

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF LAMAR HOOVER,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 17-1584-TR-CVF
(OH3291011620C)

ENTRY

Entered in the Journal on October 3, 2017

{¶ 1} Pursuant to Ohio Adm.Code 4901:2-7-12, Staff served a notice of preliminary determination (NPD) upon Lamar Hoover (Respondent) alleging violations of the Commission's transportation regulations.

{¶ 2} On July 13, 2017, Respondent filed a request for an administrative hearing as contemplated by Ohio Adm.Code 4901:2-7-13. A prehearing conference conducted on September 20, 2017, did not resolve the case.

{¶ 3} Accordingly, the attorney examiner sets this case for hearing on Thursday, October 19, 2017, at 1:30 p.m., in Hearing Room 11-D at the offices of the Commission, 180 East Broad Street, 11th Floor, Columbus, Ohio 43215-3793.

{¶ 4} At the evidentiary hearing, Staff must prove that Respondent committed the violation alleged in the NPD by a preponderance of the evidence. Ohio Adm.Code 4901:2-7-20. Following Staff's presentation of evidence, Respondent will have the opportunity to present testimony and other evidence supporting his contentions regarding the alleged violations in this matter.

{¶ 5} Pursuant to Ohio Adm.Code 4901:2-7-14, a respondent who has requested an administrative hearing and fails to appear for the evidentiary hearing shall be in default. A respondent in default shall be deemed to have admitted the occurrence of the violation charged and to have waived all further right to contest liability for the forfeiture proposed in the NPD.

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That Case No. 17-1584-TR-CVF be set for hearing on October 19, 2017, at 1:30 p.m., as set forth in Paragraph 3. It is, further,

{¶ 8} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/Patricia Schabo

By: Patricia A. Schabo
Attorney Examiner

JRJ/sc

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in

Case No(s). 17-1584-TR-CVF

Summary: Attorney Examiner Entry scheduling hearing for 10/19/2017 in accordance with Paragraph 3. - electronically filed by Sandra Coffey on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission of Ohio