

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF FRONTIER TECHNOLOGY
CORP., NOTICE OF APPARENT VIOLATION
AND INTENT TO ASSESS FORFEITURE.

CASE NO. 17-770-TR-CVF
(CR201701110080)

ENTRY

Entered in the Journal on September 25, 2017

{¶ 1} Pursuant to Ohio Adm.Code 4901:2-7-12, Staff served a notice of preliminary determination (NPD) upon Frontier Technology Corp. (Respondent) alleging violations of the Commission's transportation regulations.

{¶ 2} On March 15, 2017, Respondent filed a request for an administrative hearing as contemplated by Ohio Adm.Code 4901:2-7-13. A prehearing conference conducted on May 2, 2017, did not resolve the matter.

{¶ 3} Accordingly, the attorney examiner now sets this case for hearing on November 9, 2017, at 10:00 a.m., in Hearing Room 11-D at the offices of the Commission, 180 East Broad Street, 11th Floor, Columbus, Ohio 43215-3793.

{¶ 4} At the evidentiary hearing, Staff must prove that Respondent committed the violation alleged in the NPD by a preponderance of the evidence. Ohio Adm.Code 4901:2-7-20. Following Staff's presentation of evidence, Respondent will have the opportunity to present testimony and other evidence supporting its contentions regarding the alleged violations in this matter.

{¶ 5} Ohio Adm.Code 4901-1-08 generally requires that a corporation be represented in Commission proceedings by an attorney-at-law authorized to practice in Ohio.

{¶ 6} In the determination of transportation matters such as this, however, a regular salaried employee of a directly-concerned corporation may appear before the Commission and testify as to factual issues. R.C. 4901.14. But, the employee may not act as an attorney and cannot examine witnesses, make motions, or argue points of law.

{¶ 7} Finally, pursuant to Ohio Adm.Code 4901:2-7-14(E), a respondent who has requested an administrative hearing and fails to appear for the evidentiary hearing shall be in default. A respondent in default shall be deemed to have admitted the occurrence of the violation charged and to have waived all further right to contest liability for the forfeiture proposed in the NPD.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That Case No. 17-770-TR-CVF be set for hearing on Thursday, November 9, 2017, at 10:00 a.m., as set forth in Paragraph 3. 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/Patricia Schabo

By: Patricia A. Schabo
Attorney Examiner

NJW/sc

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Case No(s). 17-0770-TR-CVF

Summary: Attorney Examiner Entry scheduling hearing for 11/09/2017 in accordance with Paragraph 3. - electronically filed by Sandra Coffey on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission of Ohio