

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Gregory A. Thomas and       : Case No. 17-629-TR-CVF  
Waters Edge Canoe Livery, Notice of       : (OH32690125451D)  
Apparent Violation and Intent to Assess   : (OH3269012545C)  
Forfeiture.

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**RESPONSE TO RESPONDENTS' REQUEST FOR  
SETTLEMENT CONFERENCE AND MOTION FOR WAIVER  
SUBMITTED ON BEHALF OF THE STAFF OF  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

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Staff of the Public Utilities Commission of Ohio (Staff) responds to Gregory A Thomas and Waters Edge Canoe Livery (“Respondents”) Request for Settlement Conference and Motion for Waiver filed on March 2, 2017. In early October 2016, Respondents made full forfeiture payments on their noticed violations following a conference with Staff. As the undersigned counsel for Staff understands the retrospective circumstances from counsel who now represents the Respondents, Respondents were not represented by counsel at the time of the conference with Staff and never intended to make payment and waive their rights to contest the merits of the alleged violations made against them in further proceedings before the Public Utilities Commission of Ohio (“Commission”).

Subsequently, notice of Mr. Thomas’ out of service (“OOS”) violation was referred by Staff to the Department of Public Safety, Bureau of Motor Vehicles (“BMV”) for further administrative process to address a suspension of his CDL. The BMV opened

a case and recently continued it until April 19, 2017, pending the underlying OOS violation being challenged before the Commission.

Staff has no objection to Respondents' motion to waive the Payment of Forfeitures under Rule 4901:2-7-22(B), Ohio Adm. Code, and no objection to their request for refund of the forfeitures they paid. Staff does not object to the Commission accepting Mr. Thomas' case back from the BMV and exercising jurisdiction over that case and the case of Waters Edge Canoe Livery. If the Commission waives its payment rule and accepts the cases for further process before it, Staff has no objection to Respondents' request for a settlement conference so these cases can continue from where they stopped before Respondents made their forfeiture payments.

For the foregoing reasons, Staff has no objection to the Commission granting Respondents the relief they seek through their request for conference and motion for waiver because both are supported by just cause.

Respectfully submitted,

**Michael DeWine**  
Ohio Attorney General

**William L. Wright**  
Section Chief

*/s/ John H. Jones*

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**On behalf of the Staff of  
The Public Utilities Commission of Ohio**

## **PROOF OF SERVICE**

I hereby certify that a true copy of the foregoing **Response to Respondents’ Request for Settlement Conference and Motion for Waiver**, submitted on behalf of the Staff of the Public Utilities Commission of Ohio, and was served via regular U.S. mail upon Counsel for Respondents, Christopher S. Cook, 336 South High Street, Columbus, Ohio, 43215, this 7<sup>th</sup> day of March, 2017.

/s/ *John H. Jones*

**John H. Jones**  
Assistant Attorney General

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**Case No(s). 17-0629-TR-CVF**

Summary: Response to Respondents' Request for Settlement Conference and Motion for Waiver electronically filed by Ms. Tonneta Scott on behalf of PUC