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September 22, 2015

Re: PUC Bureau of Investigation and Enforcement
v. Myers Truck Lines, Inc.
Docket No. C-2015-2406242
Our File 5696-1

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

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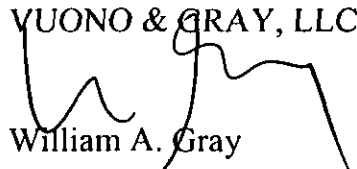
Dear Ms. Chiavetta:

We enclose for filing the original and two (2) copies of Respondent's Answer to Complaint and New Matter in connection with the above-captioned proceeding.

Please acknowledge receipt and filing of the enclosed on the duplicate copy of this letter of transmittal and return it to the undersigned in the self-addressed, stamped envelope provided.

Very truly yours,

VUONO & GRAY, LLC


William A. Gray

mm/155535

Enclosure

cc: PUC Bureau of Investigation and Enforcement
Myers Truck Lines, Inc.

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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Before the
PENNSYLVANIA PUBLIC UTILITY COMMISSION
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY :
COMMISSION, BUREAU OF :
INVESTIGATION AND ENFORCEMENT :

Docket No. C-2015-2406242

v. :

MYERS TRUCK LINES, INC. :

ANSWER TO COMPLAINT

AND NOW, Comes the Respondent, Myers Truck Lines, Inc., by and through its attorneys, Vuono & Gray, LLC, and files the following Answer to Complaint:

1. The averments of paragraph 1 are admitted.
2. The averments of paragraph 2 are admitted.
3. The averments of paragraph 3 are admitted in part and denied in part.

Respondent is without sufficient information to admit or deny the averments concerning when PUC Enforcement Officer Andrew Rosenberger attempted to contact Respondent to schedule the Safety Fitness Review. It is admitted that Respondent at some point in time contacted the PUC Enforcement Office and advised it that the Respondent had not yet commenced operations. Respondent is without sufficient information to admit or deny the follow up efforts made by the PUC Enforcement Office to contact Respondent.

4. The averments of paragraph 4 are denied. It is specifically denied that Respondent failed to obey and comply with the Secretarial Letter concerning the Safety Fitness Review. On the contrary, the Respondent advised the PUC Enforcement Office that it had not yet started operating. The averments that the Respondent violated Pa. C.S.

§501(c) and 66 Pa. C.S. §1501 are conclusions of law to which no response is required.

To the extent that a response is required, the averments are denied.

NEW MATTER

5. Respondent intends to utilize its Certificate of Public Convenience to provide trucking service to the public but market conditions in the oil and gas industry, which is the industry to which Respondent intended to provide service, have deteriorated and Respondent has therefore not yet commenced operations.


6. Respondent has continued to maintain insurance on file with the Commission and pay the cost of the insurance, which supports Respondent's position that it intends to begin operating in the future when market conditions permit.

7. Petitioner has not filed an application to abandon or discontinue its Certificate of Public Convenience and has no intention of making such a filing.

WHEREFORE, Respondent requests that the Complaint be dismissed.

Respectfully submitted,

VUONO & GRAY, LLC

By: 

William A. Gray, Esq.
Attorney for
MYERS/TRUCK LINES, INC.
Respondent

VUONO & GRAY, LLC
310 Grant Street, Suite 2310
Pittsburgh, PA 15219-2383
(412) 471-1800

Dated: September 22, 2015
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SECRETARY'S BUREAU

VERIFICATION

I verify that the statements made in the foregoing document are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904, relating to unsworn falsification to authorities.

David A. Myers
David A. Myers, President

Dated: 9-22-15



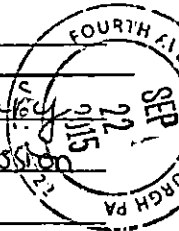
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Re:

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



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TO:

Ms. Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
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