

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF JASON VESTAL,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.**

CASE NO. 17-1488-TR-CVF

ENTRY

Entered in the Journal on November 21, 2017

{¶ 1} On June 23, 2017, Jason Vestal (Respondent) filed a letter at the Commission requesting an administrative hearing.

{¶ 2} On August 7, 2017, a prehearing conference was conducted, but the parties were unable to resolve the matter. Accordingly, on August 9, 2017, an Entry was issued scheduling a September 12, 2017 hearing.

{¶ 3} On September 5, 2017, Mr. Vestal contacted the attorney examiner to request a continuance of the hearing, stating that he could not attend on September 12, 2017. By Entry on September 11, 2017, the attorney examiner granted the request and stated the rescheduled hearing date would be established in a subsequent entry.

{¶ 4} Accordingly, the case shall be scheduled for a hearing on January 11, 2018, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. If Mr. Vestal is no longer seeking to pursue an administrative hearing, he has the option of filing a letter with the PUCO Docketing Division, 180 East Broad Street, Columbus, Ohio 43215, stating that he is withdrawing his hearing request. Case number 17-1488-TR-CVF should be indicated in such a letter.

{¶ 5} Ohio Adm.Code 4901:2-7-14(E) provides that a respondent who has requested an administrative hearing and fails to participate in the hearing proceeding shall be in default. The rule further states that a respondent in default shall be deemed to have admitted the occurrence of the violation and waived all further right to contest liability to the state for the forfeiture described in the notice.

{¶ 6} At the hearing, Staff must prove, by a preponderance of the evidence, that Respondent committed the alleged violation, pursuant to Ohio Adm.Code 4901:2-7-20(A).

{¶ 7} Following Staff's presentation of evidence at the hearing, it shall be the responsibility of Respondent to present evidence supporting his contentions regarding the alleged violation in this matter.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a hearing be scheduled for January 11, 2018, as indicated in Paragraph 4. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

s/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 17-1488-TR-CVF

Summary: Attorney Examiner Entry scheduling hearing for 01/11/2018 in accordance with Paragraph 4. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio