

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

FLORENCE R. PARKER CHAILLA,

CLAIMANT,

V.

Docket No. C-2021-3024417

METROPOLITAN EDISON COMPANY AND  
CHOICE ENERGY, LLC d/b/a 4 CHOICE ENERGY

RESPONDENTS.

## **52 Pa. Code § 5.363. Stay of proceedings.**

Claimant consistent with 52 Pa.Code 5.363 - Stay of proceedings, it is requested that Respondents filed March 23, 2021, *Notice to Defend* and its Answer to “*New Matter*” due by April 12, 2021, be stayed pending production of documents subpoenaed.

The filing of this motion for a protective order shall stay the deposition, production, entry on land or other discovery to which the motion is directed to all instances of the referenced Docket Number.

## **Title 4 Chapter § 105.14a. Subpoenas.**

Claimant consistent with in pertinent part: (a)(1) *Procedure for requesting subpoenas, it is requested that:*

(1) Subpoenas for . . . the production of documents will be issued only upon written application to the Chairperson of the Commission or the Commissioner presiding at hearing, with a copy to the opposing party.

In compliance with part (a)(2), attached herewith is the application(s):

(2) Written application shall specify as clearly as possible the relevance of the testimony or documentary evidence sought. As to documentary evidence, the request must specify to the extent possible the documents desired and the facts to be proved thereby.

Relevance is towards identifying the truth or veracity of the Answers provided by Respondent - Metropolitan Edison Company. To ascertain its knowledge and business relationships between it and Choice Energy, LLC. Communications with their representative who called the Chaillas at their residence on January 14, 2021, issues arose about who she worked for since the call she made seemed to be from Metropolitan Edison Company; yet it is refuted by its Customer Service personnel. See March 4, 2021, Original filing Exhibits D, E, F, and G. Further three differing names are used between Metropolitan Edison Company that appears to be an agent for its principal. Met-Ed on its logo letterhead bills make it appear to be a bill collecting agent for *Choice Energy, LLC* aka d/b/a *4 Choice Energy, LLC*; Met-Ed acts as agent and it as principal in that business relationship issued License/Docket A-2012-2337893. The multiple names has caused consumer confusion in dealing with the existing utilities as provided by Met-Ed as occurred since November 2014. Rates nor billing are at issue. Met-Ed took on the duty to charge for generation of electric service that was cancelled. Choices made orally on 1/14/21 did not occur. Once alerted, Met Ed and 4 Choice Energy charged for services not provided, contracted or agreed to and it is now disputed.

(3) Failure to adhere to the requirements of this subsection may result in the refusal by the Commission to issue the requested subpoenas.

Respectfully submitted,

Dated: March 27, 2021

*Florence R. Parker Chailla*

Florence R. Parker Chailla, JD  
Pro se - Claimant  
25 Garden Street - P. O. Box 1111  
Stroudsburg, PA 18360  
570 534-7082

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**RESPONDENTS.**

**NOTICE OF INTENT TO SERVE A SUBPOENA TO PRODUCE  
DOCUMENTS AND THINGS FOR DISCOVERY PURSUANT TO RULE  
4009.21**

Florence R. Parker Chaila, Complainant intends to serve a subpoena identical to the one that is attached to this notice.

You have twenty (20) days from the date listed below in which to file record(s) and serve upon the undersigned any objection to the subpoena. If no objection is made, the subpoena may be served.

Respectfully submitted,

Date: March 27, 2021

*Florence R. Parker Chaila*

Florence R. Parker Chaila, JD

Pro se Complainant

25 Garden Street -P. O. Box 1111

Stroudsburg, PA 19360

570 534-7082

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**RESPONDENTS.**

**CERTIFICATE - PREREQUISITE TO SERVICE OF A SUBPOENA  
PURSUANT TO RULE 4009.22**

As a prerequisite to service of a subpoena for documents and things pursuant to Rule 4009.22, Florence R. Parker Chaila, Claimant certifies that Respondent

(1) a notice of intent to serve the subpoena with a copy of the subpoena attached thereto was mailed or delivered to each party at least twenty days prior to the date on which the subpoena is sought to be served,

(2) a copy of the notice of intent, including the proposed subpoena, is attached to this certificate,

(3) no objection to the subpoena has been received, and

(4) the subpoena which will be served is identical to the subpoena which is attached to the notice of intent to serve the subpoena.

Date: March 27, 2021

*Florence R. Parker Chaila*

Florence R. Parker Chaila

Pro se Claimant

25 Garden St., P. O. Box 1111

Stroudsburg, PA 18360

570 534-7082 - thebusiness2@yahoo.com

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**RESPONDENTS.**

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY  
PURSUANT TO RULE 4009.22**

**TO: Metropolitan Edison Company**

Within twenty (20) days after service of this subpoena, you are ordered by the court/tribunal/Commissioner to produce the following documents or things:

- (1) The entire recorded telephone conversation starting with the caller's name, who she identified herself as an employee of Respondent(s) and she represented herself to be at the time she called the Chaillas residence at phone number 570 424-5386. Confirm she discussed electric generation service with Florence R. Parker Chaila for their residence located at 25 Garden Street, Stroudsburg, PA 18360 having account number 10 01 11 6715 8 0,
- (2) Disclose in detail how she obtained the Met-Ed account number and the Chaillas residential phone number and
- (3) What business relationship does Metropolitan Edison Company and Choice Energy, LLC have to allow the former to put billing onto and to collect payments from an existing customer's account for generation of utilities and then assert there is no business relationship.

Send your reply(ies) to Claimant to the email address of **thebusiness2@yahoo.com** for expedient receipt and on a permanent electronic device media, e.g. jump drive' send a physical recorded copy to Claimant's U. S. Postal address as shown below.

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed below.

You have the right to seek in advance the reasonable cost of preparing the copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

This subpoena was issued at the request of the following person:  
Florence R. Parker Chaila

*Florence R. Parker Chaila*

Pro se - Claimant  
25 Garden Street,  
P. O. Box 1111  
Stroudsburg, PA 18360  
570 534-7082

DATED: March 27, 2021

**BY THE COURT/TRIBUNAL/COMMISSIONER:**

**DATE:** \_\_\_\_\_ **By** \_\_\_\_\_

**(ADMINISTRATIVE TRIBUNAL/COMMISSIONER)**

**Seal of the Commissioner**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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**RESPONDENTS.**

**NOTICE**

**To Metropolitan Edison Company:**

You are required to complete the following Certificate of Compliance when producing documents or things pursuant to the Subpoena.

**CERTIFICATE OF COMPLIANCE  
WITH SUBPOENA TO PRODUCE DOCUMENTS OR THINGS  
PURSUANT TO RULE 4009.23**

I, \_\_\_\_\_, (person served with subpoena) certify to the best of my knowledge, information and belief that all documents or things required to be produced pursuant to the subpoena issued on \_\_\_\_\_ (date of subpoena) have been produced.

Date: \_\_\_\_\_

\_\_\_\_\_  
Person served with subpoena