

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Ozark Motor Lines, Inc.,)
Notice of Apparent Violation and Intent to) Case No. 13-589-TR-CVF
Assess Forfeiture.) (OH0111004939C)

ENTRY

The attorney examiner finds:

- (1) Commission Staff (Staff) served a notice of preliminary determination upon Ozark Motor Lines, Inc. (respondent), in accordance with Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), alleging violations of the Commission's transportation regulations.
- (2) On March 5, 2013, respondent filed a request for an administrative hearing in accordance with Rule 4901:2-7-13, O.A.C.
- (3) A prehearing conference was held on April 25, 2013.
- (4) The attorney examiner finds that this matter should be set for a hearing on June 27, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.
- (5) Rule 4901:2-7-14(E), O.A.C., provides that a respondent who has requested an administrative hearing and fails to appear for the hearing 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 for the forfeiture proposed in the notice of preliminary determination.
- (6) At the hearing, Staff must prove, by a preponderance of the evidence, the occurrence of a violation, pursuant to Rule 4901:2-7-20(A), O.A.C.

It is, therefore,

ORDERED, That this matter be set for hearing on June 27, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Sarah Parrot

By: Sarah J. Parrot
Attorney Examiner

JRJ/sc

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in

Case No(s). 13-0589-TR-CVF

Summary: Attorney Examiner Entry ordered this matter be set for hearing on 06/27/2013 at 10:00 a.m. at the offices of the Commission, 180 E. Broad St., 11th Flr., Rm. 11-C, Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio