

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF WALID S. DIAB,  
NOTICE OF APPARENT VIOLATION AND  
INTENT TO ASSESS FORFEITURE.

CASE NO. 20-40-TR-CVF  
(OH3230014749D)

### ENTRY

Entered in the Journal on April 14, 2020

{¶ 1} Staff served a notice of preliminary determination upon Walid S. Diab (Respondent) in accordance with Ohio Adm.Code 4901:2-7-07, alleging a violation of the Commission's transportation regulations.

{¶ 2} On January 9, 2020, Respondent requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} Pursuant to Ohio Adm.Code 4901:2-7-16(B), by Entry dated January 23, 2020, the attorney examiner instructed the parties to participate in a prehearing conference on February 25, 2020.

{¶ 4} During the prehearing conference on February 25, 2020, Respondent requested a continuation of the conference. Therefore, by Entry dated February 25, 2020, the attorney examiner rescheduled the prehearing conference to April 14, 2020, at 11:00 a.m., Eastern Daylight time.

{¶ 5} Respondent failed to appear for the prehearing conference on April 14, 2020.

{¶ 6} Upon review, the attorney examiner finds that a hearing should be scheduled for July 28, 2020, at 10:00 a.m. at the Commission offices, Hearing Room 11-C, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. Visitors should register at the lobby desk and then proceed to the 11th floor in order to participate in the hearing.

{¶ 7} 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.

{¶ 8} 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).

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

{¶ 10} ORDERED, That a hearing be scheduled for July 28, 2020, in accordance to paragraph 6. It is, further,

{¶ 11} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Anna Sanyal

By: Anna Sanyal  
Attorney Examiner

GAP/kck

**This foregoing document was electronically filed with the Public Utilities**

**Commission of Ohio Docketing Information System on**

**4/14/2020 1:12:31 PM**

**in**

**Case No(s). 20-0040-TR-CVF**

Summary: Attorney Examiner Entry scheduling hearing for 7.28.20 at 10:00 a.m. electronically filed by Kelli C King on behalf of Anna Sanyal, Attorney Examiner, Public Utilities Commission of Ohio