

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF DL WINTER
LIVESTOCK EXPRESS, INC., NOTICE OF
APPARENT VIOLATION AND INTENT TO
ASSESS FORFEITURE.

CASE NO. 17-780-TR-CVF
(CR201609120408)

ENTRY

Entered in the Journal on June 15, 2017

{¶ 1} This matter originally was scheduled for hearing on June 15, 2017.

{¶ 2} On June 13, 2017, Steve Plummer, a representative of Tri-State Transportation Consulting, Inc., contacted the attorney examiner on behalf of DL Winter Livestock Express, Inc. (Respondent) and, because of medical problems, requested a continuance of the June 15, 2017 hearing date. Subsequently, on June 14, 2017, Mr. Plummer submitted his request in writing to the Commission.

{¶ 3} The request to reschedule the hearing is reasonable and should be granted.

{¶ 4} Respondent is reminded that, following Staff's presentation of evidence at the hearing, it shall be the responsibility of the Respondent to present evidence in support of its contentions regarding the alleged violations in this matter.

{¶ 5} Further, Ohio Adm.Code 4901-1-08 requires that all corporations must be represented in Commission proceedings by an attorney-at-law authorized to practice in Ohio.

{¶ 6} Nevertheless, pursuant to R.C. 4901.14, a regular salaried employee of a directly concerned corporation may appear before the Commission in the determination of transportation matters involving questions of fact only. Such an employee, however, cannot act as an attorney. More specifically, such an employee cannot examine witnesses, make motions, or file legal briefs.

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That this matter be rescheduled for hearing on August 24, 2017, at 10:00 a.m., in Hearing Room 11-C, at the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215-3793. 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/ Kerry Sheets

By: Kerry K. Sheets
Attorney Examiner

sef/vrm

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in

Case No(s). 17-0780-TR-CVF

Summary: Attorney Examiner Entry rescheduling the hearing on August 24, 2017, at 10:00 a. m.; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio