

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Request of Trux)
Transportation, Inc., for an Administrative) Case No. 13-1168-TR-CVF
Hearing.) (OH3268010628C)

ENTRY

The attorney examiner finds:

- (1) Pursuant to Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), the Commission's Staff has served a notice of preliminary determination upon Trux Transportation, Inc. (Respondent), alleging a violation of the Commission's transportation regulations.
- (2) On May 9, 2013, Respondent filed a request for an administrative hearing in the above-captioned case in accordance with Rule 4901:2-7-13, O.A.C.
- (3) By entry issued June 5, 2013, this matter was set for a prehearing conference on June 27, 2013. The parties were unable to settle this matter during the prehearing conference.
- (4) Accordingly, the attorney examiner finds that a hearing should be scheduled for August 27, 2013, at 1:00 p.m., at the offices of the Commission, 180 East Broad Street, 11th floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.
- (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) Rule 4901-1-08(A), O.A.C., provides that corporations must be represented by an attorney-at-law authorized to practice before the courts of this state.
- (7) At the hearing, and following the presentation of evidence by Staff, it shall be the responsibility of the Respondent to present evidence in support of his contentions regarding the alleged violation in this matter.

It is, therefore,

ORDERED, That the matter be scheduled for a hearing in accordance with Finding (4). It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Mandy W. Chiles

By: Mandy Willey Chiles
Attorney Examiner

SEF/sc

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Commission of Ohio Docketing Information System on

7/26/2013 3:23:05 PM

in

Case No(s). 13-1168-TR-CVF

Summary: Attorney Examiner Entry schedules a hearing in this matter for 08/27/2013, 1:00 p. 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 Mandy Willey Chiles, Attorney Examiner, Public Utilities Commission of Ohio