

**BEFORE THE
PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of a Request for	:	
Approval of the Settlement Between	:	Case No. 19-2240-TR-CVF
Staff and Cardinal Asphalt Company.	:	(20-CR-316153)
	:	
In the Matter of Cardinal Asphalt	:	
Company, Notice of Apparent	:	Case No. 20-0692-TR-CVF
Violation and Intent to Assess	:	(20-CR-316153)
Forfeiture.	:	

**MOTION TO CONSOLIDATE AND
REQUEST FOR EXPEDITED CONSIDERATION
SUBMITTED ON BEHALF OF THE STAFF OF THE
PUBLIC UTILITIES COMMISSION OF OHIO**

The Staff of the Public Utilities Commission respectfully moves for the consolidation of the above captioned cases. Counsel for the Respondent has no objection to the granting of this motion.

Both of these cases involve the same inspection, and the same alleged violations. Case No. 19-2240 was opened after the parties had reached an initial agreement. Because the civil forfeiture would have exceeded five thousand dollars, the agreement was required to be submitted for the Commission's approval in accordance with Ohio Adm.Code 4901:2-7-11(C). Before that agreement could be finalized, however, Respondent had second thoughts and sought the advice of counsel.

On April 2, 2020, counsel filed a request for hearing, and the Commission's Docketing division opened a new case, 20-962-TR-CVF. A settlement was reached, and a Stipulation was filed, albeit in Case 19-2240, on October 21, 2020.

Because these dockets involve the same matter, Staff requests that they be consolidated, and that the Stipulation filed in Case No. 19-2240 be treated as having been submitted in the consolidated case. Consolidating these cases would reduce the risk of confusion and duplication, and aid in the administration of the Commission's dockets.

Staff also requests that the Commission consider and grant this motion on an expedited basis. Staff has contacted Respondent seeking its assent to expedited treatment, and Respondent has agreed. Consequently, this motion to consolidate may be granted expeditiously pursuant to O.A.C. 4901-1-12(C).

Respectfully submitted,

Dave Yost
Attorney General

/s/Werner L. Margard III
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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing Motion to Consolidate and for Expedited Consideration was served by electronic mail this 10th day of November, 2020.

/s/Werner L. Margard III

Werner L. Margard III
Assistant Attorney General

PARTIES OF RECORD:

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Case No(s). 19-2240-TR-CVF, 20-0692-TR-CVF

Summary: Motion to Consolidate and Request for Expedited Consideration electronically filed by Mrs. Tonneta Y Scott on behalf of PUCO