

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Evans Delivery	:	
Company, Inc., Notice of Apparent	:	
Violation and Intent to Assess	:	Case No. 13-1568-TR-CVF
Forfeiture.	:	(OH3293005913C)
	:	
	:	
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/ Thomas G. Lindgren*

**Thomas G. Lindgren**  
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## MEMORANDUM IN SUPPORT

Staff moves to dismiss this case because, upon further investigation, Staff discovered that the vehicle owner, Steve Thomas, requested the administrative hearing to contest this matter. Mr. Thomas lacks standing to contest this matter on behalf of Evans Delivery Company, Inc., the carrier cited in this case. Mr. Thomas confirmed in the telephone prehearing conference that he is not an officer, employee or representative of the Carrier, Evans Delivery Company, Inc. The Carrier did not request an administrative hearing in this matter. For these reasons, Staff requests that this case be dismissed.

Respectfully submitted,

Ohio Attorney General Michael DeWine

William L. Wright  
Section Chief, Public Utilities Section

/s/ Thomas G. Lindgren

**Thomas G. Lindgren**  
Assistant Attorney General  
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## **CERTIFICATE OF SERVICE**

I certify a copy of the foregoing was served upon Steven Thomas, 14645  
Bookwalter Road, S. Solon, OH 43153 by regular U.S. mail this 13th day of August  
2013.

/s/ Thomas G. Lindgren

**Thomas G. Lindgren**

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

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**Case No(s). 13-1568-TR-CVF**

Summary: Motion Motion to Dismiss electronically filed by Mrs. Tonnetta Y Scott on behalf of  
PUCO