

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF GO-TO TRANSPORT,
INC., NOTICE OF APPARENT VIOLATION
AND INTENT TO ASSESS FORFEITURE.

CASE NO. 20-1531-TR-CVF
(OH172100139C)

ENTRY

Entered in the Journal on April 7, 2021

I. SUMMARY

{¶ 1} The Commission grants Staff's motion to dismiss the request for an administrative hearing because Respondent's payment of the civil forfeiture terminates further proceedings in the matter.

II. DISCUSSION

{¶ 2} On November 15, 2019, Staff served a notice of apparent violation and intent to assess forfeiture upon Go-To Transport, Inc. (Respondent), alleging a violation of the Commission's transportation regulations in connection with the inspection of a vehicle operated on Respondent's behalf on October 1, 2019.

{¶ 3} On September 22, 2020, the Commission received a request from Respondent to schedule a virtual administrative hearing in the case.

{¶ 4} Recognizing Respondent's request as a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13, by Entry dated November 23, 2020, the attorney examiner scheduled a prehearing conference in this matter pursuant to Ohio Adm.Code 4901:2-7-16(B).

{¶ 5} During the prehearing conference on January 7, 2021, the parties were unable to settle the matter.

{¶ 6} On January 21, 2021, Staff filed a motion to dismiss. In the motion, Staff observes that Respondent has paid the forfeiture associated with this proceeding in full and, under Ohio Adm.Code 4901:2-7-22, this payment terminates all further proceedings

regarding the violation. Therefore, Staff believes Respondent's request for hearing should be dismissed.

{¶ 7} On February 9, 2021, the attorney examiner ordered that Respondent had until March 9, 2021, to file a reply to Staff's motion to dismiss. The attorney examiner further directed that any reply should be filed in the docket under this case number and should indicate whether Staff's motion to dismiss should be denied or granted.

{¶ 8} Respondent has not filed any response to Staff's motion to dismiss.

{¶ 9} As described by Staff, pursuant to Ohio Adm.Code 4901:2-7-22(B), full payment of a forfeiture constitutes an admission of the violation and shall terminate all further proceedings. As Respondent has not filed any information in the case disputing its payment of the forfeiture, or indicating why that payment should not terminate further proceedings in the case, the Commission finds it reasonable to grant Staff's motion and dismiss Respondent's request for a hearing.

III. ORDER

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That Staff's motion to dismiss be granted. It is, further,

{¶ 12} ORDERED, That this case be closed of record. It is, further,

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

COMMISSIONERS:

Approving:

Jenifer French, Chair

M. Beth Trombold

Lawrence K. Friedeman

Dennis P. Deters

MLW/hac

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Case No(s). 20-1531-TR-CVF

Summary: Entry granting Staff's motion to dismiss the request for an administrative hearing because Respondent's payment of the civil forfeiture terminates further proceedings in the matter. electronically filed by Kelli C. King on behalf of The Public Utilities Commission of Ohio