

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF BLOWERS TRUCKING,  
NOTICE OF APPARENT VIOLATION AND  
INTENT TO ASSESS FORFEITURE.

CASE No. 21-741-TR-CVF

### ENTRY

Entered in the Journal on March 3, 2022

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

{¶ 2} On June 21, 2021, Blowers Trucking requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} An Entry was issued June 28, 2021, directing the parties to participate in a July 16, 2021 settlement conference. The parties participated as scheduled but a settlement was not reached.

{¶ 4} On February 10, 2022, an Entry was issued scheduling a hearing, to be conducted remotely, on March 7, 2022. A scheduling conflict has since arisen for the attorney examiner; therefore, the hearing shall be rescheduled.

{¶ 5} Accordingly, the attorney examiner finds that the hearing shall be held remotely and rescheduled to April 15, 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/21-741-EVH2> and entering the password PUCO, or by calling 1-408-418-9388 and entering access code/event number 2343 566 6745.

{¶ 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 its contentions regarding the alleged violation in this matter.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the evidentiary hearing take place as scheduled remotely on April 15, 2022, 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

SJP/hac

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

**Case No(s). 21-0741-TR-CVF**

Summary: Attorney Examiner Entry ordering that the evidentiary hearing take place as scheduled remotely on April 15, 2022, in accordance with Paragraph 5 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission