

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Ronald J. Kasperek, )	Case No. 15-1428-TR-CVF
Notice of Apparent Violation and Intent )	(OH3230008411D)
to Assess Forfeiture. )	

ENTRY

The attorney examiner finds:

- (1) Pursuant to Ohio Adm.Code 4901:2-7-12, Staff served a notice of preliminary determination upon Ronald J. Kasperek (Respondent), alleging a violation of the Commission's transportation regulations.
- (2) On August 10, 2015, Respondent filed a request for an administrative hearing in the above-captioned case in accordance with Ohio Adm.Code 4901:2-7-13.
- (3) A prehearing settlement conference was held on August 24, 2015; however, the parties were unable to settle this matter and a hearing was scheduled for October 30, 2015.
- (4) The Respondent requested that the hearing be rescheduled to January 22, 2016. The Staff advised the attorney examiner that it has no objection to rescheduling the hearing. The attorney examiner finds good cause to reschedule the hearing. Accordingly, the hearing shall be rescheduled to January 22, 2016, at 10:00 a.m., Eastern Daylight Time, at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-D, Columbus, Ohio 43215-3793.
- (5) Ohio Adm.Code 4901:2-7-14(A) provides that a respondent who has requested an administrative hearing and fails to participate in the hearing proceeding 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 Ohio Adm.Code 4901:2-7-20(A).

It is, therefore,

ORDERED, That the hearing in this case be scheduled for January 22, 2016, at 10:00 a.m., Eastern Daylight Time, 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/Megan Addison

By: Megan J. Addison  
Attorney Examiner

JRJ/sc

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

**Commission of Ohio Docketing Information System on**

**10/30/2015 12:07:11 PM**

**in**

**Case No(s). 15-1428-TR-CVF**

Summary: Attorney Examiner Entry rescheduling hearing to 01/22/2016 in accordance with Finding (4). - electronically filed by Sandra Coffey on behalf of Megan Addison, Attorney Examiner, Public Utilities Commission of Ohio