

## THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF ACCOMMODATING  
INC., NOTICE OF APPARENT VIOLATION  
AND INTENT TO ASSESS FORFEITURE.

CASE NO. 22-522-TR-CVF  
(OH3255014610C)

### ENTRY

Entered in the Journal on November 9, 2022

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

{¶ 2} On May 12, 2022, Respondent requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} On August 2, 2022, the attorney examiner scheduled a prehearing conference for August 19, 2022. During the prehearing conference, Staff and Respondent were unable to reach a settlement.

{¶ 4} Accordingly, the attorney examiner schedules a hearing for January 31, 2023, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793. The parties 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} Ohio Adm.Code 4901-1-08 requires that all corporations must be represented in Commission proceedings by an attorney-at-law authorized to practice in Ohio. Pursuant to R.C. 4901.14, a regular salaried employee of a directly concerned corporation may appear

before the Commission in the determination of transportation matters involving questions of fact only. However, such an employee cannot act as an attorney.

{¶ 7} 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).

{¶ 8} Following Staff's presentation of evidence at the hearing, it shall be the responsibility of Respondent to present evidence supporting its contentions regarding the alleged violation in this matter.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a hearing be scheduled for January 31, 2023, as discussed in Paragraph 4. 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

GAP/mef

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

**11/9/2022 1:52:41 PM**

**in**

**Case No(s). 22-0522-TR-CVF**

Summary: Attorney Examiner Entry scheduling a hearing for January 31, 2023, at 10:00 a.m. at the Commission offices, Hearing Room 11-D electronically filed by Ms. Mary E. Fischer on behalf of Matthew J. Sandor, Attorney Examiner, Public Utilities Commission of Ohio