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File #: 207786

September 3, 2024

VIA ELECTRONIC FILING

Rosemary Chiavetta
Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Gomattie Harilal v. PPL Electric Utilities Corporation
Docket No. C-2024-3050671

Dear Secretary Chiavetta:

Attached for filing, please find PPL Electric Utilities Corporation's Preliminary Objections directed to Gomattie Harilal in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Alice A. Wade

AAW/skr
Attachment

cc: Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL

Gomattie Harilal
106 Waterway Lane
Stroudsburg, PA 18360

Dated: September 3, 2024



Alice Wade

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Gomattie Harilal	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2024-3050671
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.101, YOU MAY FILE AN ANSWER TO THE ENCLOSED PRELIMINARY OBJECTION WITHIN TEN (10) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PRELIMINARY OBJECTION MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL FOR PPL ELECTRIC UTILITIES CORPORATION.

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Dated: September 3, 2024

Attorneys for PPL Electric Utilities
Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Gomattie Harilal,	:	
	:	
Complainant,	:	
	:	Docket No. C-2024-3050671
v.	:	
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**PRELIMINARY OBJECTION OF
PPL ELECTRIC UTILITIES CORPORATION TO THE
COMPLAINT OF GOMATTIE HARILAL**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, comes PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) and hereby files this Preliminary Objection, pursuant to the regulations of the Pennsylvania Public Utility Commission (“Commission”) at 52 Pa. Code § 5.101, and respectfully requests that the Commission dismiss the above-captioned Formal Complaint (“Third Complaint”) filed by Gomattie Harilal (“Complainant”) in its entirety and with prejudice as against PPL Electric because it is legally insufficient.

This is the **Third** Formal Complaint filed by the Complainant against PPL Electric regarding the balance on the disputed account.¹ The Commission dismissed the prior Complaints

¹ The First and Second Complaints were filed at Docket Nos. C-2019-3009714 and C-2021-3027573, respectively. The First Complaint was dismissed for failure to prosecute, and an order was entered barring future complaints until the account balance was paid in full. *See Harilal v. PPL Electric Utilities Corp.*, Docket No. C-2019-3009714 (Order entered Dec. 4, 2019) (“*Harilal I*”). The Second Complaint was dismissed for failure to prosecute and, consistent with *Harilal I*, the Commission barred the Complainant from filing any further complaints regarding the arrearages on this account “until such time as the entire outstanding account balance has been paid in full. *Harilal v. PPL Electric Utilities Corp.*, Docket No. C-2021-3027573, p. 1 (Order entered Dec. 22, 2021) (“*Harilal II*”).

and barred the Complainant from filing further Complaints until the full balance on her account is paid.

Here, the Complainant once again raises issues concerning the arrearages on the same account at issue in the previous complaints. Nothing in the Complainant's Third Complaint provides any evidence that she has paid in full the arrearages on her account. Instead, the Complainant has a balance in arrears of over \$11,000.00 as of the date of this Preliminary Objection. For these reasons, the Complainant's Third Complaint is legally insufficient and should be summarily dismissed with prejudice.

In support thereof, PPL Electric states as follows:

I. BACKGROUND

1. PPL Electric furnishes electric distribution, transmission, and default supply services to approximately 1.5 million customers throughout its certificated service territory, which includes all or portions of 29 counties and encompasses approximately 10,000 square miles in eastern and central Pennsylvania. PPL Electric is a "public utility," an "electric distribution company," and a "default service provider" as defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa. C.S. §§ 102, 2803.

2. On August 12, 2024, PPL Electric was served with the above-captioned Third Complaint, in which the Complainant disputes the arrearages on her electric account as incorrect and the Company's issuance of a termination notice due to her failure to pay the amounts owed on that account. (Third Complaint ¶ 4.)

3. On May 6, 2019, Complainant filed a Formal Complaint against the Company ("First Complaint") at Docket No. C-2019-3009714. She alleged erroneous charges on her account, including an averment that her account was charged with another customer's outstanding balance, requesting relief including, but not limited to, free electricity. *Harilal v.*

PPL Electric Utilities Corp., Docket No. C-2019-3009714 (Initial Decision dated Oct. 10, 2019).² The First Complaint was dismissed for failure to prosecute, and Complainant and her husband were “precluded from filing any further complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on” on the account “for electric service rendered by PPL Electric Utilities Corporation, until such time as the entire outstanding balance has been paid in full.” *Id.*, p. 16.

4. The administrative law judge noted in his Initial Decision that the Complainant engaged in a form of identity fraud after impersonating a deceased relative in an attempt to escape responsibility for the charges on her account. *Id.*, p. 12.

5. In 2021., the Complainant filed another Complaint regarding the same account on July 29 at Docket No. C-2021-3027573 (“Second Complaint”).

