

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF SEI LOGISTICS, LLC,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 21-922-TR-CVF

IN THE MATTER OF CARY STULTZ, NOTICE
OF APPARENT VIOLATION AND INTENT TO
ASSESS FORFEITURE.

CASE NO. 21-923-TR-CVF

ENTRY

Entered in the Journal on February 10, 2022

{¶ 1} Staff has served a notice of preliminary determination upon SEI Logistics, LLC, and Cary Stultz (collectively, Respondents), in accordance with Ohio Adm.Code 4901:2-7-12, alleging a violation of the Commission's transportation regulations.

{¶ 2} On September 7, 2021, counsel for Respondents requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} An Entry was issued September 20, 2021, directing the parties to participate in an October 4, 2021 settlement conference. The parties participated as scheduled but a settlement was not reached.

{¶ 4} The attorney examiner finds that a hearing shall be held remotely on April 18, 2022, 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 <http://bit.ly/21-922-EVH> and entering the password PUCO, or by calling 1-408-418-9388 and entering access code/event number 2341 785 0658.

{¶ 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 Respondents 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 Respondents to present evidence supporting their contentions regarding the alleged violation in this matter.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the evidentiary hearing take place as scheduled remotely on April 18, 2022, 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/James M. Lynn

By: James M. Lynn
Attorney Examiner

SJP/hac

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

Case No(s). 21-0922-TR-CVF, 21-0923-TR-CVF

Summary: Attorney Examiner Entry ordering that the evidentiary hearing take place as scheduled remotely on April 18, 2022, in accordance with Paragraph 4 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission