

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of MI Business	)	
Incorporated dba Red D Transport,	)	
Notice of Apparent Violation and Intent	)	Case No. 11-4156-TR-CVF
to Assess Forfeiture.	)	

ENTRY

The attorney examiner finds:

- (1) On August 16, 2011, the attorney examiner issued an entry scheduling this case for a hearing on September 22, 2011.
- (2) Because of a scheduling conflict, the hearing date shall be changed to September 15, 2011, at 10:00 a.m. at the Commission offices, 180 East Broad Street, Hearing Room 11-C, Columbus, Ohio 43215-3793.
- (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 also 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 for the forfeiture described in the notice.
- (4) At the hearing, staff must prove, by a 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 hearing be rescheduled to September 15, 2011, as indicated in Finding (2). It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

By: James M. Lynn  
James M. Lynn  
Attorney Examiner

JEH dah

Entered in the Journal  
AUG 22 2011

Betty McCauley  
Betty McCauley  
Secretary