

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Request of)	Case No. 13-1916-TR-CVF
Lewis DeSalvo for an Administrative)	(OH3281010465D)
Hearing.)	

ENTRY

The attorney examiner finds:

- (1) Pursuant to Ohio Adm.Code 4901:2-7-12, the Commission's Staff has served a notice of preliminary determination upon Lewis DeSalvo (Respondent), alleging a violation of the Commission's transportation regulations.
- (2) On September 10, 2013, Respondent filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.
- (3) By entry issued September 11, 2013, this matter was set for a prehearing conference on October 8, 2013. The parties were unable to settle this matter during the prehearing conference.
- (4) Accordingly, the attorney examiner finds that a hearing should be scheduled for December 3, 2013, at 1:30 p.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.
- (5) Ohio Adm.Code 4901:2-7-14(A) provides that a respondent who has requested an administrative hearing and fails to participate in the hearing proceeding shall be in default. The rule additionally states that a respondent in default shall be deemed to have admitted the occurrence of the violation and waived all further right to contest liability to the state for the forfeiture described in the notice.
- (6) At the hearing, and following the presentation of evidence by Staff, it shall be the responsibility of Respondent to present evidence in support of his contentions regarding the alleged violation in this matter.

It is, therefore,

ORDERED, That the matter be scheduled for a hearing in accordance with Finding (4). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Mandy W. Chiles

By: Mandy Willey Chiles
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

10/30/2013 4:40:47 PM

in

Case No(s). 13-1916-TR-CVF

Summary: Attorney Examiner Entry orders a hearing scheduled in accordance with Finding (4). - electronically filed by Sandra Coffey on behalf of Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio