

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of D.M. Bowman, Inc., Notice )  
of Apparent Violation and Intent to Assess ) Case No. 12-1655-TR-CVF  
Forfeiture. ) (OH3202305369C)

In the Matter of the D.M. Bowman, Inc., )  
Notice of Apparent Violation and Intent to ) Case No. 12-1656-TR-CVF  
Assess Forfeiture. ) (OH3202305359C)

ENTRY

The attorney examiner finds:

- (1) In regard to Case No. 12-1655-TR-CVF (12-1655), on May 21, 2012, Commission Staff (Staff) served a notice of preliminary determination upon D.M. Bowman, Inc., (respondent), in accordance with Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), alleging a violation of the Commission's transportation regulations.
- (2) In regard to Case No. 12-1656-TR-CVF (12-1656), on May 21, 2012, Staff served a notice of preliminary determination upon the respondent, in accordance with Rule 4901:2-7-12, O.A.C., alleging a violation of the Commission's transportation regulations.
- (3) Pursuant to the attorney examiner Entry of June 21, 2012, these cases were scheduled for a consolidated hearing on August 22, 2012.
- (4) On July 31, 2012, Staff filed a motion to dismiss. In support of its motion, Staff notes that the respondent has already made payment in full of the forfeitures assessed. Therefore, Staff asserts that, consistent with Rule 4901:2-7-22, O.A.C., full payment terminates all further proceedings regarding the violations. Additionally, Staff represents that the parties have agreed to hold the August 22, 2012, hearing in abeyance until the motion to dismiss is ruled upon.
- (5) In light of the pending motion and the agreement of the parties, the August 22, 2012, hearing shall be held in abeyance until further notice.

It is, therefore,

ORDERED, That the scheduled hearing shall be held in abeyance in accordance with Finding (5). It is, further,

ORDERED, That a copy of this entry be served upon each party of record and their respective counsel.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Jay S. Agranoff

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By: Jay S. Agranoff  
Attorney Examiner

jrj/vrm

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**8/9/2012 3:20:00 PM**

**in**

**Case No(s). 12-1655-TR-CVF, 12-1656-TR-CVF**

Summary: Attorney Examiner Entry holding previously scheduled hearing in abeyance electronically filed by Vesta R Miller on behalf of Jay S. Agranoff, Attorney Examiner, Public Utilities Commission of Ohio