

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF JEFFREY JOHNSON,  
NOTICE OF APPARENT VIOLATION AND  
INTENT TO ASSESS FORFEITURE.

CASE NO. 19-1729-TR-CVF  
(OH3202306792D)

### ENTRY

Entered in the Journal on October 25, 2019

{¶ 1} Staff served a notice of preliminary determination upon Jeffrey Johnson (Respondent) in accordance with Ohio Adm.Code 4901:2-7-12, alleging a violation of the Commission's transportation regulations.

{¶ 2} On August 29, 2019, Respondent requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} On September 13, 2019, the attorney examiner scheduled a prehearing conference for October 8, 2019. During the prehearing conference, Respondent and Staff were unable to reach a settlement.

{¶ 4} On October 9, 2019, the attorney examiner issued an Entry scheduling a hearing for December 4, 2019, at the Commission offices.

{¶ 5} On October 22, 2019, the parties contacted the attorney examiner and advised that the Respondent would not be able to attend the December 4, 2019 hearing due to a scheduling conflict. Accordingly, both parties requested that the hearing be rescheduled for December 12, 2019, at 2:00 p.m. Therefore, the attorney examiner reschedules the hearing for December 12, 2019, at 2:00 p.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. The parties should register at the lobby desk and then proceed to the 11th floor in order to participate in the hearing.

{¶ 6} 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.

{¶ 7} 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).

{¶ 8} Following the 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.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the December 4, 2019 hearing be rescheduled for December 12, 2019, in accordance with Paragraph 5. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Matthew Sandor

By: Matthew Sandor  
Attorney Examiner

JRJ/kck

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

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**in**

**Case No(s). 19-1729-TR-CVF**

Summary: Attorney Examiner Entry re-schedule hearing for December 12, 2019 at the Commission Offices. electronically filed by Mrs. Kelli C King on behalf of Matthew Sandor, Attorney Examiner, Public Utilities Commission of Ohio