

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Continuum Transportation)	Case No. 11-5477-TR-CVF
Services Ltd., Notice of Apparent Violation)	Case No. 11-5478-TR-CVF
and Intent to Assess Forfeiture.)	

ENTRY

The attorney examiner finds:

- (1) On November 29, 2011, the attorney examiner issued an entry scheduling a January 20, 2012, hearing in the above cases.
- (2) On December 22, 2011, staff filed a motion for a continuance of the hearing date to February 9, 2012. Staff explained that a scheduling conflict had arisen for January 20, 2012, and that it had notified the respondent, who had no objection to a continuance.
- (3) *The attorney examiner finds staff's motion to be reasonable.* Accordingly, a continuance is granted to February 9, 2012, at 10:00 A.M. at the Commission offices, Hearing Room 11-D, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (4) 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.
- (5) At the hearing, staff must prove, by a preponderance of the evidence, that the respondent committed the alleged violation, pursuant to Rule 4901:2-7-20(A), O.A.C.

It is, therefore,

ORDERED, That staff's motion for a continuance of the hearing is granted, and the hearing be rescheduled as indicated in Finding (3). 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

gfg/sc

Entered in the Journal

DEC 22 2011

Betty McCauley

Betty McCauley
Secretary