

## WHAT IS THE SMALL BUSINESS MEDIATION PROGRAM?

The Small Business Mediation Program is administered by the Pennsylvania Public Utility Commission (PUC) for businesses with fewer than 250 employees. When contacted by a small business customer filing an informal complaint, the PUC advises the customer of the availability of the mediation process as an alternative to litigation.

Mediation is appropriate whenever two opposing parties are amenable to sitting down with an independent party to resolve a conflict. The Commission encourages settlements of complaints and has established mediation services to provide a less costly and more timely alternative to obtaining a resolution. Utilities are encouraged to participate in mediation, and proceed in good faith to amicably and expeditiously resolve the customer's dispute. The Commission supports mediation to lower costs for all parties and to help the Commission function more efficiently and economically.

*Try to resolve the issue with the utility prior to seeking resolution through the PUC.*

*Don't Forget!*

## WHY CONSIDER MEDIATION?

- ✓ Less costly, no attorneys required;
- ✓ Minor disputes resolved quickly;
- ✓ Parties remain empowered;
- ✓ More convenient for parties;
- ✓ All matters kept confidential;
- ✓ Higher level of satisfaction with mediated outcomes; and
- ✓ Agreements last longer and are easily reviewed and amended.



## HOW DOES THE SMALL BUSINESS MEDIATION PROCESS WORK?

- 1** Business files an informal complaint with the PUC's Bureau of Consumer Services (BCS). If not resolved, BCS will inform the business, when appropriate, of the PUC's mediation program.
- 2** If the business wishes to learn more, BCS sends a "Small Business Request for Mediation" form and information about the mediation process and instructions for completing the form.
- 3** The business submits the completed form to the PUC's Office of Administrative Law Judge (OALJ) and its mediation coordinator who assigns the matter to a mediator.
- 4** If the request is appropriate for mediation, it will be assigned a docket number by OALJ. A notice is then sent to the utility asking whether the utility consents to mediation.
- 5** If the utility consents, the mediator will send a notice to the utility (with a copy to small business) requesting it contact the complainant to see if the matter can be resolved on their own.
- 6** If the matter is resolved, the utility informs the mediator in writing and the case is closed. If the matter is not resolved, the parties may use mediation or file a formal complaint to pursue the matter.

## WHAT IS MEDIATION?

A voluntary (consensual), informal, non-adjudicatory and non-binding process through which a neutral third party (the mediator) assists the parties in reaching a mutually acceptable resolution of their dispute. The parties control the outcome, as opposed to having a PUC Administrative Law Judge determine the outcome.

The parties are not required to have an attorney for mediation; whereas, in most cases a small business will be required to have an attorney represent the business at a hearing.



### PUC CONTACT INFORMATION:

To file an informal complaint, call the PUC Bureau of Consumer Services at 1-800-692-7380, or visit the PUC website at [www.puc.pa.gov](http://www.puc.pa.gov).

For general information about the Small Business Mediation Program, call the Mediation Coordinator at (717) 783-5428.

### OFFICE OF SMALL BUSINESS ADVOCATE (OSBA) CONTACT INFORMATION:

Small business consumers with fewer than 250 employees who receive utility service under a small business rate schedule (such as GS) may contact the OSBA for assistance with utility problems by calling (717) 783-2525, or visit the OSBA website at [www.osba.state.pa.us](http://www.osba.state.pa.us).

## PENNSYLVANIA PUBLIC UTILITY COMMISSION'S **MEDIATION PROGRAM** FOR SMALL BUSINESSES

