

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF RYAN S. BARBARA,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 19-55-TR-CVF
(OH1575001145D)

ENTRY

Entered in the Journal on April 4, 2019

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

{¶ 2} On January 8, 2019, Respondent filed a request for an administrative hearing as contemplated by Ohio Adm.Code 4901:2-7-13. Respondent participated in a prehearing conference on March 28, 2019, but the matter was not resolved.

{¶ 3} Accordingly, the attorney examiner sets this case for hearing on Thursday, July 11, 2019, 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 the evidence, Respondent will have the opportunity to present testimony and other evidence supporting Respondent's contentions regarding the alleged violation.

{¶ 5} Pursuant to Ohio Adm.Code 4901:2-7-14, 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 violations charged and to have waived all further right to contest liability for the forfeiture proposed in the NPD.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That Case No. 19-55-TR-CVF is set for hearing on July 11, 2019, at 10:00 a.m., as stated in Paragraph 3. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/*Patricia A. Schabo*

By: Patricia A. Schabo
Attorney Examiner

JRJ/hac

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 19-0055-TR-CVF

Summary: Attorney Examiner Entry scheduling hearing electronically filed by Heather A Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission