

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF STEVEN J. DODSON,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 18-1261-TR-CVF
(OH1359002536D)

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 Steven J. Dodson (Respondent) alleging violations of the Commission's transportation regulations.

{¶ 2} On August 6, 2018, counsel for Respondent filed a request for an administrative hearing regarding the NPD as contemplated by Ohio Adm.Code 4901:2-7-13.¹ A prehearing conference held January 31, 2019, did not resolve the matter.

{¶ 3} Accordingly, the attorney examiner sets this case for hearing on Tuesday, May 21, at 10:00 a.m., in Hearing Room 11-C 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

¹ On September 5, 2018, counsel filed a notice of withdrawal and requested that all further communications be directed to Respondent. Meanwhile, on August 29, 2018, another attorney filed a second request for an administrative hearing regarding the same NPD, or at least regarding the same Ohio Motor Carrier Information System (OMCIS) Report No.: OH1359002536D. This second request for an administrative hearing was assigned Case No. 18-1347-TR-CVF, and a hearing in that case will be scheduled for the same date and time as the instant matter.

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. 18-1261-TR-CVF is set for hearing on May 21, 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

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Case No(s). 18-1261-TR-CVF

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