

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Scott P. Damron, Notice of)
Apparent Violation and Intent to Assess) Case No. 13-1666-TR-CVF
Forfeiture.) (OH3259007631D)

ENTRY

The attorney examiner finds:

- (1) Commission Staff has served a notice of preliminary determination upon Scott P. Damron in accordance with Rule 4901:2-7-12, Ohio Administrative Code (O.A.C.), alleging violations of the Commission's transportation regulations.
- (2) On July 22, 2013, Scott P. Damron filed a request for an administrative hearing in the above-captioned case in accordance with Rule 4901:2-7-13, O.A.C.
- (3) A prehearing settlement conference was held on August 22, 2013, however, the parties were unable to settle this matter.
- (4) Accordingly, this matter shall be set for hearing on November 5, 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.
- (5) Rule 4901:2-7-14(E), O.A.C., provides that a respondent who has requested an administrative hearing and fails to participate in 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 to the state for the forfeiture described in the notice.
- (6) At the hearing, Staff must prove, by a preponderance of the evidence, the occurrence of a violation, pursuant to Rule 4901:2-7-20(A), O.A.C.

It is, therefore,

ORDERED, That this matter be set for hearing on November 5, 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/Bryce McKenney

By: Bryce A. McKenney
Attorney Examiner

JRJ/sc

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in

Case No(s). 13-1666-TR-CVF

Summary: Attorney Examiner Entry schedules a hearing for 11/05/2013, 10:00 a.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 Bryce McKenney, Attorney Examiner, Public Utilities Commission of Ohio