

# THE PUBLIC UTILITIES COMMISSION OF OHIO

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

CASE NO. 23-578-TR-CVF  
(OH3209302899S)

## ENTRY

Entered in the Journal on March 27, 2024

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

{¶ 2} On May 22, 2023, Respondent requested an administrative hearing in accordance with Ohio Adm.Code 4901:2-7-13.

{¶ 3} The attorney examiner scheduled a settlement conference for November 7, 2023. The settlement conference occurred as scheduled; however, Respondent and Staff were unable to resolve the matter.

{¶ 4} The attorney examiner finds that this case should be scheduled for hearing. Accordingly, the hearing shall take place on June 14, 2024, at 10:00 a.m. at the Commission offices, Hearing Room 11-D, 11th Floor, 180 East Broad Street, Columbus, Ohio 43215-3793. Visitors 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 is in default. The rule further states that a respondent in default is 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 Respondent's contentions regarding the alleged violations in this matter.

{¶ 8} It is, therefore,

{¶ 9} ORDERED, That the hearing be scheduled for June 14, 2024, as discussed 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/Jesse M. Davis

By: Jesse M. Davis  
Attorney Examiner

MJA/dr

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

**Case No(s). 23-0578-TR-CVF**

Summary: Attorney Examiner Entry scheduling a hearing for June 14, 2024, 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 Debbie S. Ryan on behalf of Jesse M. Davis, Attorney Examiner, Public Utilities Commission of Ohio.