

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17105**

Craig Jackson
v.
Metropolitan Edison Company

Public Meeting: August 2, 2018
2565262-ALJ
Docket No. C-2016-2565262

STATEMENT OF VICE CHAIRMAN ANDREW G. PLACE

Before us today is the Initial Decision (I.D.) of Administrative Law Judge Dennis J. Buckley granting Metropolitan Edison Company's (Met-Ed or Company) Motion to Dismiss the Complaint of Craig Jackson with prejudice. The Complainant filed a Formal Complaint alleging that Met-Ed did not provide reasonable service in a dispute concerning vegetation management on the Complainant's property. I.D. at 1. In his complaint, Mr. Jackson raised numerous vegetation management issues but also alleged that the Company "resorted to harassment and racial profiling for cutting the trees." Complaint at Attachment A.

I support a remand in this case as Mr. Jackson clearly raises numerous issues that are within the Commission's jurisdiction. Of particular note is the Commission's jurisdiction to adjudicate complaints where racial or other unreasonable discrimination has been alleged in the provision of utility service or as to utility rates. The Commission's authority is clearly stated in Section 1502 of Title 66 which specifically prohibits unreasonable discrimination in the provision of public utility service to any person, corporation or municipal corporation.¹ In addition, long standing legal precedent dictates that the Commission has exclusive jurisdiction to adjudicate allegations that a public utility company has discriminated in rates and/or services for whatever reason.² Further, the Commission's regulations specifically prohibit discriminatory practices in certain industries including taxicab and generation supply services.³

This Commission's fundamental obligation is to ensure that we fulfill our statutory requirements and enforce our regulatory mandates on the utilities within our jurisdiction. Guaranteeing that the provision of service and the rates charged to customers are not discriminatory or prejudicial in any manner has been settled for many decades and is absolute.

DATE: August 2, 2018



Andrew G. Place, Vice Chairman

¹ 66 Pa.C.S. §1502. No public utility shall, as to service, make or grant any unreasonable preference or advantage to any person, corporation, or municipal corporation, or subject any person, corporation, or municipal corporation, to any unreasonable prejudice or disadvantage.

² *Philadelphia Electric Company v. Pennsylvania Human Relations Commission*, 290 A.2d 699 (Pa. Cmwlth. 1971).

³ See 52 Pa. Code §30.75 and §111.12.