

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DORENE DOUGHERTY

vs.

**PENNSYLVANIA ELECTRIC
COMPANY**

Docket No. C-2018-3001474

RECEIVED

OCT 15 2020

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**OBJECTION AND MOTION FOR PROOF OF AUTHORITY FOR
CURTIS S. RENNER, ESQ. TO BE ADMITTED TO THIS CASE**

Complainant, Dorene Dougherty, hereby objects to the entry of appearance of Curtis S. Renner, esq. to her case because she has never received a hard copy of this entry from Tori L. Giesler, esq. and only recently learned of this activity through her contact, Eldon Kibler, in contravention to the stated "Certificate of Service" signed by Ms. Giesler.

Complainant, Dorene Dougherty, is disabled and has no access to a computer, emails or any electronic communications other than through the USPS or her phone and Ms. Giesler is well aware of this.

This appears to have been deliberately done to further confuse and muddy the waters of this case in favor of respondents, Pennsylvania Electric Company.

Complainant has no knowledge as to why an out-of-state attorney is being brought into her case or in what capacity, if any, Curtis S. Renner, esq. Appears claiming representation for Pennsylvania Electric Company.

**MOTION FOR PROOF OF AUTHORITY FOR
CURTIS S. RENNER, ESQ. TO BE ADMITTED TO THIS CASE**

231 Pa. Code § 1012

***“Current through Register Vol. 50, No. 36, September 5, 2020
Rule 1012 - Entry of Appearance. Withdrawal of Appearance. Notice(a) A party may enter a written appearance which shall state an address at which pleadings and other legal papers may be served in the manner provided by Rule 440(a)(1) and a telephone number. The appearance may also include a telephone facsimile number as provided in Rule 440(d). Such appearance shall not constitute a waiver of the right to raise any defense including questions of jurisdiction or venue. Written notice of entry of an appearance shall be given forthwith to all parties. (b)(1) Except as provided in paragraph (2), an attorney may not withdraw his or her appearance without leave of court.(2) An attorney may withdraw his or her appearance without leave of court if another attorney (i) has previously entered or (ii) is simultaneously entering an appearance on behalf of the party, and the change of attorneys does not delay any stage of the litigation.(c) Leave of court to withdraw an appearance shall be sought by petition pursuant to subdivision (d) or subdivision (e) as may be applicable.(d)(1) If the whereabouts of the party on whose behalf the appearance was entered are known, the attorney shall (i) set forth the address of that party in the petition,(ii) serve notice of the petition on the party in the manner provided by Rule 440,(iii) file a certificate of service of the notice with the petition, and (iv) immediately notify the party by ordinary mail of the entry of an order granting leave to withdraw. The notice shall include a copy of the order.(2) Other parties may use the address of the party set forth in the petition for the purpose of further proceedings in the action(e)(1) If the whereabouts of the party on whose behalf the appearance was entered are unknown, the attorney shall (i) set forth the last known address of that***

party in the petition,, (ii) serve notice of the petition on the party by mail to the last known address set forth in the petition,(iii) file a certificate of service of the notice with the petition. The certificate shall set forth with particularity the efforts made to locate the party and to effect service of the notice, and(iv) shall immediately notify the party by ordinary mail to the last known address or by such other means as the court may direct of the entry of an order granting leave to withdraw. The notice shall include a copy of the order.(2) Other parties may use the last known address of the party for the purpose of further proceedings in the action.”

Complainant has no evidence that Curtis S. Renner, an out-of-state attorney, has been given any authority or has been authorized by Pennsylvania Electric Company Directors to represent them in any matter before the PUC or a Pennsylvania court.

“A party in a suit or proceeding pending in a court of this state may, by sworn written motion stating that he believes the suit or proceeding is being prosecuted or defended without authority, cause the attorney to be cited to appear before the court and show his authority to act.”

Only the "governing authority" of a business entity may hire a lawyer. That means the board of directors at a noticed meeting for a corporation, the managers at a noticed meeting for an LLC; or the members in a member-managed company. Retaining counsel and instituting litigation are board-level decisions, not arbitrary bar attorney decisions.

Complainant is being harmed and railroad by an apparent self-evident abuse of process by First Energy attorneys and demands that Curtis S. Renner, esq. show proof of authority to represent Pennsylvania Electric Company before being allowed to conduct any business before this court.

In support thereof, Complainant cites the following:

1. **“Natural persons may appear in Court, either by themselves, or by their attorney. But no man has a right to appear as the attorney of another, without the authority of that other. In ordinary cases, the authority must be produced, because there is, in the nature of things, no prima facie evidence that one man is in fact the attorney of another.”** 830 Chief Justice John Marshall, United States Bank, 9 Wheat. 738, 22 U.S. 738, 6 L.Ed. 204 (1824)
2. ***“Whether, as a matter of practice, the challenge to the authority of counsel was seasonably interposed it is not important to decide, for, in any event, the trial court, or this Court, has power at any stage of the case, to require an attorney, one of its officers, to show his authority to appear.”*** Pueblo of Santa Rosa v. Fall, 273 U.S. 315 (1927) Page 273 U. S. 319
3. ***“If any attorney for the plaintiff, on being properly challenged by the defendant, fails to produce satisfactory evidence of his authority, the attorney will not be permitted to prosecute the action.”*** –Tally v Reynolds, 1 Ark 99; Belt v Wilson's Adm'r., 29 Ky 495 (suit dismissed); Keith v Wilson, 6 Mo 435 (suit dismissed).


WHEREFORE, Complainant, Dorene Dougherty requests this court for an order requiring Curtis S. Renner, esq. to show proof of authority (signed retainer, contract, written authorization by Penelec, or other bearing the signature of the client Company)

by which he is claiming to represent and may be legally entered into this case.

VERIFICATION

I, Dorene Dougherty, verify and affirm that the statements in this document are true and correct to the best of my knowledge, information and belief.

Date: October 5, 2020

By: 
Dorene Dougherty, All Rights Reserved
15 Margrow Road
Tunkhannock, PA 18657
Phone: 570-836-4399

CERTIFICATION OF SERVICE

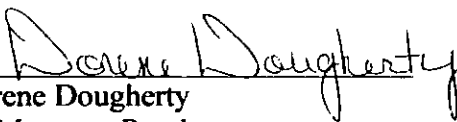
I hereby certify that I have served a true copy of the Objection And Motion For Proof Of Authority For Curtis S. Renner, Esq. To Be Admitted To This Case Via USPS To:

Rosemary Chiavetta, Secretary,
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Administrative Law Judge Jeffrey A. Watson
Pennsylvania Public Utility Commission
Piatt Place, Suite 220
301 5th avenue
Pittsburg, Pa 15222

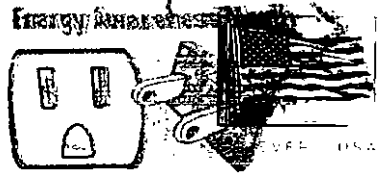
Lauren M. Lepkoski
Tori L. Giesler
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001

Date: October 5, 2020

By: 
Dorene Dougherty
15 Margrow Road
Tunkhannock, PA 18657

Dorene Daugherty
15 Mangrove Road
Pittsboro PA 18657

LEHIGH VALLEY PA 180
5 OCT 2020 PM 3 L



Rosemary Chiavetta, Secy
PA PUC
P.O. Box 3265
Harrisburg, PA 17105

17105-326526

