

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of Curtis :
Holliday, Notice of :
Apparent Violation and : Case No. 17-0054-TR-CVF
Intent to Assess :
Forfeiture. :

- - -

PROCEEDINGS

before Megan Addison, Hearing 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, May 16, 2017.

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1 APPEARANCES:

2 Mike DeWine, Ohio Attorney General
3 By Mr. Steven Logan Beeler
4 Assistant Attorney General
5 180 East Broad Street, 16th Floor
6 Columbus, Ohio 43215

7 On behalf of the Public Utilities
8 Commission of Ohio.

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Tuesday Morning Session,
May 16, 2017.

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THE EXAMINER: Good morning. The Public Utilities Commission of Ohio has assigned for hearing at this time and place Case No. 17-54-TR-CVF, being In the Matter of Curtis Holliday, Notice of Apparent Violation and Intent to Assess Forfeiture.

My name is Megan Addison, and I'm the Attorney-Examiner assigned by the Commission to hear this case. At this time, we will go ahead and take appearances of the parties, beginning with Staff.

MR. BEELEER: Thank you, your Honor. On behalf of the Staff of the Public Utilities Commission of Ohio, Ohio Attorney General Mike DeWine, I'm Steven Beeler, Assistant Attorney General, 30 East Broad Street, 16th floor, Columbus, Ohio, 43215. Thank you.

THE EXAMINER: Thank you, Mr. Beeler.
At this time, I'd like to note for the record that Mr. Holliday is not present at this morning's hearing. Has Staff heard from Mr. Holliday if he was going to be attending today's hearing?

MR. BEELEER: Staff has not heard from

1 Mr. Holliday.

2 THE EXAMINER: Thank you, Mr. Beeler.

3 At this time, we will go ahead and take a
4 brief 15-minute break to allow Mr. Holliday some
5 additional time to appear at this morning's hearing.
6 And with that, we're off the record.

7 (Recess taken.)

8 THE EXAMINER: Let's go back on the
9 record. We took a brief break to allow Mr. Holliday
10 some additional time to come to this morning's
11 hearing. At this time, he's still not present in the
12 Hearing Room, so we will be proceeding this morning.

13 Mr. Beeler, are you ready to proceed with
14 your --

15 MR. BEELEER: Yes, your Honor.

16 THE EXAMINER: Thank you.

17 MR. BEELEER: Thank you. The Staff in
18 this matter would move for a default judgment
19 pursuant to 4901:2-7-14(E) which states that a
20 Respondent who has requested an administrative
21 hearing that fails to appear for the evidentiary
22 hearing shall be in default. The Respondent in
23 default shall be deemed to have committed the
24 occurrence of the violation and waived all further
25 rights to contest liability for the forfeiture

1 proposed in the Notice of Preliminary Determination
2 or to contest the making of the Compliance Order
3 described in the Notice of Preliminary Determination.

4 THE EXAMINER: Thank you, Mr. Beeler. We
5 will take the Motion for Default under advisement.

6 MR. BEELER: And also, your Honor, the
7 Staff would move what has been previously marked as
8 Staff Exhibit 1 which is the Driver Vehicle
9 Examination Report with an inspection date of
10 9-15-2016 in this matter. The Staff would move for
11 Staff Exhibit 1 to be admitted into the record.

12 THE EXAMINER: Thank you. Staff Exhibit
13 1 will be so marked and admitted into the record.

14 (EXHIBIT MARKED FOR IDENTIFICATION AND
15 ADMITTED INTO THE RECORD.)

16 MR. BEELER: Staff would also move for
17 the admission of what has been previously marked as
18 Staff Exhibit 2 which is the Notice of Preliminary
19 Determination which was sent to Mr. Curtis Holliday,
20 and that Notice is dated 12-8-2016. Staff would move
21 for the admission of that Staff Exhibit 2.

22 THE EXAMINER: Thank you, Mr. Beeler. It
23 will be so marked and admitted into the record.

24 (EXHIBIT MARKED FOR IDENTIFICATION AND
25 ADMITTED INTO EVIDENCE.)

1 MR. BEELER: Nothing further, your Honor.

2 THE EXAMINER: Thank you. I believe with
3 that, we are adjourned. Thank you, everyone, for
4 coming today.

5 MR. BEELER: Thank you.

6 (The hearing was concluded at 10:20 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, May 16, 2017,
and carefully compared with my original stenographic
notes.

Cynthia L. Cunningham

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This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

5/22/2017 10:53:48 AM

in

Case No(s). 17-0054-TR-CVF

Summary: Transcript In the Matter of Curtis Holliday, Notice of Apparent Violation and Intent to Assess Forfeiture, hearing held on May 16, 2017. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Cunningham, Cindy