

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of :
Cogan's Wrecker Service, :
Inc. :
Notice of Apparent :Case No. 08-693-TR-CVF
Violation and Intent to :
Assess Forfeiture :
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- - -

PROCEEDINGS

before Mr. Kerry Sheets, Hearing Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Room 11-D, Columbus, Ohio, called at 10:05
a.m. on Thursday, September 23, 2010.

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ARMSTRONG & OKEY, INC.
222 East Town Street, 2nd Floor
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1 APPEARANCES:

2 Richard Cordray
3 Ohio Attorney General
4 By Mr. Werner L. Margard, III
5 Assistant Attorney General
6 Public Utilities
7 180 East Broad Street, Floor 9
8 Columbus, Ohio 43215-3793

9 On behalf of the Staff of the Public
10 Utilities Commission of Ohio.

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12 ALSO PRESENT:

13 Deborah Broughton,
14 Office Manager-Cogan's Wrecker Service,
15 Kenneth Cogan,
16 Owner/Operator-Cogan's Wrecker Service.

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Thursday Morning Session,
September 23, 2010.

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HEARING EXAMINER SHEETS: The Public
Utilities Commission of Ohio has set for hearing at
this time and place Case No. 08-693-TR-CVF, In The
Matter of Cogan's Wrecker Service, Inc. My name is
Kerry Sheets. I'm an Attorney Examiner for the
Commission and I have been assigned to hear this
case.

May I now have the appearance of the
parties, please.

MR. MARGARD: Thank you, Your Honor. On
behalf of the Staff of the Public Utilities
Commission of Ohio, Werner L. Margard and Stephen A.
Reilly, Assistant Attorneys General, 180 East Broad
Street, Sixth Floor, Columbus, Ohio.

HEARING EXAMINER SHEETS: Very good. Now
for the Respondent, do you want to state your name
and address.

MS. BROUGHTON: Deborah Broughton, 162
Township Road 616, South Point, Ohio 45680, office
manager, and Kenneth E. Cogan, owner/operator.

HEARING EXAMINER SHEETS: Okay.

MS. BROUGHTON: Same address.

1 HEARING EXAMINER SHEETS: Thank you. Do
2 you have a statement to make, Mr. Margard?

3 MR. MARGARD: I do. And thank you, Your
4 Honor. The parties have reached a settlement of this
5 case and we would like to indicate the basic terms of
6 that settlement on the record and then follow it up
7 with a joint exhibit memorializing that agreement.

8 HEARING EXAMINER SHEETS: Very good.

9 MR. MARGARD: The parties have agreed
10 that the Respondent will accept the compliance review
11 and the violations stated therein. The Staff will
12 reduce the amount of forfeiture by half. The
13 forfeiture was total of \$10,950, so half of that
14 would be \$5,475. The Staff is willing to accept
15 monthly payments over the course of the next year,
16 following the issuance of an order accepting the
17 settlement for payment of that sum and will waive the
18 remainder of the assessed forfeiture. That waiver is
19 occasioned by the fact that the Respondent has
20 subsequently had a compliance review that has found
21 none of the violations that were found in this
22 instance.

23 So Staff believes that the good faith
24 efforts on the part of the Respondent justify the
25 reduction of the forfeiture in this case.

1 HEARING EXAMINER SHEETS: All right.
 2 Well, if there is nothing more to add, I'll make that
 3 recommendation that the Commission accept the
 4 settlement and we'll consider this case submitted on
 5 the record.

6 MR. MARGARD: Very good. Thank you.
 7 Anything else?

8 MS. BROUGHTON: No.

9 MR. MARGARD: Okay.

10 HEARING EXAMINER SHEETS: Very good.

11 MR. MARGARD: Thank you.

12 HEARING EXAMINER SHEETS: Thank you.

13 (Thereupon, the proceedings concluded at
 14 10:08 a.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Thursday, September 23, 2010, and carefully compared with my original stenographic notes.

Sandra D. Kin, Registered
Professional Reporter and
Notary Public in and for the
State of Ohio.

My Commission Expires May 14, 2012.

(SDK-1204)

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in

Case No(s). 08-0693-TR-CVF

Summary: Transcript Transcript of Cogan's Wrecker Service, Inc. hearing held on 09/23/10. electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Kin, Sandra Ms.