

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of R&R :  
Trucking, Notice of :  
Apparent Violation and : Case No. 15-519-TR-CVF  
Intent to Assess :  
Forfeiture. :

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PROCEEDINGS

Before Jim M. Lynn, Attorney Examiner, at the Public  
Utilities Commission of Ohio, 180 East Broad Street,  
Room 11-D, Columbus, Ohio, called at 10:00 a.m. on  
Tuesday, November 24, 2015.

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- - -

1 APPEARANCES:

2 Michael DeWine, Ohio Attorney General  
3 By Natalia Messenger, Esq.  
4 Assistant Attorney General  
5 180 East Broad Street, 6th Floor  
6 Columbus, Ohio 43215

7 On behalf of the Staff of the PUCO.

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STAFF EXHIBITS

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1 Driver/Vehicle Examination Report

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Tuesday Morning Session,  
November 24, 2015.

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EXAMINER LYNN: Let's go on the record  
at this time.

Public Utilities Commission of Ohio has  
assigned for hearing at this time and place Case  
No. 15-519-TR-CVF, In the Matter of R&R Trucking,  
Notice of Apparent Violation and Intent to Assess  
Forfeiture.

We'll have the appearances of the  
parties -- or actually only have one of them present  
currently. Ms. Messenger, if you'd like to go ahead,  
please.

MS. MESSENGER: Sure. On behalf of the  
Public Utilities Commission of Ohio Staff, Natalia  
Messenger, Assistant Attorney General, with the Ohio  
Attorney General, Mike DeWine, 180 East Broad Street,  
Columbus, Ohio 43215.

EXAMINER LYNN: Thank you, Ms. Messenger.

We are waiting for Mr. Rob Ready, who is  
representing R&R Trucking, to appear today. It's  
almost 10:15. The hearing was to start at 10:00  
o'clock. We will give him about another 15 minutes,  
and see if he shows up.

I will make note that I've had several telephone conversations with Mr. Ready. He had indicated he would be here today. I have not heard from him that he will not be here. I will note, though, also that he's indicated that one of his relatives, actually his mother, is getting up in years, getting older and is having some health problems, and that was one reason that he had asked for some consideration in rescheduling it was either conferences or hearings in the past.

So we'll see if he shows up. We'll wait about another 15 minutes. Thank you. Off the record.

(Recess taken.)

EXAMINER LYNN: We're back on the record. It's now 10:30.

So we've been waiting for Mr. Ready for about a half hour, and he has not appeared. With that in mind, we'll ask Ms. Messenger if she has any more comments to make.

MS. MESSENGER: Thank you. At this time I would like to note for the record that pursuant to Attorney-Examiner entry, the hearing in this case was scheduled for November 24th, 2015, at 10:00 a.m. at the office of the Commission, 180 East Broad Street,

Hearing Room 11-C. We are in room -- I'm sorry,  
11-D. We are in Room 11-D, and it is 10:30, and no  
one is here on behalf of R&R Trucking.

As a result, I move for default judgment  
under Ohio Administrative Code Rule 4901:2-7-14(E).  
This section provides that a Respondent who requests  
an administrative hearing and fails to appear for the  
hearing shall be in default. A Respondent in default  
shall be deemed to have admitted the occurrence of  
the violation and waived all further right to contest  
the making of the compliance order described in the  
notice of preliminary determination.

At this time I'd like to mark a couple  
exhibits. I'd like to mark the Driver/Vehicle  
Examination Report as Staff Exhibit 1, and I would  
like the mark the Notice of Preliminary Determination  
as Staff Exhibit 2.

EXAMINER LYNN: All right.

(EXHIBITS MARKED FOR IDENTIFICATION.)

MS. MESSENGER: And I would move to  
admit these exhibits.

EXAMINER LYNN: Okay. We'd certainly  
admit those exhibits. Thank you.

(EXHIBITS ADMITTED INTO EVIDENCE.)

MS. MESSENGER: Okay.

1 EXAMINER LYNN: And you have a copy for  
2 the reporter?

3 MS. MESSENGER: Yes.

4 EXAMINER LYNN: All right.

5 Ms. Messenger, do you have any other comments to  
6 make?

7 MS. MESSENGER: That is all I have.

8 EXAMINER LYNN: We'll take your  
9 indication about the request for a default into  
10 consideration.

11 MS. MESSENGER: Uh-huh.

12 EXAMINER LYNN: Again, there has been,  
13 you know, no sign of -- Mr. Ready did not contact me  
14 in the days up till today or, for that matter, on  
15 today, and there is no indication that he contacted  
16 staff either, despite his indications he would be  
17 here.

18 With that in mind, I'll wrap up the  
19 proceedings for today. I want to thank everyone for  
20 attending, and have a good rest of the day.

21 MS. MESSENGER: Thank you.

22 EXAMINER LYNN: Take care.

23 (Thereupon, the hearing was  
24 concluded at 10:31 a.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, November 24,  
2015, and carefully compared with my original  
stenographic notes.

---

Carolyn D. Ross,  
Registered Professional  
Reporter and Notary  
Public in and for the  
State of Ohio.

My commission expires April 3, 2019.  
(CDR-79765)



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

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**in**

**Case No(s). 15-0519-TR-CVF**

Summary: Transcript in the matter of the R&R Trucking hearing held on 11/24/15 electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Ross, Carolyn D.