

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF DOXA LLC, NOTICE
OF APPARENT VIOLATION AND INTENT
TO ASSESS FORFEITURE.

CASE NO. 21-882-TR-CVF
(OH3215011343C)

ENTRY

Entered in the Journal on January 17, 2023

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

{¶ 2} On August 23, 2021, Respondent filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} By Entry issued October 18, 2021, the attorney examiner scheduled a prehearing conference for November 8, 2021. During the prehearing conference, Respondent and Staff were unable to reach a settlement.

{¶ 4} By Entry issued April 13, 2022, the attorney examiner scheduled an evidentiary hearing for July 19, 2022, at the offices of the Commission.

{¶ 5} On July 14, 2022, Staff filed a motion for continuance and requested an expedited ruling on the motion. Staff requested that the evidentiary hearing be continued because Staff's investigator was unavailable to testify at the scheduled July 19, 2022 hearing due to a family emergency. Further, Staff represented that counsel for Respondent has agreed to granting the motion for continuance and to it being granted on an expedited basis.

{¶ 6} By Entry issued July 14, 2022, the attorney examiner granted Staff's motion for continuance and continued the scheduled hearing to a date to be set by future entry.

{¶ 7} At this time, the attorney examiner finds that this matter should be scheduled for an evidentiary hearing on April 18, 2023, at 10:00 a.m., Eastern time. The hearing will take place at the Commission offices, Hearing Room 11-D, 11th Floor, 180 East Broad Street,

Columbus, Ohio 43215. The parties should register at the lobby desk and then proceed to the 11th Floor in order to participate in the hearing.

{¶ 8} 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 of preliminary determination.

{¶ 9} At the hearing, Staff must prove, by a preponderance of the evidence, that Respondent committed the alleged violations, pursuant to Ohio Adm.Code 4901:2-7-20(A).

{¶ 10} 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 violations in this matter

{¶ 11} It is, therefore,

{¶ 12} ORDERED, That an evidentiary hearing in this case be scheduled for April 18, 2023, in accordance with Paragraph 7. It is, further,

{¶ 13} ORDERED, That a copy of this Entry be served upon all interested persons and parties of record.

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/David M. Hicks

By: David M. Hicks
Attorney Examiner

GAP/dmh

**This foregoing document was electronically filed with the Public Utilities
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1/17/2023 3:07:39 PM

in

Case No(s). 21-0882-TR-CVF

Summary: Attorney Examiner Entry that the attorney examiner finds that this matter should be scheduled for an evidentiary hearing on April 18, 2023, at 10:00 a.m., at the offices of the Commission, 11th Floor, Hearing Room 11-D, 180 East Broad Street, Columbus, Ohio 43215 electronically filed by Ms. Donielle M. Hunter on behalf of David M. Hicks, Attorney Examiner, Public Utilities Commission of Ohio