

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Ryan Montgomery,) Case No. 14-0128-TR-CVF
Notice of Apparent Violation and Intent) (OH3232006593D)
to Assess Forfeiture)

MOTION TO DISMISS

Pursuant to 4901:2-7-12, O.A.C., the Staff of the Public Utilities Commission of Ohio (“Staff”) served Ryan Montgomery (“Respondent”) with a Notice of Preliminary Determination regarding the Respondent’s alleged violation of 49 C.F.R. § 383.51(a). After a review of the facts in the case, and further investigation and discussion with the Ohio State Highway Patrol, Staff agrees with the Patrol that further prosecution of the alleged violation of 49 C.F.R. § 383.51(a) is not warranted and that the violation should be deleted. Accordingly, Staff requests that the Commission dismiss the case and close the record.

Respectfully Submitted,

Michael DeWine
Attorney General

William L. Wright, Section Chief
Public Utilities Section

/s/ Katie L. Johnson

Katie L. Johnson
Assistant Attorney General
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CERTIFICATE OF SERVICE

I certify that a true copy of the **Motion to Dismiss** filed on Behalf of the Staff of the Public Utilities Commission of Ohio was served by regular U.S. mail, postage prepaid, hand-delivered, and/or electronic service upon the following parties of record this 25th day of February, 2014.

*/s/ Katie L. Johnson*_____

Katie L. Johnson
Assistant Attorney General

Parties of Record:

Ryan Montgomery
715 Fifth Street
Rising Sun, IN 47040

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in

Case No(s). 14-0128-TR-CVF

Summary: Motion Motion to Dismiss electronically filed by Mrs. Tonnetta Y Scott on behalf of
PUCO