

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Tommy Shad, Notice of)
Apparent Violation and Intent to) Case No. 15-1521-TR-CVF
Assess Forfeiture.) OH3267009705D

ENTRY

The attorney examiner finds:

- (1) Staff served a notice of preliminary determination upon Tommy Shad in accordance with Ohio Adm.Code 4901:2-7-12, alleging a violation of the Commission's transportation regulations.
- (2) On August 28, 2015, Mr. Shad filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.
- (3) A prehearing conference was held on October 22, 2015; however, the parties were unable to settle this matter. Accordingly, a hearing should be scheduled on January 26, 2016, 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.
- (4) Ohio Adm.Code 4901:2-7-14(E), provides that a Respondent who requests 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.
- (5) At the hearing, Staff must prove, by a preponderance of the evidence, that Respondent committed the alleged violations, pursuant to Ohio Adm.Code 4901:2-7-20(A).

It is, therefore,

ORDERED, That a hearing be held January 26, 2016, 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 each party of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Nicholas Walstra

By: Nicholas Walstra
Attorney Examiner

jrj/vrm

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in

Case No(s). 15-1521-TR-CVF

Summary: Attorney Examiner Entry scheduling a hearing on January 26, 2016, at 10:00 a.m.; electronically filed by Vesta R Miller on behalf of Nicholas Walstra, Attorney Examiner, Public Utilities Commission of Ohio