

## THE PUBLIC UTILITIES COMMISSION OF OHIO

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

CASE NO. 22-536-TR-CVF  
(OH3211302785C)

### ENTRY

Entered in the Journal on April 20, 2023

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

{¶ 2} On May 18, 2022, 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 June 27, 2022, but the matter was not resolved.

{¶ 4} At this time, a hearing shall be scheduled for May 30, 2023, at 10:00 a.m. at the Commission offices, Hearing Room 11-C, 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} 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).

{¶ 7} 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.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That a hearing be scheduled for May 30, 2023, as indicated in Paragraph 4. It is, further,

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

THE PUBLIC UTILITIES COMMISSION OF OHIO

/s/ Jacky Werman St. John

By: Jacky Werman St. John  
Attorney Examiner

GNS/dr

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

**Case No(s). 22-0536-TR-CVF**

Summary: Attorney Examiner Entry scheduling a hearing for May 30, 2023, at 10:00 a.m. at the Commission offices, Hearing Room 11-C, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793 electronically filed by Debbie S. Ryan on behalf of Jacky Werman St. John, Attorney Examiner, Public Utilities Commission of Ohio.