

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

**IN THE MATTER OF VITALY DENYS,  
NOTICE OF APPARENT VIOLATION AND  
INTENT TO ASSESS FORFEITURE.**

**CASE NO. 19-932-TR-CVF  
(OH3203300391D)**

**ENTRY**

Entered in the Journal on July 24, 2019

{¶ 1} On July 9, 2019, an Entry was issued scheduling an August 16, 2019 hearing for the above-captioned case.

{¶ 2} Vitaly Denys (Respondent) contacted the attorney examiner on July 23, 2019, indicating that he was not available for the August 16, 2019 hearing. Respondent requested that the hearing be rescheduled to the following week.

{¶ 3} The attorney examiner finds Respondent's request to be reasonable. Accordingly, the hearing shall be rescheduled to 10:00 a.m. on August 20, 2019, at the Commission offices, Hearing Room 11-B, 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 the hearing be rescheduled to August 20, 2019, as indicated in Paragraph 3. It is, further,

{¶ 9} ORDERED, That all findings herein be observed by the parties in this case. 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 M. Lynn

By: James M. Lynn  
Attorney Examiner

NJW/hac

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 19-0932-TR-CVF**

Summary: Attorney Examiner Entry rescheduling hearing electronically filed by Heather A Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission