

-THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF RUDOLPH POLK III,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.**

CASE NO. 17-1422-TR-CVF

ENTRY

Entered in the Journal on August 14, 2017

{¶ 1} On June 9, 2017, Rudolph Polk III (Respondent) requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 2} The parties in the case participated in a settlement conference with Staff on August 10, 2017, but were unable to resolve the matter.

{¶ 3} Accordingly, a hearing shall be scheduled for October 17, 2017, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 4} Ohio Adm.Code 4901:2-7-14(E) provides that a respondent who has requested an administrative hearing and fails to participate in the hearing proceeding shall be in default. The rule further 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 violation, pursuant to Ohio Adm.Code 4901:2-7-20(A).

{¶ 6} Following Staff's presentation of evidence at the hearing, it shall be the responsibility of Respondent to present evidence supporting his contentions regarding the alleged violation in this matter.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That a hearing be scheduled for October 17, 2017, as indicated in Paragraph 3. It is, further,

{¶ 9} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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Case No(s). 17-1422-TR-CVF

Summary: Attorney Examiner Entry scheduling hearing for 10/17/2017 in accordance with Paragraph 3. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio