

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

R. George Snyder	:	
	:	
v.	:	C-2018-3006776
	:	
Duquesne Light Company	:	

**INITIAL DECISION**

Before  
Mary D. Long  
Administrative Law Judge

**INTRODUCTION**

The request of a customer to withdraw his formal complaint against an electric distribution company is granted.

**HISTORY OF THE PROCEEDING**

On December 26, 2018, Rev. R. George Snyder (Complainant) filed a formal complaint against Duquesne Light Company (Duquesne Light). The Complainant alleged that he had some unusually high electric bills and requested a meter test. He also objected to paying a fee to have his meter tested and contended that he had gotten inconsistent information from Duquesne Light regarding his meter.

Duquesne Light filed an answer and new matter on January 14, 2019, which denied the material allegations of the complaint. Duquesne Light also filed preliminary objections which sought dismissal of the complaint.

By interim order dated February 28, 2019, I issued an order holding a ruling on the preliminary objections in abeyance, pending an evidentiary hearing in order to permit the Complainant to fully explain his dispute with Duquesne Light.

By notice dated March 1, 2019, a hearing on the complaint was scheduled for April 2, 2019. Also on March 1, 2019, I issued a prehearing order which explained the procedures for the conduct of the hearing.

On March 11, 2019, I received a letter from the Complainant which stated that he no longer wished to pursue his complaint.<sup>1</sup> As it did not appear that the Complainant had sent a copy of the letter to Duquesne Light, my office emailed a copy to counsel for Duquesne Light. Duquesne Light filed a response to the Complainant's request to withdraw, stating that the company did not object to the withdrawal.

#### FINDINGS OF FACT

1. The Complainant is R. George Snyder.
2. The Respondent is Duquesne Light Company, a jurisdictional public utility.
3. The Complainant filed a request to withdraw his complaint.
4. Duquesne Light Company does not object to the withdrawal.

#### DISCUSSION

The withdrawal of pleadings in a contested proceeding is governed by Section 5.94 of the Commission's regulations. This Section provides:

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<sup>1</sup> A copy of the Complainant's letter is attached as Exhibit A to Duquesne Light's response.

**§ 5.94. Withdrawal of pleadings in a contested proceeding.**

- (a) Except as provided in subsection (b), a party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days of service. After considering the petition, any objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted.

52 Pa.Code § 5.94(a).

The Commission has no interest in mandating that the Complainant continue litigation when he has stated he does not wish to prosecute his complaint. The Company did not object to the withdrawal. Therefore, there is no negative impact on the public interest by permitting the withdrawal. The request to withdraw is granted.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and parties to the dispute. 66 Pa.C.S. § 701.
2. A party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties setting forth the reasons for the withdrawal. 52 Pa.Code § 5.94(a).
3. After considering a petition to withdraw, any objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted. 52 Pa.Code § 5.94(a).

