a CMV without a CDL	\$ 250.00
<u>Original Amount Due:</u>			\$350.00

A conference was conducted pursuant to Rule 4901:2-10, OAC, at which HEATH A STUTZMAN 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 HEATH A STUTZMAN in the following amount:

<u>CODE</u>	<u>GROUP</u>	<u>VIOLATION</u>	<u>FORFEITURE</u>
391.41 A1-NPH	Group 4	Operating a property-carrying vehicle without possessing a valid medical certificate - no previous history.	\$ 100.00
383.23 A2	Group 4	Operating a CMV without a CDL	\$ 250.00



New Amount Due: \$350.00

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,

A handwritten signature in black ink, appearing to read "John D. Williams", is written over a horizontal line.

**John D. Williams, Director
Transportation Department**

cc: Mark Banks

