

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of North American)
Transport Services Notice of Apparent) Case No. 10-96-TR-CVF
Violation and Intent to Assess Forfeiture.) (OH3251008674C)

ENTRY

The attorney examiner finds:

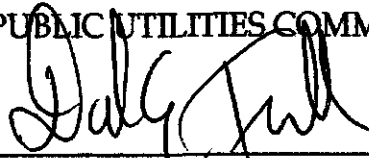
- (1) By entry issued September 8, 2010, an evidentiary hearing in this matter was scheduled to be held September 29, 2010, at the offices of the Commission. Later, the attorney examiner along with the parties agreed that the September 29, 2010 should be postponed and rescheduled to occur on a later date.
- (2) The attorney examiner finds that the postponed September 29, 2010, hearing should be rescheduled to occur on May 12, 2011, at 10:00 a.m., in Hearing Room 11-A of the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.
- (3) Rule 4901:2-7-14(A), Ohio Administrative Code (O.A.C.), provides that a respondent who has requested an administrative hearing and fails to participate in the hearing proceeding shall be in default. The rule additionally states that a respondent in default shall be deemed to have admitted the occurrence of the violation and waived all further right to contest liability to the state for the forfeiture described in the notice.
- (4) At the hearing, Staff must prove, by the preponderance of the evidence, that respondent committed the alleged violation, pursuant to Rule 4901:2-7-20(A), O.A.C.

It is, therefore,

ORDERED, That the matter be scheduled for a hearing on May 12, 2011, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-A, Columbus, Ohio 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO



By: Daniel E. Fullin
Attorney Examiner



/dah

MAR 18 2011

Entered in the Journal



Renee J. Jenkins
Secretary