

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF YOHANNES BERHE,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 21-983-TR-CVF

ENTRY

Entered in the Journal on March 7, 2022

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

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

{¶ 3} On November 2, 2021, the parties participated in a prehearing conference but were unable to resolve the matter.

{¶ 4} Accordingly, a hearing shall be scheduled for April 25, 2022, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793.

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

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a hearing be scheduled for April 25, 2022, as indicated in 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

JRJ/hac

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in

Case No(s). 21-0983-TR-CVF

Summary: Attorney Examiner Entry ordering that a hearing be scheduled for April 25, 2022, as indicated in Paragraph 4 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission