

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF FLOORING TRANSPORT
OF AMERICA, LLC, NOTICE OF APPARENT
VIOLATION AND INTENT TO ASSESS
FORFEITURE.**

**CASE NO. 17-1460-TR-CVF
(CR20170040001)**

ENTRY

Entered in the Journal on July 28, 2017

{¶ 1} A prehearing conference was held in this case on July 25, 2017. At the prehearing conference, a hearing date of September 28, 2017, was established.

{¶ 2} Accordingly, this case should be scheduled for hearing on September 28, 2017, at 1:30 p.m., in Hearing Room 11-D, in the offices of the Commission, 180 East Broad Street, Columbus, Ohio 43215.

{¶ 3} Ohio Adm.Code 4901:2-7-14(E) provides that a respondent who has requested an administrative hearing and fails to appear for the hearing shall be in default. The rule additionally states that a respondent in default shall be deemed to have admitted the occurrence of the violations and waived all further right to contest liability for the forfeiture proposed in the notice of preliminary determination.

{¶ 4} At the hearing, following the presentation of evidence by Staff, it shall be the responsibility of Flooring Transport of America, LLC to present evidence in support of its contentions regarding the alleged violations in this matter.

{¶ 5} 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} 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. However, such an employee 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 Case No. 17-1460-TR-CVF be scheduled for hearing in accordance with paragraph (2). It is, further,

{¶ 9} ORDERED, That all findings herein be observed by the parties in this case. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Kerry K. Sheets

By: Kerry K. Sheets
Attorney Examiner

sef/vrm

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

7/28/2017 8:13:07 AM

in

Case No(s). 17-1460-TR-CVF

Summary: Attorney Examiner Entry scheduling a hearing for September 28, 2017, at 1:30 p. m.; electronically filed by Vesta R Miller on behalf of Kerry K. Sheets, Attorney Examiner, Public Utilities Commission of Ohio