

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF JULIO C. HERNANDEZ
GONZALEZ, NOTICE OF APPARENT
VIOLATION AND INTENT TO ASSESS
FORFEITURE.

CASE NO. 22-264-TR-CVF
(OH1569005390D)
(OH1569005391D)

ENTRY

Entered in the Journal on January 6, 2023

{¶ 1} Pursuant to Ohio Adm.Code 4901:2-7-12, Staff served a notice of preliminary determination upon Julio C. Hernandez Gonzalez (Respondent) alleging a violation of the Commission's transportation regulations.

{¶ 2} On March 24, 2022, Respondent's counsel filed a request for an administrative hearing as permitted by Ohio Adm.Code 4901:2-7-13.

{¶ 3} By Entry dated May 6, 2022, the attorney examiner scheduled a prehearing settlement conference in this matter for May 26, 2022. During the conference, the parties were unable to settle the matter.

{¶ 4} By Entry dated May 31, 2022, the attorney examiner scheduled a hearing for August 9, 2022, to occur at the offices of the Commission.

{¶ 5} On August 9, 2022, the hearing occurred as scheduled. During the hearing, a Staff witness was not present, and Respondent's counsel informed the Commission that it required a Spanish language interpreter. The hearing was therefore called and continued.

{¶ 6} By Entry dated November 10, 2022, the attorney examiner rescheduled the hearing to occur on January 12, 2023.

{¶ 7} On December 08, 2022, Respondent filed a motion for continuance of the hearing scheduled to commence on January 12, 2023 based on a scheduling conflict. No party filed a timely memorandum contra this motion.

{¶ 8} On December 29, 2022, Staff filed a motion to dismiss the case owing to the retirement of the inspector who issued the citation in this case.

{¶ 9} At this time, the attorney examiner finds the hearing scheduled to commence on January 12, 2023, should be canceled. The motion to dismiss shall be addressed by the Commission at a future meeting.

{¶ 10} It is, therefore,

{¶ 11} ORDERED, That the hearing scheduled on January 12, 2023 be canceled. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/Jesse M. Davis

By: Jesse M. Davis
Attorney Examiner

MJA/dmh

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

Case No(s). 22-0264-TR-CVF

Summary: Attorney Examiner Entry that at this time, the attorney examiner finds the hearing scheduled to commence on January 12, 2023, should be canceled and the motion to dismiss shall be addressed by the Commission at a future meeting electronically filed by Ms. Donielle M. Hunter on behalf of Jesse M. Davis, Attorney Examiner, Public Utilities Commission of Ohio