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June 16, 2014

File No. 4976 RH

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

IN RE: Pa. Public Utility Commission, Bureau of Investigation
and Enforcement vs. James A. Nicotero
Docket No. C-2014-2418283

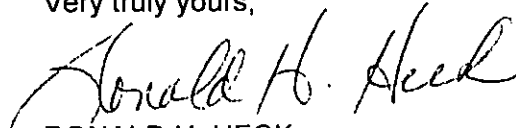
Dear Ms. Chiavetta:

Enclosed please find an original Answer to Complaint which I would ask that you accept on behalf of the Respondent, James A. Nicotero, relative to the above-captioned matter.

By copy of this letter, I am also serving a copy of the enclosed Answer to Complaint upon Wayne T. Scott, Prosecutor.

If you have any questions, please do not hesitate to contact me.

Very truly yours,


RONALD H. HECK

RHHpat

Enclosure

cc: Wayne T. Scott, Prosecutor
(w/enclosure)

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SECRETARY'S BUREAU

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY)
COMMISSION, BUREAU OF)
INVESTIGATION AND ENFORCEMENT)
)
Commission)
)
v.)
)
JAMES A. NICOTERO)
978 CENTER OAK DRIVE)
PITTSBURGH, PA 15237)
)
Respondent)

DOCKET No. C-2014-2418283

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ANSWER TO COMPLAINT

AND NOW, comes the Respondent, JAMES A. NICOTERO, by and through his attorney, Ronald H. Heck, Esquire, and files the following Answer to the Complaint filed in the above matter:


1. Paragraph 1 of the Complaint is admitted.
2. Paragraph 2 of the Complaint is denied. After reasonable investigation, Respondent is without sufficient information to form a belief as to the truth of the averments contained therein, and strict proof thereof is demanded at the time of trial.
3. Although Respondent, James A. Nicotero, admits to the ownership of the vehicle in question, he denies he was operating the vehicle on April 21, 2014 at approximately 1920 hours. Furthermore, the allegations contained in Paragraph 3 of the Complaint contain legal conclusions to which no responsive pleading is necessary, however, to the extent that factual allegations are contained therein, the same are hereby denied, and strict proof thereof is demanded at the time of trial.
4. Paragraph 4 of the Complaint is denied. After reasonable investigation, Respondent is without sufficient information to form a belief as to the truth of the averments contained therein, and strict proof thereof is demanded at the time of trial.

5. The allegations contained in Paragraph 5 of the Complaint contain legal conclusions to which no responsive pleading is necessary, however, to the extent that factual allegations are contained therein, the same are hereby denied. Furthermore, Respondent is without sufficient information to form a belief as to the truth of the averments contained therein, and strict proof thereof is demanded at the time of trial.

WHEREFORE, Respondent demands judgment in his favor and against the Commission.

Respectfully submitted,

LAW OFFICES OF RONALD H. HECK

By 

Ronald H. Heck, Esquire
Attorney for Respondent,
James A. Nicotero.

VERIFICATION

I, James A. Nicotero, have read the foregoing Answer to Complaint. The statements therein are correct to the best of my personal knowledge or information and belief.

This statement and verification is made subject to the penalties of 18 Pa. C. S. Section 4904 relating to unsworn fabrication to authorities, which provides that if I make knowingly false averments, I may be subject to criminal penalties.

DATE: 6/12/14

James A. Nicotero
James A. Nicotero

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CERTIFICATE OF SERVICE


I hereby certify that I served a true and correct copy of the Respondent's Answer to Complaint upon the individuals listed below by United States First-Class mail, postage prepaid, on this 16th day of June, 2014:

SERVED ON:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Wayne T. Scott, Prosecutor
Bureau of Investigation and Enforcement
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

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BY 
Ronald H. Heck, Esquire

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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
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Harrisburg, PA 17105-3265

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