

NC FILE

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BAYLOR TRUCKING, INC.

9269 EAST STATE ROAD 48
MILAN, INDIANA 47031

PHONE: 812-623-2020

March 18, 2005

Robert Marvin, Director
Transportation Department
Public Utilities Commission of Ohio
180 E. Broad Street
Columbus, OH 43215-3793

05-372-TR-CVF

RECEIVED-DOCKETING DIV
2005 MAR 18 PM 12:28
PUCO

Re: Request for Administrative Hearing
Case No. 9428300048C

Dear Mr. Marvin:

We request an administrative hearing in the above-referenced case.

It is our understanding that the intent of the forfeiture amount of \$1425 is to prevent a recurrence of this alleged violation in the future. During the course of our telephone conference I asked Jonathon Frye, of the Compliance Division, how a driver could determine if a seam on a plastic drum, that is in apparent good condition, will split enroute to its destination. Not answering my question, he replied that it is the carrier's responsibility to accept only freight that is packaged properly. In response to my statement that, in light of this case, my only recourse may be to stop hauling hazardous materials, Mr. Frye emphatically stated he was not suggesting that course of action.

In a legitimate effort to prevent recurrence of this alleged violation, Baylor Trucking, Inc. will seek guidance on this issue at the hearing.

Sincerely,

Mark Combs
Safety Manager

cc: Docketing Division

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Technician _____ Date Processed 3-18-05