

THE PUBLIC UTILITIES COMMISSION OF OHIO

IN THE MATTER OF UNKNOWN ARAJIT,
NOTICE OF APPARENT VIOLATION AND
INTENT TO ASSESS FORFEITURE.

CASE NO. 23-315-TR-CVF
(OH0779004683D)

ENTRY

Entered in the Journal on July 31, 2023

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

{¶ 2} On April 3, 2023, counsel for Respondent filed a request for an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} As set forth in Ohio Adm.Code 4901:2-7-16(B), unless otherwise ordered by the Commission or agreed by the parties, a prehearing conference in a civil forfeiture case shall be scheduled upon the filing of a request for administrative hearing.

{¶ 4} A prehearing conference was held between Respondent's counsel and Staff on July 20, 2023; however, the parties were unable to reach a settlement.

{¶ 5} At this time, the attorney examiner finds that this matter should be scheduled for an evidentiary hearing on October 5, 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.

{¶ 6} 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.

{¶ 7} 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).

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

{¶ 9} It is, therefore,

{¶ 10} ORDERED, That a hearing be conducted as indicated in Paragraph 5. 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/Clint R. White

By: Clint R. White
Attorney Examiner

MJA/dr

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

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in

Case No(s). 23-0315-TR-CVF

Summary: Attorney Examiner Entry scheduling an evidentiary hearing for October 5, 2023, at 10:00 a.m., at the Commission offices, Hearing Room 11-D, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215 electronically filed by Debbie S. Ryan on behalf of Clint R. White, Attorney Examiner, Public Utilities Commission.