

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Notice of Apparent)	
Violation and Intent to Assess Forfeitures)	
Against the Following Respondent:)	Case No. 09-297-TR-CVF
)	(OH1191004470C)
Asphalt Maintenance Services Corp.)	

ENTRY

The attorney examiner finds:

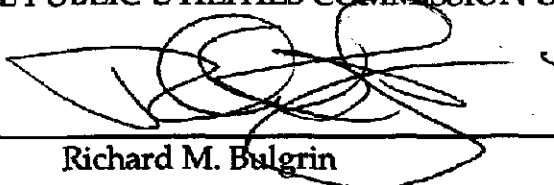
- (1) The above-captioned respondent filed a request for administrative hearing on April 3, 2009, pursuant to Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), to contest the alleged violations of the Commission's transportation regulations and/or civil forfeitures assessed in the notice of preliminary determination for the above-captioned inspection report.
- (2) Pursuant to Rule 4901:2-7-16(B), O.A.C., a prehearing conference was conducted on December 14, 2009, at the offices of the Commission, and via telephone. Notice of the prehearing conference was served upon the respondent by certified mail, and the return receipt indicates the notice was accepted, but the respondent failed to appear in person or participate via telephone.
- (3) Accordingly, this matter should now be scheduled for hearing on Wednesday, April 21, 2010, at 10:00 a.m., Eastern time, at the offices of the Commission, 180 East Broad Street, in Hearing Room 11-C, Columbus, Ohio 43215. Further, respondent is advised that failure to attend may result in assessment of the forfeiture against him.

It is, therefore,

ORDERED, That this matter be scheduled for hearing on April 21, 2010, at 10:00 a.m., Eastern time, at the offices of the Commission, 180 East Broad Street, in Hearing Room 11-C, Columbus, Ohio 43215. It is, further,

ORDERED, That a copy of this entry be served upon the respondent by both certified and regular mail, at Mark Reuss, Asphalt Maintenance Services Corp., 762 South 3rd Ave., Mt. Vernon, NY 10550, and at 85-30 261st St., Floral Park, NY 11001.

THE PUBLIC UTILITIES COMMISSION OF OHIO

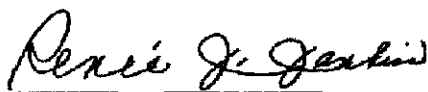


By: Richard M. Bulgrin
Attorney Examiner

geg
/dah

Entered in the Journal

APR 07 2010



Renee J. Jenkins
Secretary