

THE PUBLIC UTILITIES COMMISSION OF OHIO

**IN THE MATTER OF RAY'S TRANSPORT,
INC., NOTICE OF APPARENT VIOLATION
AND INTENT TO ASSESS FORFEITURE.**

**CASE NO. 21-143-TR-CVF
(OH3288013191C)**

ENTRY

Entered in the Journal on July 1, 2021

{¶ 1} On December 22, 2020, Staff served a notice of apparent violation and intent to assess forfeiture upon Ray's Transport, Inc. (Respondent) in accordance with Ohio Adm.Code 4901:2-7-07, alleging violations of the Commission's regulations.

{¶ 2} On February 16, 2021, the Commission received a request for administrative hearing from Tony Hays on behalf of Respondent in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} On May 11, 2021, the attorney examiner scheduled a prehearing conference for May 25, 2021, pursuant to Ohio Adm.Code 4901:2-7-16(B). During the prehearing settlement teleconference, the parties were unable to reach a settlement.

{¶ 4} Accordingly, the attorney examiner schedules a hearing for August 17, 2021, at 10:00 a.m. at the offices of the Commission, Hearing Room 11-D, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793. Hearing participants and attendees should register at the building's lobby desk and then proceed to the 11th floor in order to participate in or to attend the hearing.

{¶ 5} 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.

{¶ 6} 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).

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

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a hearing be scheduled in accordance with Paragraph 4. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Daniel E. Fullin

By: Daniel E. Fullin
Attorney Examiner

SJP/kck

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Case No(s). 21-0143-TR-CVF

Summary: Attorney Examiner Entry scheduling a hearing for August 17, 2021, at 10:00 a.m. at the offices of the Commission, Hearing Room 11-D, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793. electronically filed by Kelli C. King on behalf of Daniel E. Fullin, Attorney Examiner, Public Utilities Commission of Ohio