

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Bacoli Pizza, LLC c/o Gessica Arena	:	
	:	
v.	:	C-2023-3044254
	:	
UGI Utilities, Inc. (Gas Division)	:	

**ORDER**  
**DIRECTING THE COMPLAINANT TO OBTAIN COUNSEL**

On November 15, 2023, Bacoli Pizza, LLC, through its business owner, Gessica Arena (Complainant), filed a formal complaint with the Pennsylvania Public Utility Commission (Commission) against UGI Utilities, Inc. - Gas Division (UGI). Complainant averred that the utility was threatening to shut off or had already shut off its service; there were incorrect charges on its bills; and it requested a payment arrangement. Complainant specifically averred that there were “overage charges” on its bills from January 12, 2023 to April 12, 2023; that it requested a meter change on June 15, 2023, and that usage then went back to normal. In addition to checking the box indicating that it would like a payment arrangement, Complainant requested to either pay its normal usage or have an investigation conducted to determine why its bills were so high. Complainant attached correspondence from UGI and past UGI bills to its Complaint.

The complaint was served on UGI on November 16, 2023. On December 6, 2023, UGI filed an answer to the complaint. In its answer, UGI admitted that it issued 3-day termination notices on November 9, 2023 and November 15, 2023, and it denied that these notices violated the Public Utility Code, Commission regulations, a Commission Order or its Commission-approved Tariff. UGI averred that Complainant’s gas service remains active. UGI also denied that there are incorrect charges on Complainant’s bills. UGI averred that meter readings were verified to be correct on two occasions, and the meter was ultimately tested and confirmed to be “operating well-within the Commission’s requirements.” UGI averred that as of the date of its answer, Complainant’s outstanding balance was \$6,481.18. UGI also asserted that

as Complainant is a limited liability corporation, Complainant could not represent itself in adversarial proceedings and would need legal counsel to prosecute its Complaint. UGI requested that the complaint be denied in its entirety and with prejudice.

On December 8, 2023, the Commission served an Interim Order directing the parties to hold a resolution conference no later than January 5, 2024. The case did not resolve in mediation.

On April 9, 2024, the Commission served an initial telephonic hearing notice setting a formal call-in telephonic hearing for this matter for June 11, 2024 at 10:00 a.m. and assigning me as the presiding officer.<sup>1</sup> In anticipation of the hearing, I served a prehearing order on April 9, 2024, setting forth hearing information and the rules that will govern the proceeding.

Paragraph 6 of my prehearing order, titled, “Representation,” stated, “If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*.<sup>2</sup> And, unless you are an attorney, you may not represent someone else.” As Bacoli Pizza, LLC is a corporation, it will be required to obtain an attorney to represent it at the June 11, 2024 hearing. 52 Pa. Code §§ 1.21, 1.22. An attorney should enter his or her appearance on or before May 14, 2024. Complainant should contact our office prior to May 14, 2024 if more time is needed to obtain counsel. Hearing continuances will be handled consistent with my April 9, 2024 prehearing order.

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<sup>1</sup> A hearing notice was first issued with the caption *Gessica Arena v. UGI Utilities, Inc. (Gas Division)*. A corrected notice was issued on the same date with the correct caption: *Barcoli Pizza, LLC c/o Gessica Arena v. UGI Utilities, Inc. (Gas Division)*.

<sup>2</sup> 52 Pa. Code §§ 1.21 & 1.22.



**C-2023-3044254 - BACOLI PIZZA C/O GESSICA ARENA v. UGI UTILITIES, INC (GAS DIVISION)**

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