

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Cedrick Lemont Clark,)	
Notice of Apparent Violation and Intent to)	Case No. 15-1858-TR-CVF
Assess Forfeiture.)	(OH3258007718D)

ENTRY

The attorney examiner finds:

- (1) Staff served a notice of preliminary determination (NPD) upon Cedrick Lemont Clark (Respondent), in accordance with Ohio Adm.Code 4901:2-7-12, alleging violations of the Commission's transportation regulations.
- (2) On November 2, 2015, Respondent filed a request for an administrative hearing in the above-captioned case in accordance with Ohio Adm.Code 4901:2-7-13.
- (3) A prehearing settlement conference was held on December 2, 2015; however, the parties were unable to settle this matter.
- (4) Accordingly, this matter shall be set for hearing on February 25, 2016, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215.
- (5) Ohio Adm.Code 4901:2-7-14(E) provides that a respondent who has requested an administrative hearing and fails to appear for the hearing 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 for the forfeiture proposed in the NPD.
- (6) At the hearing, Staff must prove, by a preponderance of the evidence, the occurrence of a violation, pursuant to Ohio Adm.Code 4901:2-7-20(A).

It is, therefore,

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

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Megan Addison

By: Megan J. Addison
Attorney Examiner

JRJ/sc

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in

Case No(s). 15-1858-TR-CVF

Summary: Attorney Examiner Entry scheduling a hearing in accordance with Finding (4). -
electronically filed by Sandra Coffey on behalf of Megan Addison, Attorney Examiner, Public
Utilities Commission of Ohio