

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF J.A.K. IN THE BOX
LLC, NOTICE OF APPARENT VIOLATION
AND INTENT TO ASSESS FORFEITURE.

CASE No. 22-227-TR-CVF

ENTRY

Entered in the Journal on June 1, 2022

{¶ 1} Staff has served a notice of preliminary determination upon J.A.K. in the Box LLC in accordance with Ohio Adm.Code 4901:2-7-12, alleging a violation of the Commission's transportation regulations.

{¶ 2} On March 17, 2022, J.A.K. in the Box LLC requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} On April 21, 2022, the parties participated in a settlement conference, but were unable to resolve the matter.

{¶ 4} Accordingly, a hearing shall be scheduled for July 15, 2022, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. Visitors should register at the lobby desk and then proceed to the 11th floor in order to participate in the hearing.

{¶ 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 July 15, 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

NJW/hac

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

Case No(s). 22-0227-TR-CVF

Summary: Attorney Examiner Entry ordering that a hearing shall be scheduled for July 15, 2022, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793 electronically filed by Heather A. Chilcote on behalf of James M. Lynn, Attorney Examiner, Public Utilities Commission