

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of O&P Oil & Gas, Inc.,)
Notice of Apparent Violation and) Case No. 13-1029-TR-CVF
Intent to Assess Forfeiture.) (OH3205006193C)

ENTRY

The attorney examiner finds:

- (1) Commission Staff (Staff) served a notice of preliminary determination upon O&P Oil & Gas, Inc. (O&P), in accordance with Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), alleging a violation of the Commission's transportation regulations.
- (2) On April 25, 2013, O&P 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 May 14, 2013; however, the parties were unable to settle this matter. Accordingly a hearing should be scheduled on June 19, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.
- (4) Rule 4901-1-8, O.A.C., provides that corporations must be represented by an attorney-at-law.
- (5) Rule 4901:2-7-14(A), 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.
- (6) At the hearing, staff must prove, by the preponderance of the evidence, that respondent committed the alleged violations, pursuant to Rule 4901:2-7-20(A), O.A.C.

It is, therefore,

ORDERED, That a hearing be held on June 19, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Scott Farkas

By: Scott Farkas
Attorney Examiner

SEF/sc

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5/28/2013 3:29:58 PM

in

Case No(s). 13-1029-TR-CVF

Summary: Attorney Examiner Entry ordered a hearing for 06/19/2013, 10:00 a.m. at the offices of the Commission, 180 E. Broad St., 11th Flr., Rm. 11-D, Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of Scott Farkas, Attorney Examiner, Public Utilities Commission of Ohio