

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Thermogas Company)
Notice of Apparent Violation and Intent) Case No. 97-340-TR-CVF
to Assess Forfeiture.) (CY000196C)

ENTRY

The Commission finds:

- (1) On March 27, 1997, Commission staff served a notice of preliminary determination upon Thermogas Company (Thermogas) in accordance with Rule 4901:2-7-12, Ohio Administrative Code, alleging violations of the Commission's Transportation Safety Rules.
- (2) By entry of April 8, 1997, this matter was set for prehearing on April 22, 1997 and for hearing on July 5, 1997.
- (3) On May 20, 1997, following the prehearing, Thermogas and staff filed a settlement agreement that resolves this case.
- (4) The agreement states that Thermogas agrees to be assessed a civil forfeiture in the amount of \$250.00 for the following assessed civil forfeitures:
 - a. violation of Title 49 C.F.R. §171.2(A), failure to carry a copy of federal registration.

Thermogas shall make full payment of \$250.00 within 15 days of the Commission issuance of an opinion and order in this case. This payment shall constitute complete settlement of this case. Payment shall be made by company check, certified check, or money order made payable to "Treasurer, State of Ohio," and mailed or delivered to Fiscal Division, Public Utilities Commission of Ohio, 180 East Broad Street, 10th Floor, Columbus, Ohio 43215-3793. Although the settlement agreement is not an admission or evidence the violations occurred, Thermogas agrees the alleged violations may be included in its safety record in so far as the violations may be relevant for purposes of assessing future civil forfeitures.

- (5) The Commission finds that the agreement is reasonable and should be adopted.

It is, therefore,

ORDERED, That the settlement agreement filed by staff and Thermogas Company is approved and adopted. It is, further,

ORDERED, That this case is closed as a matter of record. It is, further,

ORDERED, That a copy of this entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

Craig A. Glazer, Chairman

Jolynn Barry Butler

Ronda Hartman Fergus

David W. Johnson

Judith A. Jones

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