

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Camp Kanesatake	:	
	:	
v.	:	C-2022-3037584
	:	
Integrity Communications of Ohio LLC	:	
dba Integrity Energy	:	

**INITIAL DECISION**

Before  
Darlene Heep  
Administrative Law Judge

**INTRODUCTION**

The Complainant, Camp Kanesatake, submitted a written document stating that the camp had resolved its issues with the Respondent, Integrity Communications of Ohio LLC dba Integrity Energy, and that it wanted to withdraw the Complaint. The Petition for Leave to Withdraw the Complaint will be granted.

**HISTORY OF THE PROCEEDING**

On January 12, 2023, Camp Kanesatake (“Complainant”) filed a Formal Complaint (“Complaint”) with the Pennsylvania Public Utility Commission (“Commission”) against Integrity Communications of Ohio LLC dba Integrity Energy (“Integrity Energy” or “Respondent”), an electric generation supplier (“EGS”) doing business in the Commonwealth of Pennsylvania. In the Complaint, the Complainant alleged that there were incorrect charges on the camp bill, and the camp would like the terms of its contract upheld. Integrity Energy did not file an answer to the Complaint.

On February 21, 2023, an Initial Call-In Telephonic Hearing Notice was issued, setting a hearing for April 4, 2023. A Prehearing Order was issued on February 27, 2023, setting procedural guidelines and due dates.

On March 31, 2023, the Respondent sent an email stating that the matter had been resolved and seeking to confirm that the hearing had been cancelled. On April 3, 2023, Seth Hoffman of Camp Kanesatake sent an email to the Commission stating that the camp wished to withdraw the Complaint because it had reached an agreement with the Respondent on contract terms.

The record closed on April 3, 2023, upon receipt of the Complainant's request to withdraw.

#### FINDINGS OF FACT

1. On January 12, 2023, Camp Kanesatake filed a Complaint with the Commission against Integrity Energy, an electric generation supplier ("EGS") doing business in the Commonwealth of Pennsylvania.
2. On April 3, 2023, Camp Kanesatake requested that the Complaint be withdrawn because the camp had reached an agreement with Integrity Energy.
3. Integrity Energy does not object to the request to withdraw the Complaint.
4. It is in the public interest to grant the Complainant's request to withdraw the Complaint.

#### DISCUSSION

Commission regulations address the withdrawal of pleadings in a contested proceeding at Section 5.94(a) of Title 52 of the Pennsylvania Code, which states,

**§ 5.94. Withdrawal of pleadings in a contested proceeding.**

(a) Except as provided in subsection (b), a party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days of service. After considering the petition, an objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted.

52 Pa. Code § 5.94(a).

Camp Kanesatake sent an email stating that it wished to withdraw the Complaint against Integrity Energy. The Code provides that pleadings shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which it is applicable. *See*, 52 Pa. Code § 1.2(a). A presiding officer or the Commission may disregard an error or defect of procedure or waive a requirement that does not adversely affect a substantive right of a party. 52 Pa. Code § 1.2(c). Therefore, the email sent by Camp Kanesatake will be treated as a Petition for Leave to Withdraw the Complaint.

Granting the Complainant's request to withdraw the Complaint is in the public interest and does not prejudice Integrity Energy. Further, granting the request to withdraw ends the use of resources to continue a proceeding that the Complainant no longer wishes to pursue given that the issue in the Complaint has been resolved. Integrity Energy does not object to the request to withdraw the Complaint. Accordingly, the Complainant's request to withdraw the Complaint will be granted.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties to and the subject matter of this proceeding. 66 Pa.C.S. § 701.

