

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF TOMMY
STANISLAWSKI, NOTICE OF APPARENT
VIOLATION AND INTENT TO ASSESS
FORFEITURE.

CASE NO. 17-234-TR-CVF
(OH3232007847D)

ENTRY

Entered in the Journal on May 3, 2017

I. SUMMARY

{¶ 1} The Commission finds that this case should be closed of record.

II. DISCUSSION

{¶ 2} Staff served a notice of preliminary determination (NPD) upon Tommy Stanislawski (Respondent), in accordance with Ohio Adm.Code 4901:2-7-12, alleging a violation of the Commission's transportation regulations — 49 C.F.R. 392.82(a)(1), using a hand-held mobile telephone while driving a commercial motor vehicle. In the NPD, Respondent was assessed a \$250 forfeiture for the violation.

{¶ 3} On January 25, 2017, Respondent filed a request for an administrative hearing in the above-captioned case in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 4} A prehearing teleconference was convened on February 23, 2017. The parties, however, were unable to resolve the matter informally during the conference.

{¶ 5} A hearing was convened on April 11, 2017. Staff was present in the hearing room, but Respondent did not appear for the proceeding. Staff noted that, subsequent to the prehearing teleconference, Respondent had paid the assessed forfeiture and thereby settled the case. Further, Staff requested that the Commission consider the case to be adjudicated based on Respondent's payment of the forfeiture in full.

{¶ 6} Ohio Adm.Code 4901:2-7-22 provides, in pertinent part, that payment of the forfeiture shall terminate all further proceedings regarding the violation.

{¶ 7} In view of the payment of the forfeiture, this case should be closed.

III. ORDER

{¶ 8} It is, therefore,

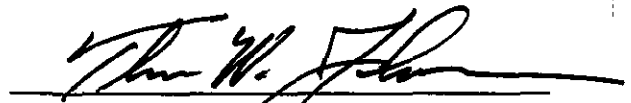
{¶ 9} ORDERED, That the above-captioned case be closed. It is, further,

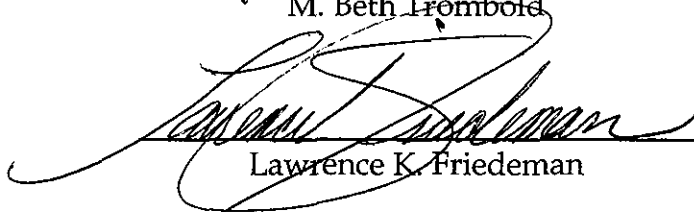
{¶ 10} ORDERED, That a copy of this Entry be served upon each party of record.

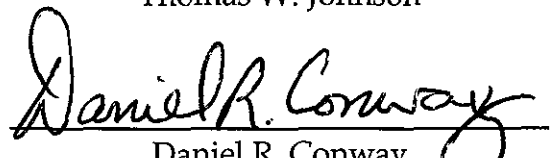
THE PUBLIC UTILITIES COMMISSION OF OHIO

Asim Z. Haque, Chairman


M. Beth Trombold


Thomas W. Johnson


Lawrence K. Friedeman


Daniel R. Conway

KKS/vrm

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MAY 03 2017



Barcy F. McNeal
Secretary