

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

| | | |
|---|---|------------------------|
| In the Matter of Gregory Artemenkov, |) | |
| Notice of Apparent Violation and Intent |) | Case No. 10-474-TR-CVF |
| to Assess Forfeiture. |) | (OH0499007420) |

**MOTION FOR CONTINUANCE ON HEARING DATE
OF THE STAFF OF THE
PUBLIC UTILITIES COMMISSION OF OHIO**

The Staff of the Public Utilities Commission of Ohio moves for a continuance of the hearing currently scheduled for August 3, 2010 due to the unavailability on that date of one of Staff's principal witnesses - the Ohio Highway Patrol officer who witnessed Respondent, Mr. Artemenkov, driving without wearing his seatbelt. Staff further suggests possible dates for the hearing include October 14, 2010 and October 21, 2010.

Due to the proximity of the hearing date, Staff also requests an expedited ruling on its motion and Staff requests the Attorney Examiner exercise his discretion under Ohio Admin. C. 4901-1-12 (F) in doing so. Staff has attempted to contact Respondent concerning this motion but has not been able to reach him. Staff does not have any reason to believe a continuance would work a hardship on the Respondent.

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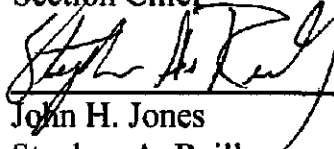
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Respectfully submitted,

Richard Cordray
Ohio Attorney General

Duane W. Luckey
Section Chief

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MEMORANDUM IN SUPPORT

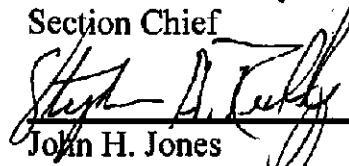
Ohio Highway Patrol officer Allan Ogden is the officer who witnessed and reported the violation involved in this case – driving a commercial motor vehicle without wearing a seatbelt. Accordingly, Officer Ogden's testimony provides the factual underpinnings of the citation involved in this matter – operating a commercial motor vehicle without wearing a seatbelt – and that testimony is crucial to Staff's case. Staff just learned that Officer Ogden will not be available for the hearing on August 3, 2010. His child is scheduled for surgery on that date and he must be with his child. Obviously, proceeding with the hearing in Officer Ogden's absence does grave injury to Staff's case. Continuing the case, however, should not prejudice Respondent. Although Staff attempted to contact Respondent about this motion, it was unable to reach him. But, Staff does not know of any reason a continuance should prejudice Respondent. Accordingly, Staff requests its motion be granted.

Due to the proximity of the hearing date Staff also requests an expedited ruling and requests the hearing officer exercise his discretion under O.A.C. 4901-1-12 (F) in doing so.

Respectfully submitted,

Richard Cordray
Ohio Attorney General

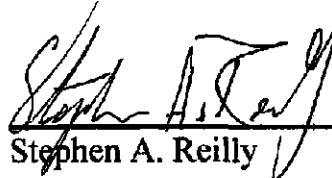
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Section Chief

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CERTIFICATE OF SERVICE

I certify a copy of the foregoing was served upon the Respondent, Gregory Artemenkov, by regular U.S. mail, postage prepaid, at 1043 Holly Circle, Lake Zurich, IL. 60047 on August 27, 2010.



Stephen A. Reilly