

BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

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In the Matter of Craig Faulkner : Case No.
Notice of Apparent Violation : 17-2283-TR-CVF
and Intent to Assess Forfeiture :

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PROCEEDINGS

Before Jim M. Lynn, Attorney Examiner, held at
the Public Utilities Commission of Ohio, 180
East Broad Street, Hearing Room 11-D, Columbus,
Ohio, on Thursday, March 29, 2018, at 10:00 A.M.

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185 S. Fifth Street, Suite 101
Columbus, Ohio 43215
(614) 224-9481 - (800) 223-9481

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1 APPEARANCES:

2 Mr. Thomas G. Lindgren
3 Assistant Attorney General
4 30 East Broad Street, 16th Floor
Columbus, Ohio 43215

5 On behalf of the Staff of the
6 Public Utilities Commission
of Ohio.

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1 Thursday Morning,
2 March 29, 2018.

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4 ATTORNEY EXAMINER: The Public
5 Utilities Commission of Ohio has assigned for
6 hearing at this time and place Case No.
7 17-2283-TR-CVF In the Matter of Craig Faulkner
8 Notice of Apparent Violation and Intent to
9 Assess Forfeiture.

10 I am Jim Lynn, the Attorney Examiner
11 assigned to hear this case. And at this time I
12 will have the appearances of the parties. And
13 from the Ohio Attorney General's office.

14 MR. LINDGREN: Thank you, Your
15 Honor. Representing the Staff is the Office of
16 the Ohio Attorney General, Mike DeWine, by
17 Thomas G. Lindgren, Assistant Attorney General,
18 30 East Broad Street, 16th Floor, Columbus, Ohio
19 43215.

20 ATTORNEY EXAMINER: Thank you, Mr.
21 Lindgren. I will note at this point in time
22 it's just a few minutes after 10:00 o'clock,
23 Craig Faulkner is not here. And in fairness to
24 Mr. Faulkner I am aware where he is traveling
25 from, so I will allow time for about maybe 10:30

1 to see if he does show up.

2 I have checked for phone messages, I
3 did not receive any today or in the days leading
4 up to this indicating he could not be here.

5 In addition I will note that this
6 hearing was originally scheduled for January
7 16th and Mr. Faulkner at that time, or shortly
8 before then, indicated he could not attend the
9 hearing on January 16th, so we moved this
10 hearing to March of 2018 at his request,
11 even though I have not heard anymore from him.

12 I will also mention that when I
13 checked the docket of this case, the entry
14 indicating that the hearing was moved to today,
15 that entry was not returned by the Post Office
16 as undeliverable, so I assume that he did get
17 the notice to what date it had been changed to.

18 With that in mind we will go off the
19 record for about minute 25 minutes to see if he
20 shows up. And I will also check my telephone
21 messages. And if none of that happens, we don't
22 hear anything from him, we will just move on
23 from there. Mr. Lindgren might have some
24 comments.

25 MR. LINDGREN: Thank you.

1 (RECESS TAKEN)

2 ATTORNEY EXAMINER: Back on the
3 record. It is now 10:25, so we have given Mr.
4 Faulkner close to a half hour. I also during
5 our pause during our break checked the telephone
6 messages to see if he might have called in. No
7 indication that he called in.

8 And as I said earlier, I have heard
9 nothing from him in the days leading up to this
10 hearing.

11 With that being said, Mr. Lindgren,
12 do you have any other comments or motions you
13 want to make.

14 MR. LINDGREN: Thank you, Your
15 Honor. Yes. The Staff would like to move for a
16 default judgment in accordance with the
17 Commission's rules given that the driver has not
18 appeared at this hearing.

19 And I would also like to move into
20 evidence two documents. The first is the report
21 of inspection concerning the vehicle driven by
22 the Respondent in this case. I have marked that
23 as Staff Exhibit 1.

24 (EXHIBIT MARKED FOR PURPOSES OF
25 IDENTIFICATION)

1 MR. LINDGREN: I would like to move
2 for admission of the Notice of Preliminary
3 Determination sent to the Respondent stating the
4 amount of the recommended forfeiture, and that I
5 have marked as Staff Exhibit 2.

6 (EXHIBIT MARKED FOR PURPOSES OF
7 IDENTIFICATION)

8 ATTORNEY EXAMINER: All right.
9 Thank you, Mr. Lindgren. Given there is no one
10 here to object to introducing those into
11 evidence we will certainly admit Staff Exhibit 1
12 and 2 into evidence.

13 (EXHIBITS HEREBY ADMITTED INTO
14 EVIDENCE)

15 ATTORNEY EXAMINER: We will also
16 take into account your motion that you made in
17 relation to Mr. Faulkner not appearing here.

18 MR. LINDGREN: Thank you.

19 ATTORNEY EXAMINER: Any other
20 thoughts, Mr. Lindgren?

21 MR. LINDGREN: Nothing further, Your
22 Honor.

23 ATTORNEY EXAMINER: Okay. Thank
24 you. Thank you, everyone, for attending. And
25 we will call this hearing to a close. Thank

you.

(At 10:30 A.M. the hearing was
concluded)

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CERTIFICATE

I do hereby certify that the foregoing
is a true and correct transcript of the
proceedings taken by me in this matter on March
29, 2018, and carefully compared with my
original stenographic notes.

Michael O. Spencer
Michael O. Spencer,
Registered Professional
Reporter.

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in

Case No(s). 17-2283-TR-CVF

Summary: Transcript In the Matter of Craig Faulkner Notice of Apparent Violation and Intent to Assess Forfeiture, hearing held on March 29th, 2018. electronically filed by Mr. Ken Spencer on behalf of Armstrong & Okey, Inc. and Spencer, Michael O. Mr.