

**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of Michael Maag, Notice of) Case No. 19-839-TR-CVF
Apparent Violation and Intent to Assess) (OH0616005372C)
Forfeiture.)

**MOTION TO DISMISS
SUBMITTED ON BEHALF OF THE STAFF OF
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Pursuant to Rule 4901-1-12 of the Ohio Administrative Code O.A.C., the Staff of the Public Utilities Commission of Ohio (Staff) moves to dismiss this case for good cause shown in the memorandum in support below.

Respectfully Submitted,

Dave Yost
Attorney General

John H. Jones, Section Chief
Public Utilities Section

/s/ Robert Eubanks

Robert Eubanks
Assistant Attorney General
Public Utilities Section
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MEMORANDUM IN SUPPORT

Pursuant to O.A.C. 4901:2-7-12, the Staff of the Public Utilities Commission of Ohio (“Staff”) served Michael Maag (“Respondent”) with a Notice of Preliminary Determination regarding the Respondent’s alleged violation of CFR 393.48A, 393.9T, 393.43, 390.21B, and 392.9BA-NOR 4. In response to a request for additional information sent from Staff to the Respondent, the Respondent explained that he is not a commercial hauler pursuant to Federal Motor Safety Regulations. After a review of the facts and further investigation, Staff agrees with the Respondent. Accordingly, further prosecution of the violations against Respondent is unwarranted and the alleged violations should be deleted from the Respondent’s SafetyNet Record. Accordingly, Staff requests that the Commission dismiss the alleged violations in this case and order the violations deleted from the Respondent’s SafetyNet Record.

Respectfully Submitted,

Dave Yost
Attorney General

John H. Jones, Section Chief
Public Utilities Section

/s/ Robert Eubanks

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Assistant Attorney General
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CERTIFICATE OF SERVICE

I certify that a true copy of the **Motion to Dismiss** filed on Behalf of the Staff of the Public Utilities Commission of Ohio was served by regular U.S. mail, postage prepaid, hand-delivered, and/or electronic service upon the following parties of record this 21st day of January, 2020.

/s/ Robert Eubanks

Robert Eubanks
Assistant Attorney General

Parties of Record:

Michael Maag
65498 Endley Road
Cambridge, OH 43725

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in

Case No(s). 19-0839-TR-CVF

Summary: Motion to Dismiss electronically filed by Mrs. Tonnetta Y Scott on behalf of PUCO