

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Stewart Trucking LLC,)	Case No. 09-1025-TR-CVF
Notice of Apparent Violation and Intent)	(OH 3208301261C)
to Assess Forfeiture.)	

ENTRY

The attorney examiner finds:

- (1) On September 9, 2009, Commission staff served a notice of preliminary determination upon Stewart Trucking LLC (Respondent) in accordance with Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), alleging violations of the Commission's transportation regulations.
- (2) In accordance with Rule 4901:2-7-13, O.A.C., Respondent requested an administrative hearing.
- (3) By entry issued December 9, 2009, the attorney examiner scheduled a prehearing conference call for February 2, 2010. The parties did not resolve matters at that time.
- (4) By entry issued February 18, 2010, the attorney examiner scheduled a hearing for April 8, 2010.
- (5) Respondent contacted staff and the attorney examiner on April 2, 2010, and April 5, 2010, requesting a continuance of the hearing date because of unforeseen circumstances. Staff did not object to a continuance. Consequently, the attorney examiner issued an April 7, 2010, entry scheduling a June 17, 2010, hearing.
- (6) On June 14, 2010, the attorney examiner checked Commission records and discovered that Respondent had not received notice of the June 17, 2010, hearing. A telephone call to Respondent, in addition to a letter faxed by Respondent on June 14, 2010, revealed that Respondent had not been available to sign for the certified letter indicating the June 17, 2010, hearing date. In the June 14, 2010, letter, Respondent requested a continuance of the hearing date.

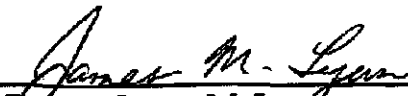
- (7) Given that Respondent did not receive notice of the June 17, 2010, hearing, the attorney examiner grants Respondent's request for a continuance. The rescheduled hearing date will be indicated in a subsequent entry.

It is, therefore,

ORDERED, That Respondent's request for a continuance of the hearing date is granted. It is, further,

ORDERED, That a copy of this entry be served upon each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: James M. Lynn
Attorney Examiner

JRG
/dah

Entered in the Journal

JUN 21 2010

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Renee J. Jenkins

Renee J. Jenkins
Secretary