

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Harmony Farms and)	Case No. 13-761-TR-CVF
Guy C. Martin, Notice of Apparent)	(OH3247009433C)
Violation and Intent to Assess)	Case No. 13-762-TR-CVF
Forfeiture.)	(OH3247009433D)

ENTRY

The attorney examiner finds:

- (1) Commission Staff (Staff) served notices of preliminary determination upon Harmony Farms and Guy C. Martin (respondents), in accordance with Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), alleging violations of the Commission's transportation regulations.
- (2) On March 28, 2013, respondents filed requests for an administrative hearing in the above-captioned cases, in accordance with Rule 4901:2-7-13, O.A.C.
- (3) A prehearing conference was held on May 1, 2013.
- (4) By entry dated May 2, 2013, these cases were scheduled for hearing on July 9, 2013.
- (5) On July 3, 2013, the attorney examiner issued an entry granting Staff's motion for a continuance of the hearing, in light of a family emergency for one of Staff's witnesses. The attorney examiner found that the hearing should be continued to a date to be established by subsequent entry.
- (6) Accordingly, the attorney examiner finds that these matters should be set for a hearing on October 8, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793.
- (7) Rule 4901:2-7-14(E), O.A.C., provides that a respondent who has requested an administrative hearing and fails to appear for the hearing 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 for the forfeiture proposed in the notice of preliminary determination.

- (8) At the hearing, following the presentation of evidence by Staff, it shall be the responsibility of respondents to present evidence in support of respondents' contentions regarding the alleged violations in these matters.

It is, therefore,

ORDERED, That these matters be set for hearing on October 8, 2013, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215-3793. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Sarah Parrot

By: Sarah J. Parrot
Attorney Examiner

GAP/sc

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 13-0761-TR-CVF, 13-0762-TR-CVF

Summary: Attorney Examiner Entry scheduled a hearing for 10/08/2013, 10:00 a.m. in Rm. 11-C at the offices of the Commission, 180 E. Broad St., 11th Flr., Columbus, Ohio. - electronically filed by Sandra Coffey on behalf of Sarah Parrot, Attorney Examiner, Public Utilities Commission of Ohio