

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the D & J Transport Co., Inc., Notice of       )  
Apparent Violation and Intent to Assess       ) Case No. 10-2968-TR-CVF  
Forfeiture.    ) (3212300206C)

ENTRY

The attorney examiner finds:

- (1) This case was scheduled for hearing on March 24, 2011.
- (2) On February 28, 2011, James Thacker, a representative of the respondent, D & J Transport Co., Inc., filed a request for a continuance of the hearing date. In support of the request, Mr. Thacker stated that he will be out of town on March 24, 2011.
- (3) Mr. Thacker's request for a continuance is reasonable and should be granted. Accordingly, the hearing in this matter should be continued to April 21, 2011, at 10:00 a.m., in the offices of the Commission, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215.
- (4) Rule 4901-1-08(A), Ohio Administrative Code, requires that corporations must be represented in Commission proceedings by an attorney-at-law authorized to practice in Ohio.
- (5) Pursuant to Section 4901.14, Revised Code, a regularly salaried employee of a transportation corporation can make a presentation of facts in the case at hearing, but cannot act as an attorney. More specifically, such an employee cannot examine witnesses, make motions, or file legal briefs.

It is, therefore,


ORDERED, That the hearing in Case No. 10-2968-TR-CVF be continued in accordance with Finding (3). It is, further,

ORDERED, That all findings herein be observed in this case. It is, further,

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


THE PUBLIC UTILITIES COMMISSION OF OHIO

  
By: Kerry K. Sheets  
Attorney Examiner

  
KKS/wrm

Entered in the Journal

**MAR 03 2011**

  
Renee J. Jenkins  
Secretary