

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF DAVID ZIEGLER,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 16-2170-TR-CVF

ENTRY

Entered in the Journal on March 13, 2017

{¶ 1} An Entry was issued on January 11, 2017, scheduling a March 16, 2017 hearing in this matter.

{¶ 2} Staff filed a letter on March 9, 2017, seeking a continuance of the hearing. According to Staff, Mr. Ziegler stated that he is unavailable on March 16, 2017, because he will be out of state for travel. Staff adds that Mr. Ziegler requested that the hearing take place in June 2017. Staff has no objection to the continuance.

{¶ 3} The attorney examiner finds Staff's request for continuance to be reasonable. Accordingly, the hearing shall be continued to June 15, 2017, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 4} 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 further 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 violation, pursuant to Ohio Adm.Code 4901:2-7-20(A).

{¶ 6} Following Staff's presentation of evidence at the hearing, it shall be the responsibility of the respondent, David Ziegler, to present evidence in support of his contentions regarding the alleged violations in this matter.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That the hearing be continued to June 15, 2017, as indicated in Paragraph 3. It is, further,

{¶ 9} 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

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in

Case No(s). 16-2170-TR-CVF

Summary: Attorney Examiner Entry continuing hearing to 06/15/2017 as indicated in Paragraph 3. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio