

BRIER & BRIER, P.C.

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Michael E. Brier*

***Also admitted to practice in:
Virginia**

Of counsel:

John J. Brier, Esquire

John J. Dunn, Sr., Esquire

October 25, 2016

VIA FIRST CLASS UNITED STATES MAIL

Rosemary Chiavetta, Secretary

Pennsylvania Public Utility Commission

P.O. Box 3265

Harrisburg, PA 17105-3265

VIA EMAIL RA-PCCmpIntResp@pa.gov

Michael L. Swindler, Deputy Chief Prosecutor

Pennsylvania Public Utility Commission

Bureau of Investigation and Enforcement

P.O. Box 3265

Harrisburg, PA 17105-3265

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SECRETARY'S BUREAU

RE: Pennsylvania Public Utility Commission Bureau of Investigation and Enforcement vs. Jo Jo Oil Company, t/a Airline Petroleum Company
Docket No.: C-2016-2569609

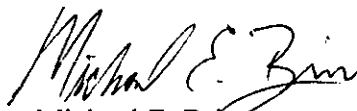
Dear Ms. Chiavetta and Mr. Swindler:

I represent Jo Jo Oil Company, t/a Airline Petroleum Company.

Enclosed please find my client's Answer and New Matter in the above captioned matter.

Thank you.

Very truly yours,



Michael E. Brier

MEB/kb

Enclosures

cc: Jo Jo Oil Company, t/a Airline Petroleum Company

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BRIER & BRIER, P.C.
Michael E. Brier, Esquire
I.D. #: 72440
3738 Birney Avenue
Moosic, PA 18507
Phone (570) 341-7700
Attorney for Plaintiff

.....

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION :
BUREAU OF INVESTIGATION AND ENFORCEMENT :

VS.

: DOCKET NO. C-2016-2569609

JOJO OIL COMPANY INC. :
T/A AIRLINE PETROLEUM COMPANY :
1031 B REEVES STREET :
DUNMORE, PA 18512 :

ANSWER AND NEW MATTER

NOW COMES the Respondent, Jo Jo Oil Company, t/a Airline Petroleum Company, by and through its attorney, Michael E. Brier, Esquire, and files this Answer and New Matter and in support thereof avers the following:

1. Jo Jo Oil Company, t/a Airline Petroleum Company in the past has always maintained evidence of insurance on file with the Commission through its insurance agent Mirabito-Gresham Insurance & Bonds Agency, LLC who the Respondent believes previously filed the required documentation with the Commission. Mirabito-Gresham informed the Respondent that they filed the required documentation with the Commission.
2. Admitted.
3. Admitted.

4. See Answer to Paragraph 1 above.
5. See Answer to Paragraph 1 above.

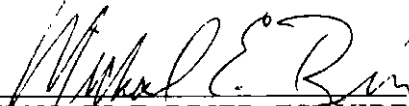
NEW MATTER

6. Attached as Exhibit "A" is a copy of the Certificate of Liability Insurance from Acord showing coverage for the Respondent from August 29, 2016 to August 29, 2017.
7. Attached as Exhibit "B" is Form E from Ohio Security Insurance Company.
8. Attached as Exhibit "C" is From H.

WHEREFORE, the Respondent, Jo Jo Oil Company, t/a Airline Petroleum Company, demands that the Pennsylvania Public Utility Commission's Complaint be dismissed.

Respectfully Submitted:

BRIER & BRIER, P.C.



MICHAEL E. BRIER, ESQUIRE
Attorney for Respondent
3738 Birney Avenue
Moosic, PA 18507
(570) 341-7700

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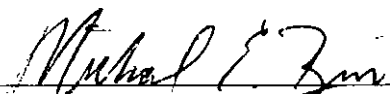
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VERIFICATION

I, Michael E. Brier, Esquire, verify that I am counsel for the Respondent, Jo Jo Oil Company, t/a Airline Petroleum Company in the within action; I am authorized to make this verification on its behalf and that the facts set forth in the foregoing Answer and New Matter are true and correct to the best of my knowledge, information and belief and that this statement is made subject to the penalties of law contained in 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.

Dated: 10-25-16


MICHAEL E. BRIER, ESQUIRE
Attorney for Jo Jo Oil Company, t/a Airline
Petroleum Company

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EXHIBIT "A"

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EXHIBIT "B"

Form E
UNIFORM MOTOR CARRIER BODILY INJURY AND PROPERTY
DAMAGE LIABILITY CERTIFICATION OF INSURANCE
(Electronic Filing)

Filed with Pennsylvania Public Utility Commission (herein after called Agency)
(Name of Agency)

This is to certify that the Ohio Security Insurance Company NAIC# 24082
(Name of Company)
(herein after called Company) of 9450 Seward Rd. ,Fairfield ,OH ,45014
(Home Address of Company)

has issued to DUNMORE OIL COMPANY INC of 1031 Reeves St ,Dunmore ,PA ,18512
(Name of Motor Carrier) (Address of Motor Carrier)

A policy or policies of insurance effective from 08/29/2016 12:01 A.M. standard time at the address of the insured stated in said policy or policies and continuing until cancelled as provided herein, which by attachment of the Uniform Motor Carrier Bodily Injury and Property Damage Liability Insurance Endorsement, has or have been amended to provide automobile bodily injury and property damage liability insurance covering the obligations imposed upon such motor carrier by the provisions of the motor carrier law of the State in which the Agency has jurisdiction or regulations promulgated in accordance therewith.

Whenever requested, the Company agrees to furnish the Agency a duplicate original of said policy or policies and all endorsements thereon.
This certificate and the endorsement described herein may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effective by the Company or the insured giving thirty (30) days' notice in writing to the State Agency, such thirty (30) days' notice to commence to run from the date notice is actually received in the office of the Agency.

Countersigned at 9450 Seward Rd. ,Fairfield ,OH ,45014 This 20th day of Oct 20 16
(Address) (Day) (Month) (Year)

Insurance Company File No. BAS 56021534 Dana Shutters
(Policy No) (Authorized Company Representative)

Liability Limit : 1,000,000.00

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EXHIBIT "C"



Motor Carrier Information Exchange

National Online Registries

[Create Filing](#) [Search Filings](#) [Reports](#) [My Profile](#) [User Manual](#) [Log Out](#)

You have submitted the following motor carrier insurance filings. Your application will be sent to the corresponding state agency automatically and your account will be billed \$ 3.50. If you filed a paper filing, please print out the form now and either mail/fax to the state. Paper filings are not submitted to states via the system.

Insurance Information

Insurance Company Excelsior Insurance Company

Authorized Signature

Insurance Agent ID

Form Type Form H

Reinstate

Certificate of Insurance

Policy Number IM 8357766

USDOT

Effective Date Oct 18 2016

FMCSA

Motor Carrier Information

Electronic Filing States

Pennsylvania

Insurer # **State MC ID** C-2016-2569609

Legal Name JOJO OIL COMPANY INC

DBA AIRLINE PETROLEUM COMPANY

Address 1031 REEVES STREET

City DUNMORE **State** PENNSYLVANIA

Zip 18512 **Country**

Notes

Non-electronic Filing States

You have submitted the following motor carrier insurance filings. Your application will be sent to the corresponding state agency automatically and your account will be billed \$ 3.50. If you filed a paper filing, please print out the form now and either mail/fax to the state. Paper filings are not submitted to states via the system.

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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
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171053265 8099

