

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the matter of :
Robbie D. Wood, Inc., :
Notice of Apparent :Case No. 13-1138-TR-CVF
Violation and Intent :
to Assess Forfeiture. :

- - -

PROCEEDINGS

Before Ms. Sarah Parrot, Hearing Examiner, at
the Public Utilities Commission of Ohio, 180
East Broad Street, Columbus, Ohio, Hearing Room
11C, on Monday, September 9, 2013, at 10:00 a.m.

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, 2nd Floor
Columbus, Ohio 43215-5201
(614) 224-9481/(800) 223-9481
Fax (614) 224-5724

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

APPEARANCES:

Mike DeWine, Ohio Attorney General
William Wright, Section Chief
By Werner L. Margard
Assistant Attorney General
180 East Broad Street, 6th Floor
Columbus, Ohio 43215

On behalf of the Staff of the Public
Utilities Commission of Ohio.

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX TO EXHIBITS

- - -

STAFF EXHIBITS

ID'd ADMT'd

1 - Inspection Report	6	6
2 - Forfeiture Assessment Matrix	6	6
3 - Civil Forfeiture Violations Chart, Nature and Gravity Points	6	6
4 - History of Violations	6	6
5 - Notice of Apparent Violation and Notice of Preliminary Determination	6	6

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Monday Morning Session,
September 9, 2013.

- - -

HEARING EXAMINER PARROT: The Public Utilities Commission of Ohio has called for hearing at this time and place Case No. 13-1138-TR-CVF being in the matter of Robbie D. Wood, Inc., notice of apparent violation and intent to assess forfeiture.

My name is Sarah Parrot. I'm the Attorney Examiner assigned by the Commission to hear this case today.

At this time let's get started with appearances and we'll start with the Staff.

MR. MARGARD: Thank you, Your Honor. On behalf of the Transportation Staff of the Public Utilities Commission of Ohio, Michael DeWine, Ohio Attorney General, William Wright, Section Chief, Public Utilities Section, by Assistant Attorney General Werner L. Margard, 180 East Broad Street, 6th Floor, Columbus, Ohio.

HEARING EXAMINER PARROT: Thank you very much. At this time I will note for the record that no one is present in the hearing room today on behalf of the Respondent. I will

1 note that pursuant to Attorney Examiner entry of
2 July 11, 2013, this case was set for hearing at
3 this time and place today, and a copy of that
4 entry was served upon the Respondent on that
5 same date, July 11, 2013. Mr. Margard?

6 MR. MARGARD: Thank you, Your Honor.
7 For the record, I will note that we did have a
8 conversation with Respondent this morning. They
9 indicated that they would not be in attendance
10 at today's hearing and that they would not be
11 further prosecuting their application for
12 hearing in this case. Consequently, the Staff
13 would respectfully move that default judgment be
14 entered in this case and that the Respondent be
15 assessed the amount of \$3,840.

16 HEARING EXAMINER PARROT: All right.
17 The motion will be taken under advisement. At
18 this point, I think, do you have exhibits with
19 you, Mr. Margard?

20 MR. MARGARD: I do, Your Honor.

21 HEARING EXAMINER PARROT: Please go
22 ahead and mark those and move them into the
23 record.

24 MR. MARGARD: Your Honor, I have five
25 exhibits for purposes of the record this

1 morning. The first, and marked Staff Exhibit
2 No. 1, is a copy of the Inspection Report in
3 this case dated February 21st, 2013.

4 The second, marked Staff Exhibit No.
5 2, is the Forfeiture Assessment Matrix by which
6 the calculation was determined in this case.

7 Staff Exhibit No. 3 is a copy of the
8 Civil Forfeiture Violations Chart, Nature and
9 Gravity Points further explaining the matrix.

10 Staff Exhibit No. 4 is a list of the
11 history of violations with this Respondent.
12 Violations are a significant contributing factor
13 to the amount of the assessment in this case.

14 Staff Exhibit No. 5 are copies of the
15 Notice of Apparent Violation and Notice of
16 Preliminary Determination that were properly and
17 timely served on the Respondent in this case.

18 HEARING EXAMINER PARROT: All right.
19 The exhibits shall be so marked.

20 (EXHIBITS HEREBY MARKED.)

21 HEARING EXAMINER PARROT: And at this
22 point, as the Respondent is not here to contest
23 those, we'll go ahead and admit them in the
24 record.

25 (EXHIBITS HEREBY ADMITTED.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MARGARD: Thank you, Your Honor.

HEARING EXAMINER PARROT: Anything further today?

MR. MARGARD: I have nothing further.

HEARING EXAMINER PARROT: All right. Thank you. At this point we are adjourned. Thank you for coming.

- - -

Thereupon, at 10:05 a.m. the hearing was concluded.

- - -

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter before
the Public Utilities Commission of Ohio on
Monday, September 9, 2013.

Iris I. Dillion
Registered Professional
Reporter.

- - -

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

9/23/2013 12:11:08 PM

in

Case No(s). 13-1138-TR-CVF

Summary: Transcript in the matter of the Robbie D. Wood, Inc. hearing held on 09/09/13 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Dillion, Iris I. Mrs.