

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF JOSEPH WILLIAMS,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 20-1588-TR-CVF
(OH3220003777D)

ENTRY

Entered in the Journal on October 15, 2021

{¶ 1} Staff served a notice of preliminary determination upon Joseph Williams (Respondent) in accordance with Ohio Adm.Code 4901:2-7-12, alleging violations of the Commission's transportation regulations.

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

{¶ 3} Staff attempted to contact Respondent on November 6, 2020, and December 3, 2020, for a settlement conference, but Respondent could not be reached. Therefore, a hearing was scheduled for September 10, 2021; however, several days before the hearing, Respondent contacted the attorney examiner to request a settlement conference.

{¶ 4} Respondent and Staff participated in a settlement conference on September 21, 2021. The parties did not resolve the matter.

{¶ 5} Accordingly, a hearing will be held remotely on November 8, 2021, at 10:00 a.m. and will be conducted using virtual hearing technology. Instructions for participation in the evidentiary hearing will be emailed to the parties. Additionally, all exhibits intended to be used on direct and cross-examination shall be marked and exchanged by the parties and provided to the attorney examiner via electronic means prior to the hearing. Individuals interested in attending the evidentiary hearing as a non-party can access the hearing using the link <https://bit.ly/20-1588-EVH> and entering the password PUCO; individuals with internet connectivity problems can also access the hearing by calling 1-408-418-9388 and entering access code/event number 2344 121 9998. If the

Respondent has questions regarding the virtual hearing process, please contact the attorney examiner at 614-466-0451 or James.Lynn@puco.ohio.gov.

{¶ 6} 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.

{¶ 7} 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).

{¶ 8} 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.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the evidentiary hearing take place as scheduled remotely on November 8, 2021, in accordance with Paragraph 5. 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/James M. Lynn

By: James M. Lynn
Attorney Examiner

MJA/hac

This foregoing document was electronically filed with the Public Utilities

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in

Case No(s). 20-1588-TR-CVF

Summary: Attorney Examiner Entry ordering that the evidentiary hearing take place as scheduled remotely on November 8, 2021, in accordance with Paragraph 5 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission