

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Urban Express (Eastern)	Case No. 10-1459-TR-CVF (CR10C272)
Horizon, Inc.) Notice of Apparent)	
Violation and Intent to Assess Forfeiture.)	

ENTRY

The attorney examiner finds:

- (1) By entry issued March 18, 2011, an evidentiary hearing in this case was scheduled to occur on May 5, 2011. On April 28, 2011, counsel for the respondent filed a motion for continuance of the hearing, along with a memorandum in support of the motion. In the memorandum, counsel for the respondent indicates that he did not receive the entry scheduling the hearing, nor did he find out about the hearing until April 27, 2011. Moreover, counsel for the respondent has a scheduling conflict with the hearing date of May 5, 2011.
- (2) The attorney examiner and the parties have agreed that the hearing should be rescheduled and that three days should be reserved for holding the hearing. Accordingly, the hearing should be rescheduled to occur on June 13, 2011, through June 15, 2011, beginning at 10:00 a.m. each day, in Hearing Room 11A, at the offices of the Commission, 180 East Broad Street, Columbus Ohio 43215.
- (3) Any party intending to present direct, expert testimony should comply with Rule 4901-1-29(A)(1)(h), Ohio Administrative Code, which requires that all such testimony to be offered in this type of proceeding be filed and served upon all parties no later than seven days prior to commencement of the hearing

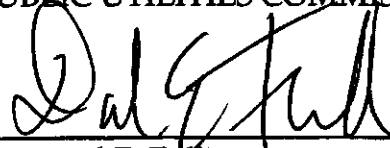
It is, therefore,

ORDERED, That the hearing be rescheduled in accordance with Finding (2). It is, further,

ORDERED, That any part intending to present expert testimony comply with Finding (3). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

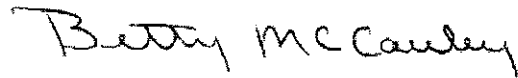


By: Daniel E. Fullin
Attorney Examiner

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/dah

Entered in the Journal

MAY 02 2011



Betty McCauley
Secretary