

PUBLIC UTILITIES COMMISSION OF OHIO

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In The Matter Of:

JNB Transport, Notice of
Apparent Violation and
Intent to Assess a Forfeiture

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CASE NO. 21-827-TR-CVF

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TRANSCRIPT OF PROCEEDINGS

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DATE OF HEARING: Wednesday, October 12, 2022
Beginning at 10:02 o'clock a.m.

PLACE OF HEARING: PUCO
180 East Broad Street,
11th Floor, Hearing Room 11-D
Columbus, Ohio 43215

HEARING OFFICER: Michael Williams

* * *

APPEARANCES:	ALSO PRESENT:
Jodi Bair	Glen Maffitt
Assistant Attorney General	Rod Moser
30 East Broad Street	
26th Floor	
Columbus, Ohio 43215	

* * *

1 HEARING OFFICER WILLIAMS: The Public
2 Utilities Commission of Ohio calls today Case
3 Number 21-827-TR-CVF captioned In the Matter of
4 JNB Transport, Notice of Apparent Violation and
5 Intent to Assess Forfeiture. Appearance of the
6 parties?

7 MS. BAIR: Thank you, your Honor. On
8 behalf of the staff of the Public Utilities
9 Commission of Ohio, Jodi Bair, Assistant Attorney
10 General, 30 East Broad Street, 26th Floor,
11 Columbus, Ohio, 43215.

12 HEARING OFFICER WILLIAMS: Thank you.
13 I would note for the record the respondent is not
14 here. It's about three minutes after 10:00. We
15 had a 10:00 o'clock starting time. What I'm going
16 to do is to go on recess until 10:15. At that
17 point if respondent's here, we'll proceed on the
18 record. If not, we'll entertain any motions on
19 the record at that point in time. So with that,
20 we'll adjourn until 10:15.

21 (Thereupon, a recess was had.)

22 HEARING OFFICER WILLIAMS: Let's go
23 back on the record. I realized as I was away, I
24 didn't identify myself on the record. My name is
25 Michael Williams. I am the ALJ assigned to this

1 case.

2 With that, it is 10:16. We waited
3 some time for respondent to appear and he has not
4 done so. So with that, Ms. Bair, I'll turn to
5 you.

6 MS. BAIR: Thank you, your Honor. I
7 would like to make a motion for default according
8 to Ohio Administrative Code 4901:2-7-14(E), which
9 states that a respondent who has requested an
10 administrative hearing and failed to appear for
11 the evidentiary hearing shall be in default. A
12 respondent in default shall be deemed to have
13 admitted the occurrence of the violation and
14 waived all further right to contest liability for
15 the forfeiture proposed in the notice of
16 preliminary determination or to contest the making
17 of the compliance order described in the notice of
18 preliminary determination.

19 And in this case, your Honor, the
20 respondent requested an administrative hearing on
21 July 28th, 2021. He was issued a notice of
22 preliminary determination on July 20th, and in
23 that notice of preliminary determination, it was
24 proposed that he was in violation of
25 49393.75(A)(3), a flat tire violation or low

1 inflated, and the proposed forfeiture was \$50.

2 HEARING OFFICER WILLIAMS: Thank you,
3 Ms. Bair. With that background and understanding
4 of the case and your motion, I'll take this matter
5 under advisement and the Commission will issue a
6 decision accordingly.

7 MS. BAIR: Thank you, your Honor.

8 HEARING OFFICER WILLIAMS: With that,
9 we're adjourned. Thank you.

10 (Thereupon, the hearing was concluded
11 at 10:17 o'clock a.m.)

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1 STATE OF OHIO)
2 COUNTY OF MONTGOMERY) SS: CERTIFICATE

3 I, Stacey L. Kimmel, a Notary Public
4 within and for the State of Ohio, duly
5 commissioned and qualified,

6 DO HEREBY CERTIFY that the above-named
7 hearing was reduced to writing by me
8 stenographically in the presence of the parties
9 and thereafter reduced to typewriting.

10 I FURTHER CERTIFY that I am not a relative
11 or attorney of either party nor in any manner
12 interested in the event of this action.

13 IN WITNESS WHEREOF, I have hereunto set my
14 hand and seal of office at Dayton, Ohio, on this
15 26th day of October, 2022.

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21 STACEY L. KIMMEL
22 NOTARY PUBLIC, STATE OF OHIO
23 My commission expires 6-10-2026
24
25

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

10/26/2022 2:40:10 PM

in

Case No(s). 21-0827-TR-CVF

Summary: Transcript electronically filed by Litigation Support on behalf of Public
Utilities Commission of Ohio and Mr. Jim Lynn