

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PENNSYLVANIA PUBLIC UTILITY COMMISSION
BUREAU OF TRANSPORTATION AND SAFETY

v.

ERIE TRANSPORTATION SERVICES, INC.
d/b/a ERIE YELLOW CAB

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:
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: Docket No. C-2016-2562292
:
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:

ANSWER TO COMPLAINT

AND NOW, comes Respondent, Erie Transportation Services, Inc. d/b/a Erie Yellow Cab (“Erie”), by and through its attorneys, Paul S. Guarnieri, Esquire and Malone Middleman, P.C., and files the within Answer to Complaint as set forth below:

ANSWER

1. Admitted.
2. Admitted.
3. Admitted in part and denied in part. It is admitted that Erie was informed that its operating rights were being suspended as alleged. The remainder of the allegations are denied. To the contrary, Erie had insurance coverage effective August 9, 2016.
4. Admitted in part and denied in part. It is admitted that on August 25, 2016, PUC Enforcement Officer Dave Gill met with Mark McEnery and inspected the trip sheets as alleged in paragraph 4 of the Complaint. To the extent that the allegations contained within paragraph 4 allege that Erie operated without insurance after August 9, 2016, the allegations are denied.
6. The allegations contained within paragraph 6 of the Complaint constitute conclusions of law to which no responsive pleading is required.

WHEREFORE, the Respondent, Erie Transportation Services, Inc. d/b/a Erie Yellow Cab, respectfully requests that this case be scheduled for a hearing.

Respectfully submitted,

Erie Transportation Services, Inc. d/b/a
Erie Yellow Cab

Date: October 19, 2016

By: 

Paul S. Guarnieri, Esquire
Attorneys for Respondent

MALONE MIDDLEMAN, P.C.
11676 Perry Highway, Suite 3100
Wexford, PA 15090
(724) 934-6888

VERIFICATION

I, Mark J. McEnery, state that I am the President of Erie Transportation Services, Inc. d/b/a Erie Yellow Cab, and that as such being authorized to do so, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

By: 
Mark J. McEnery

Date: October 18, 2016

CERTIFICATE OF SERVICE

I hereby certify that I have this 19th day of October 2016, served a copy of the above Answer to Complaint upon Complainant by first class, United States Mail, postage pre-paid, addressed as follows:

David W. Loucks, Chief
Motor Carrier Enforcement
Bureau of Investigation and Enforcement
P.O. Box 3265
Harrisburg, PA 17105-3265



Paul S. Guarnieri, Esquire