

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Micah Zappe, Notice of)	Case No. 13-702-TR-CVF
Apparent Violation and Intent to Assess)	(OH0779003223D)
Forfeiture.)	(OH0779003323C)

ENTRY

The attorney examiner finds:

- (1) On March 18, 2013, Micah Zappe requested an administrative hearing in accordance with Rule 4901:2-7-13, O.A.C.
- (2) By entry issued April 1, 2013, the attorney examiner scheduled a prehearing conference for April 25, 2013. The parties participated in the conference but were unable to resolve matters.
- (3) Accordingly, a hearing shall be scheduled for July 12, 2013, at 10:00 a.m. in Hearing Room 11-D, at the Commission offices, 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 respondent committed the alleged violation, pursuant to Rule 4901:2-7-20(A), O.A.C.

It is, therefore,

ORDERED, That a hearing be scheduled 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

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 13-0702-TR-CVF

Summary: Attorney Examiner Entry orders a hearing for 07/12/2013 at 10:00 a.m. in Rm. 11-D at the Commission offices, 180 E. Broad St., 11th Flr., Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio