

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF VALERI  
BERDZENISHVILI, NOTICE OF APPARENT  
VIOLATION AND INTENT TO ASSESS  
FORFEITURE.

CASE NO. 21-185-TR-CVF  
(OH 12510077070D)

### ENTRY

Entered in the Journal on September 29, 2022

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

{¶ 2} On February 25, 2021, counsel for Respondent requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} The parties participated in a telephonic prehearing conference on April 12, 2021, but the matter was not resolved.

{¶ 4} On January 19, 2022, the attorney examiner scheduled a hearing in this matter for March 29, 2022. On March 23, 2022, counsel for Respondent filed a motion to continue the hearing date because of a conflict with the hearing date.

{¶ 5} On March 25, 2022, the attorney examiner rescheduled the hearing for May 31, 2022. On May 31, 2022, counsel for Respondent filed a motion to continue the hearing date due to illness.

{¶ 6} On June 1, 2022, the attorney examiner rescheduled the hearing for June 28, 2022.

{¶ 7} On June 21, 2022, Staff filed a motion to continue the hearing date because of the unavailability of one of its witnesses.

{¶ 8} On June 23, 2022, the attorney examiner rescheduled the hearing for September 30, 2022.

{¶ 9} On September 29, 2022, counsel for Respondent filed a motion to continue the hearing date due to Respondent's illness.

{¶ 10} At this time, the Attorney Examiner grants Respondent's motion to continue the hearing date. The hearing will be rescheduled by subsequent Entry.

{¶ 11} 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.

{¶ 12} It is, therefore,

{¶ 13} ORDERED, That the hearing scheduled for September 30, 2022 is continued.  
It is, further,

{¶ 14} ORDERED, That a copy of this Entry be served upon all parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Michael L. Williams

By: Michael L. Williams  
Attorney Examiner

MLW/IMM/dmh

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

**Case No(s). 21-0185-TR-CVF**

Summary: Attorney Examiner Entry that the hearing scheduled for September 30, 2022 is continued, the hearing will be scheduled by subsequent entry electronically filed by Ms. Donielle M. Hunter on behalf of Michael L. Williams, Attorney Examiner, Public Utilities Commission of Ohio