

PENNSYLVANIA PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120

Byron Goldstein
vs.
PECO Energy Company - Gas

Public Meeting of August 4, 2022
3030777-ALJ
Docket No. C-2022-3030777

STATEMENT OF CHAIRMAN GLADYS BROWN DUTRIEUILLE

On January 28, 2022, Byron Goldstein filed a Complaint alleging that PECO's natural gas supply charges increased up to 47% and he contended the increase was untenable at a time of record high inflation. Mr. Goldstein requested the Commission revisit the rate increase. PECO contested the allegations, and the matter was set for hearing.

The Administrative Law Judge (ALJ) attempted to convene the telephonic hearing as scheduled at 10:00 a.m. on May 24, 2022, but both the Complainant and PECO failed to appear for the hearing. After attempting to ascertain why both Parties were absent, the ALJ convened the telephonic hearing at 10:15 a.m. Counsel for PECO appeared along with four other individuals who used the wrong telephone number to access the Commission's conference bridge.

PECO made an oral motion to dismiss the Complaint with prejudice due to the Complainant's failure to appear. By Initial Decision issued on June 16, 2022, the ALJ dismissed the Complaint, with prejudice.

You have heard me voice my concern that the practice of dismissing complaints filed by *pro se* individuals, with prejudice, when they miss a hearing is inconsistent with due process.¹ There is no need to close the door to this venue to *pro se* complainants unless our records show that they are abusing the Commission's administrative process to avoid paying their utility bills. This Complaint should have been dismissed, but without prejudice.

August 4, 2022
Date



Gladys Brown Dutrieuille, Chairman

¹ This Commission has long recognized the mitigating effect *pro se* status confers upon litigants unlearned in the law when confronted with technical violations of its procedural rules. *Carllock v. The United Telephone Co. of Pa.*, Docket No. F-00163617 (July 14, 1993). Most important, from my perspective, the Commission has stated that it is in the public interest that all litigants, particularly *pro se* litigants, be afforded a meaningful opportunity to be heard. *Amir V. Williams v. PECO Energy Co.*, Docket No. C-2010-2190024 (January 13, 2011).