**BEFORE**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

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| In the Matter of Eugene Hall, Notice of Apparent Violation and Intent to Assess Forfeiture. | ::: | Case No. 15-1533-TR-CVF (OH3267009382D) |

**MOTION TO DISMISS**

**SUBMITTED ON BEHALF OF THE STAFF OF**

**THE PUBLIC UTILITIES COMMISSION OF OHIO**

Pursuant to Rule 4901-1-12 of the Ohio Administrative Code O.A.C., the Staff of the Public Utilities Commission of Ohio (Staff) moves to dismiss this case for good cause shown in the memorandum in support below.

Respectfully Submitted,

**Michael DeWine**

Attorney General

**William L. Wright**, Section Chief

Public Utilities Section

/s/ Katie L. Johnson

**Katie L. Johnson**

Assistant Attorney General

Public Utilities Section

180 East Broad Street, 6th Fl.

Columbus, Ohio 43215

614.644.8588 (telephone)

614.644.8764 (fax)

katie.johnson@puc.state.oh.us

**MEMORANDUM IN SUPPORT**

Pursuant to 4901:2-7-12, O.A.C., the Staff served Eugene Hall (Respondent) with a Notice of Preliminary Determination regarding an alleged violation of 49 C.F.R. 392.82(a)(1). After a review of the facts, further investigation, and discussions with the Ohio State Highway Patrol, Staff agrees with the Patrol that further prosecution of the alleged violation is not warranted and that the alleged violation should be deleted. Accordingly, the Staff requests that the Commission dismiss the alleged violation in this case and order it deleted from the Respondent’s record.

Respectfully Submitted,

**Michael DeWine**

Attorney General

**William L. Wright**, Section Chief

Public Utilities Section

/s/ Katie L. Johnson

**Katie L. Johnson**

Assistant Attorney General

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# **CERTIFICATE OF SERVICE**

 I certify that a true copy of the Motion to Dismiss filed on behalf of the Staff of the Public Utilities Commission of Ohio was served via upon the following party of record this 5th day of October, 2015.

/s/ Katie L. Johnson

**Katie L. Johnson**

Assistant Attorney General

Parties of Record:

Mr. Paul Newton

498 Commercial Drive

Fairfield, OH 45014

newtonp@relayexpress.com