

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**  
**Harrisburg, PA 17108**

**Rae Chase v.**  
**PPL Electric Utilities Corporation**

**Public Meeting September 13, 2012**  
**2273494-ALJ**  
**Docket No. F-2011-2273494**

**MOTION OF**  
**COMMISSIONER PAMELA A. WITMER**

Rae Chase, the Complainant in this proceeding, filed a Formal Complaint against PPL Electric Utilities Corporation (PPL), requesting to be removed from PPL's monthly budget billing plan.<sup>1</sup> Despite the fact that the Complainant expressly wrote on the formal complaint form that she had "no phone," a telephonic hearing was scheduled and held in this proceeding. In the Initial Decision (I.D.), the Administrative Law Judge dismissed the Complaint with prejudice for failure to prosecute because Ms. Chase failed to provide a telephone number for participation in the hearing and was unreachable at the time of the hearing.

Upon review of the record, it appears that the Prehearing Order was never sent to the Complainant. Specifically, the service list attached to the Prehearing Order neither includes Ms. Chase's name or address. As a result, it is impossible to know whether Ms. Chase ever received the Prehearing Order as indicated in the I.D.

In addition to this deficiency, as a matter of course, when a Complainant states that she does not have a telephone, I believe that it is improper to schedule a telephonic hearing. Accordingly, I recommend that this case be remanded and an in-person hearing be scheduled in Harrisburg, with the clear understanding that if Ms. Chase does not participate in the rescheduled hearing, her Complaint may be dismissed for failure to prosecute.

**THEREFORE, I MOVE THAT:**

1. The Office of Special Assistants prepare an Opinion and Order consistent with this Motion.

**DATE: September 13, 2012**

  
**PAMELA A. WITMER,**  
**COMMISSIONER**

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<sup>1</sup> This Formal Complaint was a timely appeal of a BCS decision, BCS Case No. 2893806.