

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Todd Agosta, Notice of )  
Apparent Violation and Intent to Assess ) Case No. 15-430-TR-CVF  
Forfeiture. ) (OH1366001727D)

ENTRY

The attorney examiner finds:

- (1) Staff served a notice of preliminary determination upon Todd Agosta in accordance with Ohio Adm.Code 4901:2-7-12, alleging a violation of the Commission's transportation regulations.
- (2) On February 26, 2015, Mr. Agosta filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.
- (3) A prehearing conference was held on April 9, 2015; however the parties were unable to settle this matter. Accordingly, a hearing should be scheduled on June 11, 2015, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.
- (4) Ohio Adm.Code 4901:2-7-14(E) provides that a Respondent who requests 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.
- (5) At the hearing, Staff must prove, by a preponderance of the evidence, that Respondent committed the alleged violations, pursuant to Ohio Adm.Code 4901:2-7-20(A).

It is, therefore,

ORDERED, That a hearing be held June 11, 2015, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-C, Columbus, Ohio 43215-3793. It is, further,

ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/ Nicholas Walstra

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By: Nicholas Walstra  
Attorney Examiner

jrj/vrm

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

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 15-0430-TR-CVF**

Summary: Attorney Examiner Entry setting a hearing for June 11, 2015, at 10:00 a.m.; electronically filed by Vesta R Miller on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission of Ohio