

## THE PUBLIC UTILITIES COMMISSION OF OHIO

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

CASE NO. 22-312-TR-CVF  
(OH3208302820C)

### ENTRY

Entered in the Journal on May 16, 2023

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

{¶ 2} On April 4, 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 18, 2022. During the prehearing conference, Staff and Respondent were unable to reach a settlement.

{¶ 4} Accordingly, the attorney examiner schedules a hearing for June 21, 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 Respondent's contentions regarding the alleged violations in this matter.

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a hearing be scheduled for June 21, 2023, in accordance with 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

PAS/dmh

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

**5/16/2023 11:23:09 AM**

**in**

**Case No(s). 22-0312-TR-CVF**

Summary: Attorney Examiner Entry scheduling a hearing for June 21, 2023, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th floor, 180 East Broad Street, Columbus, Ohio 43215-3793 electronically filed by Ms. Donielle M. Hunter on behalf of Matthew J. Sandor, Attorney Examiner, Public Utilities Commission of Ohio.