

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF DONALD P.
CONNELLY, NOTICE OF APPARENT
VIOLATION AND INTENT TO ASSESS
FORFEITURE.

CASE NO. 18-1813-TR-CVF
(CR201802270160)

ENTRY

Entered in the Journal on February 26, 2020

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

{¶ 2} On December 7, 2018, counsel for Respondent filed a request for an administrative hearing as contemplated by Ohio Adm.Code 4901:2-7-13. A prehearing conference was held on March 27, 2019. Subsequently, counsel for Staff advised the attorney examiner that a settlement had been reached; however, no settlement agreement or joint motion to dismiss has been filed.

{¶ 3} By Entry dated January 7, 2020, the attorney examiner scheduled the matter for hearing on February 27, 2020. Subsequently, counsel for Respondent filed a notice of withdrawal; however, Respondent has remained in communication with Staff.

{¶ 4} On February 26, 2020, Staff filed a motion for a continuance of the hearing and request for expedited consideration. Staff explains that a continuance will allow the parties to finalize a stipulation following successful negotiations to fully resolve the case by agreement. Counsel for Staff represents that an agreement in principle has been reached; that the stipulation is expected to be filed imminently; and that Respondent has no objection to the request for continuance or for expedited treatment of the same.

{¶ 5} The attorney examiner finds that the motion for a continuance is reasonable and should be granted. Given the anticipated filing of a settlement agreement, the attorney examiner further finds that a stay of the procedural schedule is appropriate. Accordingly, the February 27, 2020 hearing date is vacated and the procedural schedule stayed. In the

event that a settlement agreement is not filed within the next 60 days, the attorney examiner will issue an Entry with a new hearing date.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That Staff's motion for a continuance be granted and the February 27, 2020 hearing date be vacated as stated in Paragraph 5. 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). 18-1813-TR-CVF

Summary: Attorney Examiner Entry granting motion for continuance and vacating hearing date electronically filed by Heather A Chilcote on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission