

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF MARK B. KONZELMAN,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 17-2407-TR-CVF
(OH0519000424D)

ENTRY

Entered in the Journal on January 25, 2018

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

{¶ 2} On November 24, 2017, Respondent filed a request for an administrative hearing as permitted by Ohio Adm.Code 4901:2-7-13. A prehearing conference conducted on January 24, 2018, did not resolve the matter.

{¶ 3} Accordingly, the attorney examiner sets this case for hearing on Wednesday, March 28, 2018, at 10:00 a.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 violation 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. 17-2407-TR-CVF be set for hearing on March 28, 2018, at 10:00 a.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

This foregoing document was electronically filed with the Public Utilities

Commission of Ohio Docketing Information System on

1/25/2018 10:37:16 AM

in

Case No(s). 17-2407-TR-CVF

Summary: Attorney Examiner Entry scheduling hearing for 03/28/2018 at 10:00 a.m. in accordance with Paragraph 3. - electronically filed by Sandra Coffey on behalf of Patricia Schabo, Attorney Examiner, Public Utilities Commission of Ohio