

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of JKS Trucking, LLC,) Case No. 13-818-TR-CVF
Notices of Apparent Violation and Intent) (OH3242008196C)
to Assess Forfeiture.) Case No. 13-844-TR-CVF
) (OH3293005555C)

ENTRY

The attorney examiner finds:

- (1) Commission Staff (Staff) served notices of preliminary determination upon JKS Trucking, LLC (JKS), in the above-captioned cases, in accordance with Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), alleging violations of the Commission's transportation regulations.
- (2) On April 4 and 8, 2013, JKS filed requests for an administrative hearing in accordance with Rule 4901:2-7-13, O.A.C.
- (3) A prehearing conference was held in both cases on April 29, 2013; however, the parties were unable to settle these matters. Accordingly, a hearing should be scheduled in the above-captioned cases on August 12, 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 JKS committed the alleged violations, pursuant to Rule 4901:2-7-20(A), O.A.C.

It is, therefore,

ORDERED, That a hearing be held in Case Nos. 13-818-TR-CVF and 13-844-TR-CVF on August 12, 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

GAP/sc

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). 13-0818-TR-CVF, 13-0844-TR-CVF

Summary: Attorney Examiner Entry orders a hearing for 08/12/2013 at 10:00 a.m. in Rm. 11-D at the Commission offices, 180 E. Broad St., Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of Scott Farkas, Attorney Examiner, Public Utilities Commission of Ohio