

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF JIMMY MILLER NOTICE
OF APPARENT VIOLATION AND INTENT TO
ASSESS FORFEITURE.**

**CASE NO. 17-2061-TR-CVF
(OH3252014815D)**

ENTRY

Entered in the Journal on December 8, 2017

{¶ 1} Staff served a notice of preliminary determination (NPD) upon Mr. Jimmy Miller in accordance with Ohio Adm.Code 4901:2-7-12, alleging a violation of the Commission's transportation regulations.

{¶ 2} On September 28, 2017, Mr. Miller filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} A prehearing settlement conference was held on December 5, 2017; however, the parties were unable to settle this matter.

{¶ 4} Accordingly, this matter shall be set for hearing on February 20, 2018, at 10:00 a.m., at the offices of the Commission, 180 East Broad Street, 11th Floor, Hearing Room 11-C, Columbus, Ohio 43215.

{¶ 5} 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 violation and waived all further right to contest liability for the forfeiture proposed in the NPD.

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

{¶ 7} It is, therefore,

{¶ 8} ORDERED, That this matter be scheduled for hearing in accordance with Paragraph 4. 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/Stacie Cathcart

By: Stacie E. Cathcart
Attorney Examiner

JRJ/sc

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 17-2061-TR-CVF

Summary: Attorney Examiner Entry scheduling hearing for 02/20/2018 in accordance with Paragraph 4. - electronically filed by Sandra Coffey on behalf of Stacie Cathcart, Attorney Examiner, Public Utilities Commission of Ohio