

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of Richard Jennings, Notice)
of Apparent Violation and Intent to) Case No. 15-2016-TR-CVF
Assess Forfeiture.)

ENTRY

The attorney examiner finds:

- (1) Staff served a notice of preliminary determination upon Richard Jennings, in accordance with Ohio Adm.Code 4901:2-7-12, alleging violations of the Commission's transportation regulations.
- (2) On December 1, 2015, Richard Jennings requested an administrative hearing in accordance with Ohio Adm. Code 4901:2-7-13.
- (3) The parties participated in a prehearing conference on January 6, 2016, but were unable to resolve the matter.
- (4) Accordingly, a hearing shall be scheduled for March 3, 2016, at 10:00 a.m. in Hearing Room 11-D, at the Commission offices, 180 East Broad Street, Columbus, Ohio 43215-3793.
- (5) Ohio Adm.Code 4901:2-7-14(E), 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, that respondent committed the alleged violation, pursuant to Ohio Adm.Code 4901:2-7-20(A).

It is, therefore,

ORDERED, That a hearing be scheduled as indicated in Finding (4). It is, further,

ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/7/2016 11:36:41 AM

in

Case No(s). 15-2016-TR-CVF

Summary: Attorney Examiner Entry scheduling a hearing for 3/3/2016 in accordance with Finding (4). - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio