

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

PRO-KO PROPERTIES, INC.

v.

PPL ELECTRIC UTILITIES CORPORATION

**PUBLIC MEETING OF FEBRUARY 9, 2023
3032078-ALJ
DOCKET NO. C-2022-3032078**

**JOINT STATEMENT OF VICE CHAIRMAN STEPHEN M. DeFRANK
AND COMMISSIONER KATHRYN L. ZERFUSS**

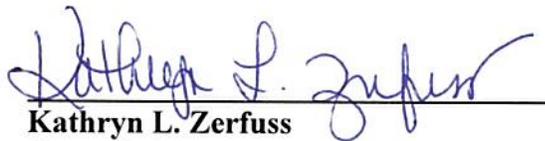
On December 6, 2022, the Office of Administrative Law Judge (OALJ) issued the decision of Administrative Law Judge (ALJ) Charece Z. Collins in this matter. The Decision dismissed the complaint of Pro-Ko Properties, Inc. (Pro-Ko), against PPL Electric Utilities Corporation. As noted in the Decision, Pro-Ko is registered with the Pennsylvania Department of State as an active corporation. As a corporation, Pro-Ko is required to be represented by counsel in Commission proceedings. *Cars R Us c/o Holman Copeland v. Philadelphia Gas Works*, Docket No. C-2008-2033437 (Opinion and Order entered Feb. 4, 2010); *Torino Incorporated v. PECO Energy Co.*, Docket No. C-2008-2034595 (Opinion and Order entered Feb. 2, 2010). As a result, the ALJ correctly dismissed the complaint after Pro-Ko was directed to have counsel enter an appearance on behalf of Pro-Ko but did not do so.

The Decision presents an opportunity to highlight the Small Business Mediation Program in the OALJ. There is nothing in the record that indicates that this case was referred to the Small Business Mediation Program. Small businesses are not required to have an attorney to participate in the Small Business Mediation Program. The program allows businesses with fewer than 250 employees to meet with an independent third-party mediator in OALJ to resolve a conflict without the additional cost of hiring an attorney or conducting a formal proceeding.

The Commission strongly encourages settlements. 52 Pa.Code § 5.231(a). The Commission has established mediation services to provide a less costly and more timely alternative to obtaining a resolution. Utilities are encouraged to participate in the Small Business Mediation Program when complainants are required to be represented by counsel but are not. The parties can then proceed in good faith to amicably and expeditiously resolve disputes, thereby lowering costs for all parties and helping the Commission function more efficiently and economically.



**Stephen M. DeFrank
Vice Chairman**



**Kathryn L. Zerfuss
Commissioner**

**February 9, 2023
Date**