

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of Sovereign:
Truck and Equipment Sales, :
Notice of Apparent : Case No. 19-1773-TR-CVF
Violation and Intent to :
Assess Forfeiture. :

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PROCEEDINGS

before Mr. Michael Williams, Attorney Examiner, at
the Public Utilities Commission of Ohio, 180 East
Broad Street, Room 11-D, Columbus, Ohio, called at
10:03 a.m. on Monday, December 9, 2019.

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- - -

1 APPEARANCES:

2 Dave Yost, Ohio Attorney General
3 By Mr. John Jones,
4 Section Chief,
5 Mr. Robert Eubanks,
6 Assistant Attorney General
7 Public Utilities
8 30 East Broad Street
9 Columbus, Ohio 43215

10 On behalf of the Staff of the PUCO.

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Monday Morning Session,

December 9, 2019.

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EXAMINER WILLIAMS: Good morning. The Public Utilities Commission of Ohio has assigned for hearing at this time and place Case No. 19-1773-TR-CVF.

My name is Mike Williams, the Attorney Examiner assigned by the Commission to hear this case.

At this time I would take appearances from the parties.

MR. EUBANKS: Robert Eubanks, Attorney General's Office, here on behalf of the Public Utilities Commission of Ohio, located at 30 East Broad Street, Columbus, Ohio 43215.

EXAMINER WILLIAMS: Thank you, Mr. Eubanks.

All right. I note that there is no one here on behalf of Respondent. It's slightly after 10 o'clock now. We will leave the record open until 10:15, and then we will come back on and conclude this matter.

We're off the record.

(Discussion off the record.)

1 EXAMINER WILLIAMS: Okay. It's 10:18. I
2 don't see anybody new in the room, so I'm assuming
3 the Respondent has not appeared.

4 At this time I will let the State make
5 its case.

6 MR. EUBANKS: Yes. The Public Utilities
7 Commission would like to move for default judgment.
8 I spoke with the Respondent on Friday, the
9 representative of Phillip Steele, tangentially about
10 settlement, but at that time he never mentioned that
11 he wasn't going to show up today or that he needed a
12 continuance. And now we appear here today.

13 I'm not aware of him making any statement
14 to -- to yourself, your Honor, about needing a
15 continuance for this case. So in light of that,
16 we're entitled to a default judgment seeing that he
17 is not here to defend the citations that were issued
18 against him.

19 EXAMINER WILLIAMS: And you have some
20 exhibits that you want admitted into the record?

21 (EXHIBITS MARKED FOR IDENTIFICATION.)

22 MR. EUBANKS: Yes. I have the Notice of
23 Preliminary Determination I would like to have
24 entered into the record as Commission's Exhibit A,
25 and I also have the Driver Examination Report that I

would like to have entered into the record as
Commission's Exhibit B. May I approach?

EXAMINER WILLIAMS: Please.

Let's go off the record, please.

(Discussion off the record.)

EXAMINER WILLIAMS: We can go back on the
record.

While we were off the record, we cleaned
up some redactions of some personal identifying
information on the proposed exhibits.

At this time the Attorney Examiner will
admit Exhibits A and B as proffered, and the Attorney
Examiner will also take the motion for default
judgment under advisement.

(EXHIBITS ADMITTED INTO EVIDENCE.)

EXAMINER WILLIAMS: I would note that I
am actually substituting for the Attorney Examiner in
this case who is out ill today, so it's possible that
there's some note left on his voicemail or computer.
Assuming there's not, you should expect a decision
within the next month or so after the transcript
publishes.

Anything else from the party?

All right. At this time we are deemed
adjourned. Thank you very much.

(Thereupon, at 10:23 a.m., the hearing
was adjourned.)

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CERTIFICATE

I do hereby certify that the foregoing is
a true and correct transcript of the proceedings
taken by me in this matter on Monday, December 9,
2019, and carefully compared with my original
stenographic notes.

Karen Sue Gibson

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-6856)

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in

Case No(s). 19-1773-TR-CVF

Summary: Tariff In the Matter of Sovereign Truck and Equipment Sales, Notice of Apparent Violation and Intent to Assess Forfeiture, hearing held on December 9th, 2019. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.