

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of the :
Request of Lewis DeSalvo :
for an Administrative : Case No. 13-1916-TR-CVF
Hearing. :
- - -

PROCEEDINGS

before Mr. Scott E. Farkas, Attorney Examiner, at the
Public Utilities Commission of Ohio, 180 East Broad
Street, Room 11-D, Columbus, Ohio, called at 1:30
p.m. on Tuesday, December 3, 2013.

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APPEARANCES:

Mike DeWine, Ohio Attorney General
By Mr. William L. Wright,
Section Chief
Public Utilities Section
Ms. Katie Johnson,
Assistant Attorney General
180 East Broad Street, 6th Floor
Columbus, Ohio 43215

On behalf of the Staff of the PUCO.

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Staff Exhibit	Identified	Admitted
1 Notice of Preliminary Determination	5	6
2 Driver/Vehicle Examination Report	6	6

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1 Tuesday Afternoon Session,
 2 December 3, 2013.

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4 EXAMINER FARKAS: The Commission has
 5 called for hearing at this time and place the Matter
 6 of the Request of Lewis DeSalvo for an Administrative
 7 Hearing, Case No. 13-1916-TR-CVF.

8 My name is Scott Farkas. I am the
 9 Attorney Examiner assigned to hear this case.

10 At this time we'll take a 10-minute
 11 recess since the Respondent is not present in the
 12 hearing room. Thank you.

13 (Recess taken.)

14 EXAMINER FARKAS: Let's go back on the
 15 record. We took a 10-minute recess to see if the
 16 Respondent was going to appear. He has not made an
 17 appearance in the hearing room.

18 I will take appearances of behalf of
 19 staff at this time.

20 MS. JOHNSON: Your Honor, my name is
 21 Katie Johnson. I'm with the Office of the Ohio
 22 Attorney General Mike DeWine with the Public
 23 Utilities Section. We are located at 180 East Broad
 24 Street, Columbus, Ohio 43215.

25 At this time I would like to move for

1 default under Ohio Administrative Code Rule
2 4901:2-7-14 Section E. This section provides that if
3 a Respondent -- a Respondent who requests an
4 administrative hearing and fails to appear for the
5 hearing shall be in default.

6 Your Honor, I would like to note for the
7 record that pursuant to Attorney Examiner entry the
8 hearing in this case was scheduled for December 3,
9 2013, at 1:30 p.m. at the office of the Commission on
10 the 11th Floor in Hearing Room 11-C.

11 We are in Room 11-C and it's 1:40 and no
12 one is here present here to represent Mr. Lewis
13 DeSalvo. We would also like to note for the record
14 that the officer in this case, Mr. Maffitt, is here
15 and ready to proceed.

16 We would also like to introduce two
17 exhibits into the record. The first is Staff Exhibit
18 1, and it is the Notice of Preliminary Determination
19 that was issued to Mr. DeSalvo in this case.

20 EXAMINER FARKAS: So marked.

21 (EXHIBIT MARKED FOR IDENTIFICATION.)

22 MS. JOHNSON: Thank you. The second
23 exhibit we would like to mark as Staff Exhibit 2.
24 Staff Exhibit 2 is the Driver and Vehicle Examination
25 Report that was issued in this case.

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EXAMINER FARKAS: So marked.

(EXHIBIT MARKED FOR IDENTIFICATION.)

MS. JOHNSON: I would like to move to admit both of those exhibits into evidence.

EXAMINER FARKAS: Those will be admitted.

(EXHIBITS ADMITTED INTO EVIDENCE.)

MS. JOHNSON: Great. At this time I have nothing else, your Honor.

EXAMINER FARKAS: Okay. I'll take your motion under advisement. We will stand adjourned at this time.

(Thereupon, the hearing was concluded at 1:42 p.m.)

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CERTIFICATE

I do hereby certify that the foregoing is a true and correct transcript of the proceedings taken by me in this matter on Tuesday, December 3, 2013, and carefully compared with my original stenographic notes.

Karen Sue Gibson, Registered
Merit Reporter.

(KSG-5786)

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This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 13-1916-TR-CVF

Summary: Transcript in the matter of Lewis DeSalvo hearing held on 12/03/13 electronically filed by Mrs. Jennifer Duffer on behalf of Armstrong & Okey, Inc. and Gibson, Karen Sue Mrs.