

# METTE, EVANS & WOODSIDE

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May 14, 2019

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation & Enforcement  
400 North Street  
Harrisburg, PA 17120

**Re: Docket No. C-2019-3009682  
Discount Transportation, LLC  
Answer to Complaint**

Dear Secretary Chiavetta:

We are counsel for the Respondent Discount Transportation. Enclosed please find Respondent's Answer to the referenced Complaint.

Very Truly Yours,

  
Randall G. Hurst

Enclosure

cc H. Aly

1353170v1

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PENNSYLVANIA PUBLIC UTILITY COMMISSION	:	
BUREAU OF INVESTIGATION & ENFORCEMENT	:	
	:	DOCKET No. C-2019-3009682
V.	:	
	:	
DISCOUNT TRANSPORTATION, LLC	:	
1000 SCENERY DRIVE	:	
HARRISBURG, PA 17109-5321	:	

RESPONDENT’S ANSWER TO COMPLAINT

1. The averment is a legal conclusion to which no response is necessary. However, Respondent objects to the rescission of its operating authority without notice, due process, or reasonable cause. It is understood that the date of the alleged rescission—April 24, 2019—is the date by which proof of liability insurance was to be submitted. As stated below, proof of insurance effective as of that date was submitted to the Commission seven days prior to that date.

2. Admitted

3. Admitted

4. Denied. Respondent’s insurance carrier submitted a “Form E” evidencing insurance coverage to the Commission on or about April 17, 2019. A copy of the Form E is attached. By way of further answer, on reviewing the filing, Respondent noticed that the address stated on the Form E is the place from which Respondent is conducting its business (Marshall Avenue, Lancaster, PA), and not the official office address of the LLC (1000 Scenery Drive, Harrisburg, PA). It is believed, and therefore averred, that this discrepancy in the address may have led Commission clerical staff to mis-file or mis-enter the information in the Commission’s recordkeeping system. Upon recognizing this discrepancy, Respondent requested that a new Form E with the

Respondent's office address be issued. On information and belief, that amended Form E was submitted to the Commission on May 13.


5. Denied. As stated above, Respondent's insurance carrier timely filed evidence of liability insurance with the Commission and no violation of law has occurred.

WHEREFORE, Respondent respectfully requests that the Complaint be dismissed as based on faulty or incorrect information and that Respondent's authority to operate be immediately reinstated.

Respectfully submitted,

METTE, EVANS & WOODSIDE

By:

  
Randall G. Hurst, Esquire  
Sup. Ct. I.D. No. 83931

3401 North Front Street  
P. O. Box 5950  
Harrisburg, PA 17110-0950  
(717) 232-5000 - Phone  
(717) 236-1816 - Fax

Attorneys for Respondent Discount Transportation,  
LLC.

Date: May 14, 2019



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 \$5.50.**

If you filed a paper filing, please print out the form now and either mail or fax it to the state. *Paper filings are not submitted to states via the system.*

## Filing Summary

### Insurance Information

#### Insurance Company

American Country Insurance Company

**Authorized Signature** Bruce Giles

**Insurance Agent Id**

**Form Type** Form E

**Reinstate** Yes

### Certificate of Insurance

**Policy Number** CA49458P2019

**USDOT #**

**FMCSA #**

**Underlying Limit**

**Liability Limit** 35,000.00

**Effective Date** 04/24/2019

### Motor Carrier Information - Electronic Filing States

#### Pennsylvania

##### Insurer #

**State MC ID** 6418905

**Legal Name** DISCOUNT TRANSPORTATION LLC

##### DBA

**Address** 1136 MARSHALL AVE.

**City** LANCASTER

**State** PA

**Zip** 17601

##### Country

##### Notes

### Motor Carrier Information - Non-Electronic Filing States

No non-electronic filing states submitted.

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CERTIFICATE OF SERVICE

I certify that the above Answer to the Complaint of the Bureau of Investigation and Enforcement was filed with the parties named below via electronic filing.

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
400 North Street  
Harrisburg, PA 17120

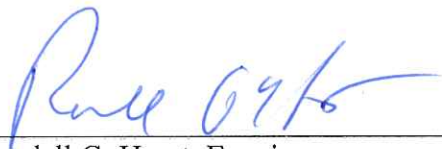
Michael L. Swindler, Deputy Chief Prosecutor  
Pennsylvania Public Utility Commission  
Bureau of Investigation & Enforcement  
400 North Street  
Harrisburg, PA 17120

RA-PCCmplntResp@pa.gov

Respectfully submitted,

METTE, EVANS & WOODSIDE

By:

  
\_\_\_\_\_  
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