

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of FedEx Ground	:	
Package System Inc., Notice of	:	
Apparent Violation and Intent to	:	Case No. 13-863-TR-CVF
Assess Forfeiture.	:	(OH0992000174C)
	:	
	:	
Respondent.	:	
	:	

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**MOTION TO DISMISS**

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The Staff of the Public Utilities Commission of Ohio (“Staff”) hereby moves to dismiss this case for good cause being shown in the memorandum in support below.

Respectfully submitted,

Ohio Attorney General Michael DeWine

William L. Wright  
Section Chief, Public Utilities Section

*/s/ Steven L. Beeler*

**Steven L. Beeler**  
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## MEMORANDUM IN SUPPORT

Staff moves to dismiss this case because, upon further investigation, Staff discovered that the driver, Ibrahima Coulibaly, requested the administrative hearing to contest this matter. Mr. Coulibaly lacks standing to contest this matter on behalf of FedEx Ground Package System Inc., the carrier cited in this case. Mr. Coulibaly confirmed in the telephone prehearing conference that he is not an officer, employee or representative of the Carrier, FedEx Ground Package System Inc. FedEx Ground Package System Inc. did not request an administrative hearing in this matter. For these reasons, Staff believes further prosecution of this case is unwarranted.

Respectfully submitted,

Ohio Attorney General Michael DeWine

William L. Wright  
Section Chief, Public Utilities Section

/s/ Steven L. Beeler

**Steven L. Beeler**  
Assistant Attorney General  
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### **CERTIFICATE OF SERVICE**

I certify a copy of the foregoing was served upon Ibrahima Coulibaly, 6651  
Palmetto St., Cincinnati, OH 45227 by regular U.S. mail this 30th day of May 2013.

/s/ Steven L. Beeler

**Steven L. Beeler**

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

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**in**

**Case No(s). 13-0863-TR-CVF**

Summary: Motion to Dismiss submitted by Assistant Attorney General Steven Beeler on behalf of the Staff of the Public Utilities Commission of Ohio. electronically filed by Kimberly L Keeton on behalf of Public Utilities Commission of Ohio