

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF RICHARD SIMON,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.**

CASE NO. 17-1897-TR-CVF

ENTRY

Entered in the Journal on December 21, 2017

{¶ 1} On December 15, 2017, an Entry was issued scheduling a January 26, 2018 hearing in the above-captioned case.

{¶ 2} Because of a scheduling conflict, the hearing date shall be rescheduled to February 2, 2018, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

{¶ 3} 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.

{¶ 4} 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).

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

{¶ 6} It is, therefore,

{¶ 7} ORDERED, That the hearing be rescheduled to February 2, 2018, as indicated in Paragraph 2. It is, further,

{¶ 8} ORDERED, That all findings herein be observed by the parties in this case.
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/James Lynn

By: James M. Lynn
Attorney Examiner

JRJ/sc

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in

Case No(s). 17-1897-TR-CVF

Summary: Attorney Examiner Entry rescheduling hearing to 02/02/2018 in accordance with Paragraph 2 and directing that all findings herein be observed by the parties in this case. - electronically filed by Sandra Coffey on behalf of James Lynn, Attorney Examiner, Public Utilities Commission of Ohio