

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF SJA TRANSPORT INC.,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.**

CASE NO. 17-779-TR-CVF

**IN THE MATTER OF SJA TRANSPORT INC.,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.**

CASE NO. 17-1199-TR-CVF

ENTRY

Entered in the Journal on September 11, 2017

{¶ 1} Settlement conferences were conducted in the above-captioned cases on May 11, 2017, and September 8, 2017, respectively, but issues in both cases were not resolved.

{¶ 2} Accordingly, a hearing shall be scheduled for both cases on November 15, 2017, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 3} 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.

{¶ 4} At the hearing, Staff must prove, by a preponderance of the evidence, that the respondent, SJA Transport, Inc., committed the alleged violations, pursuant to Ohio Adm.Code 4901:2-7-20(A).

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

{¶ 6} SJA Transport Inc. is reminded that Ohio Adm.Code 4901-1-08(A) requires that all corporations must be represented at Commission proceedings by an attorney-at-law authorized to practice in Ohio.

{¶ 7} Pursuant to R.C. 4901.14, a regular salaried employee of a directly concerned corporation may appear before the Commission in the determination of transportation matters involving questions of fact only. However, such an employee cannot act as an attorney. More specifically, such an employee cannot examine witnesses, make motions, or file legal briefs.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a hearing be scheduled for November 15, 2017, as indicated in Paragraph 2. It is, further,

{¶ 10} 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

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 17-0779-TR-CVF, 17-1199-TR-CVF

Summary: Attorney Examiner Entry scheduling hearing for 11/15/2017 in accordance with Paragraph 2. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio