

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF ABDOUL AZIZ  
GOULAN, NOTICE OF APPARENT  
VIOLATION AND INTENT TO ASSESS  
FORFEITURE.

CASE NO. 21-759-TR-CVF  
(OH0782003046D)

### ENTRY

Entered in the Journal on May 9, 2022

{¶ 1} Staff served a notice of apparent violation and intent to assess forfeiture upon Abdoul Aziz Goulán (Respondent), alleging a violation of the Commission's transportation regulations.

{¶ 2} On June 28, 2021, Respondent filed correspondence seeking to "reopen" his case. In this filing, Respondent describes that he missed his June 1, 2021 conference appointment date with Staff due to a misunderstanding caused by a language barrier.

{¶ 3} On July 2, 2021, Staff filed a response to Respondent's case reopening request. Staff described that Respondent was served a notice of apparent violation (NAF) for violation of the Commission's transportation regulations as a result of a vehicle inspection that occurred on March 30, 2021. According to Staff, the NAF was served on April 1, 2021, and stated that the Respondent, within 30 days of the NAF, should respond to the notice requesting a conference with Staff to dispute the occurrence of the violations. Also, it advised the Respondent that failing to respond to the NAF would constitute a waiver of his rights to further contest the violation and would conclusively establish the occurrence of the violations. Staff noted that on April 16, 2021, Respondent requested a telephone conference, with it being scheduled for June 1, 2021; however, Staff asserted that Respondent failed to call in as instructed, and the case was closed. On June 23, 2021, according to Staff, Respondent called Staff and requested that he be contacted since he was not contacted by Staff for his June 1, 2021 conference. Ultimately, Staff's Chief Compliance Officer called the Respondent back during which he advised the Respondent that Staff notices specifically direct respondents to call into the conference and that, since no fine was assessed for the violations, the next step for Staff was to close the case.

{¶ 4} Staff maintained that the Respondent did request a conference with Staff to discuss his alleged violations; however, the Respondent failed to call in on the scheduled date and time for the conference, and it is improper for Respondent to argue that this matter should be reopened when it was properly closed.

{¶ 5} By Entry issued April 7, 2022, the attorney examiner advised that the Respondent should file a response to Staff's correspondence in opposition to reopening the case by April 27, 2022.

{¶ 6} On April 26, 2022, Respondent filed correspondence reiterating his initial request, noting that he missed his June 1, 2021 conference appointment date with Staff due to a misunderstanding caused by a language barrier but would like the opportunity to contest the violation.

{¶ 7} By Entry issued April 27, 2022, the attorney examiner granted Respondent's request to reopen his case, recognized Respondent's request as a request for an administrative hearing under Ohio Adm.Code 4901:2-7-13, and directed the parties to participate in a prehearing teleconference on May 10, 2022.

{¶ 8} Due to unforeseen circumstances, the attorney examiner finds it appropriate to reschedule the May 10, 2022, prehearing teleconference for May 19, 2022, at 1:30 p.m. Eastern Time. At that time, the attorney examiner will attempt to contact the Respondent by telephone.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That the prehearing teleconference be rescheduled for May 19, 2022, as discussed in Paragraph 8. 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/ Matthew Sandor

By: Matthew Sandor  
Attorney Examiner

JRJ/hac

**This foregoing document was electronically filed with the Public Utilities  
Commission of Ohio Docketing Information System on**

**5/9/2022 9:36:41 AM**

**in**

**Case No(s). 21-0759-TR-CVF**

Summary: Attorney Examiner Entry ordering that the prehearing teleconference be rescheduled for May 19, 2022, at 1:30 p.m. electronically filed by Heather A. Chilcote on behalf of Matthew Sandor, Attorney Examiner, Public Utilities Commission of Ohio