



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET  
HARRISBURG, PENNSYLVANIA 17120

IN REPLY, PLEASE  
REFER TO OUR FILE

M-2023-3038150

March 3, 2023

Lisa Norden  
Vice President – Consumer Services  
PPL Electric Utilities  
827 Hausman Road  
Allentown, PA 18104

Re: PPL Electric Utilities Corporation Request for Additional Time for  
Informal Complaint Responses under 52 Pa. Code § 56.163(1)  
Docket No. M-2023-3038150

Dear Ms. Norden:

On February 6, 2023, PPL Electric Utilities Corporation (PPL) filed a Letter-Petition (Petition) seeking a waiver of Section 56.163(1) of the Commission regulations. 52 Pa. Code § 56.163(1) (relating to Commission informal complaint procedure). PPL has requested an additional 30 days to respond to the Commission's Bureau of Consumer Services (BCS) with utility reports relevant to informal complaints filed by customers regarding, in whole or in part, their estimated bills for electric service for December 2022.<sup>1</sup> On February 17, 2023, PPL filed and served a letter asserting that the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), the Commission's Bureau of Investigation and Enforcement (I&E), and the Pennsylvania Utility Law Project (PULP) have indicated that they do not oppose the Petition.

For the reasons expressed in this Secretarial Letter and consistent with this Secretarial Letter, the Commission grants PPL's Petition, in part, on a temporary and partial basis with the caveat that PPL comply, as quickly as possible, with the substantive requirements of Section 56.163(1) regarding the provision of utility reports to BCS.

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<sup>1</sup> PPL has asserted that, as of February 6, 2023, it had received approximately 2,000 informal complaints filed by its customers regarding, in whole or in part, their estimated bills for electric service for December 2022 (December 2022 bills).

## DISCUSSION

Section 56.163(1) requires public utilities to provide a utility report to Commission staff as part of the informal review and investigation process within 30 days of notice of an informal complaint. Due to the significant number of informal complaints filed regarding estimated bills for December 2022, PPL asserts that it cannot reasonably respond to those informal complaints and Commission requests within 30 days. PPL has requested an extension of 30 days within which to comply with Section 56.163(1).

Section 5.43(a) permits a public utility to petition for waiver of a regulation. 52 Pa. Code § 5.43(a) (relating to petitions for issuance, amendment, repeal or waiver of Commission regulations). Section 5.43(a) establishes the requirements applicable to requests for waivers, as follows:

A petition to the Commission for the issuance, amendment, waiver or repeal of a regulation must set forth clearly and concisely the interest of the petitioner in the subject matter, the specific regulation, amendment, waiver or repeal requested, and cite by appropriate reference the statutory provision or other authority involved. The petition must set forth the purpose of, and the facts claimed to constitute the grounds requiring the regulation, amendment, waiver or repeal.

52 Pa. Code § 5.43(a).

Waivers are granted as narrowly as possible to accomplish the requested results. This applies to both the scope and duration of the waiver. Sections 56.222(a) and 56.452(a) permit a public utility to apply for a modification or temporary exemption of Chapter 56 of Commission regulations if compliance would result in an “unreasonable hardship” or if a “technical advance [would] permit[] an enhanced level of customer service.” 52 Pa. Code § 56.222(a) (relating to applications for modification or exception); 52 Pa. Code § 56.452(a) (relating to applications for modification or exception).

The Commission agrees that a significant number of informal complaints were filed concerning PPL's December 2022 bills and that PPL likely will require more than the 30 days specified in Section 56.163 for PPL to respond with utility reports to all the notices of informal complaints related to the December 2022 bills. The Commission, through BCS and the Law Bureau, is aware that PPL has been and continues to be communicating with its customers regarding the December 2022 bills and is taking steps to correct bills and extend due dates. Further, during the period that PPL has not been able to provide information about individual informal complaints, PPL has communicated with BCS to keep them apprised of the situation. The Commission finds that clear and accurate communication by PPL with customers and BCS is essential.

The Commission has concluded, however, that a blanket extension of 30 days to respond to informal complaints and Commission requests limited to estimated December 2022 bills, whether the inquiry is specific to a particular informal complaint or general in nature, is inappropriate. The extension request for 30 extra days is overly broad, ambiguous, and imprecise. The request for a blanket 30-day extension does not take into account the need to address interim relief to prevent late fees or service interruptions. Additionally, an extension with conditions and qualifications to ensure accurate utility reports is consistent with PPL's obligation to provide reasonable customer service.

## CONCLUSION

Accordingly, the Commission temporarily and partially waives Section 56.163(1) with the caveat that PPL comply, as quickly as possible, with the substantive requirements of Section 56.163(1) regarding the provision of utility reports to BCS. Absent further Commission action, this temporary partial waiver will not extend beyond a maximum limit of 60 days beyond the date of notice to PPL of an informal complaint regarding the December 2022 bills.<sup>2</sup> Of particular importance, this waiver does not apply to informal complaints from customers who are without public utility service or to other emergency situations.<sup>3</sup> The temporary partial waiver granted herein provides an additional 30 days, or a maximum of 60 days, for PPL to provide the utility reports to BCS regarding the December 2022 bill informal complaints to give PPL time to deal with the temporary large increase in informal complaints. With that said, the temporary partial waiver being granted will expire 60 days after the date of this Secretarial Letter.

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<sup>2</sup> Each informal complaint regarding the December 2022 bills requires a customized utility report with details pertinent to the BCS investigation of that individual informal complaint.

<sup>3</sup> Section 56.163(1) provides, in pertinent part that if "the complainant is without public utility service, or in other emergency situations as identified by Commission staff, the information requested by Commission staff shall be provided by the public utility within 5 business days of the request."

If PPL is unable to conform to this temporary partial waiver regarding the utility reports for the informal complaints regarding the December 2022 bills, PPL shall file and serve a petition requesting further relief prior to the expiration of this temporary partial waiver. PPL shall provide copies of the filing in Word®-compatible format to Commission staff listed with emails below.

Please direct any questions to Louise Fink Smith, Assistant Counsel, Law Bureau, at [finksmith@pa.gov](mailto:finksmith@pa.gov), or Stephanie Wilson, Assistant Counsel, Law Bureau, at [stepwilson@pa.gov](mailto:stepwilson@pa.gov).

Sincerely,



Rosemary Chiavetta  
Secretary

cc: Louise Fink Smith, Assistant Counsel, Law Bureau  
Stephanie Wilson, Assistant Counsel, Law Bureau  
Kriss Brown, Deputy Chief Counsel, Law Bureau  
Alexis Bechtel, Director, Bureau of Consumer Services  
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Bureau of Investigation and Enforcement  
Pennsylvania Utility Law Project