6. Like the First Complaint, the Commission adopted the Initial Decision, dismissed the Second Complaint for failure to prosecute, and barred the Complainant from filing further complaints until her arrearages were paid in full. *See Harilal II*. Specifically, the Commission ordered:

3. That Gomattie Harilal, and her husband Kumar Harilal, are precluded from filing any further complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on Account No. . . . for electric service rendered by PPL Electric Utilities Corporation, until such time as the entire outstanding account balance has been paid in full.

4. That the filing of any complaint pertaining to the arrearages which are the subject of this proceeding shall be dismissed without further proceedings.

5. That PPL Electric Utilities Corporation shall file a notice with the Commission, with a copy to all parties to this proceeding,

² True and correct copies of the Initial Decision and Final Order from the First Complaint proceeding are attached hereto as Appendix A.

at Docket No. C-2021-3027573, within seven (7) days of the date that outstanding balance for Account No. . . . has been paid in full.

6. That, until the notice described in ordering paragraph five has been filed, Commission staff, including the Commission's Bureau of Consumer Services and the Secretary's Bureau, shall reject any formal or informal complaint that Gomattie Harilal or her husband Kumar Harilal, or any person acting on their behalf, may attempt to file with the Commission, pertaining to Account No. . . ., until the entire outstanding account balance has been paid in full.

7. That the failure to pay the outstanding account balance for . . . shall be deemed grounds for termination of service in accordance with Chapters 56 and 64 of the Commission's rules of administrative practice and procedure.³

Id., pp. 1-2.

7. PPL Electric herein files this Preliminary Objection to the Third Complaint. For the reasons explained below, PPL Electric respectfully requests that the Commission summarily dismiss the Third Complaint as legally insufficient because the Complainant continues to be barred from pursuing informal or formal complaints against PPL Electric related to her outstanding balance until she has paid her arrearages in full, which are currently in excess of \$11,000.00.⁴ Though Complainant has made payments on her account, she never paid down her arrearages from the First and Second Complaints. Thus, the Third Complaint is legally insufficient and should be dismissed with prejudice.

II. STANDARD OF REVIEW

8. Pursuant to the Commission's regulations, preliminary objections in response to a pleading may be filed on several grounds, including:

³ The Commission's Order contained the Complainant's account number in full. The Company affirms that the instant Third Complaint and the prior First and Second Complaints involve the same account. However, for customer privacy reasons, the Company has redacted or excluded the account number from this pleading and its attachments.

⁴ A copy of Complainant's account statement is attached hereto as Appendix C.

- (1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.
- (2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.
- (3) Insufficient specificity of a pleading.
- (4) Legal insufficiency of a pleading.
- (5) Lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action.
- (6) Pendency of a prior proceeding or agreement for alternative dispute resolution.
- (7) Standing of a party to participate in the proceeding.

52 Pa. Code § 5.101(a) (emphasis added).

9. In ruling on preliminary objections, the Presiding Officer must accept as true all well-pled allegations of material facts as well as all inferences reasonably deducible therefrom. *Stilp v. Cmwlth.*, 910 A.2d 775, 781 (Pa. Cmwlth. 2006) (citing *Dep't of Gen. Servs. v. Bd. of Claims*, 881 A.2d 14 (Pa. Cmwlth. 2005)). However, the Presiding Officer need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. *Stanton-Negley Drug Co. v. Dep't of Pub. Welfare*, 927 A.2d 671, 673 (Pa. Cmwlth. 2007). Notwithstanding, any doubt must be resolved in favor of the non-moving party. *Stilp*, at 781.

10. In addition, the Presiding Officer must determine whether, based on the factual pleadings, if recovery is possible. *See Rok v. Flaherty*, 527 A.2d 211, 214 (Pa. Cmwlth. 1987). Indeed, for preliminary objections to be sustained, it must appear with certainty that the law will permit no recovery. *See Stilp*, at 781; *Milliner v. Enck*, 709 A.2d 417, 418 (Pa. Super. 1998).

III. PRELIMINARY OBJECTION

A. THE COMPLAINT IS LEGALLY INSUFFICIENT AND SHOULD BE DISMISSED BECAUSE THE COMMISSION BARRED THE COMPLAINANT FROM INITIATING INFORMAL OR FORMAL COMPLAINTS AGAINST PPL ELECTRIC REGARDING THE ARREARAGES ON HER ELECTRIC SERVICE ACCOUNT UNTIL THOSE ARREARAGES ARE PAID IN FULL

11. PPL Electric incorporates by reference Paragraphs 1 through 10 as if fully set forth herein.

12. The Complaint should be dismissed as legally insufficient because the Commission barred the Complainant from initiating informal or formal complaints against PPL Electric regarding arrearages on her electric service account until her existing arrearages are paid in full.

13. As noted above, the Complainant previously filed two Formal Complaints against PPL Electric disputing the arrearages on her electric service account.

14. Both of those Complaints were dismissed by the Commission. The First Complaint was dismissed for failure to prosecute. The Second Complaint was dismissed for failure to prosecute and pursuant to the Commission's Order in the First Complaint proceeding, which barred the Complainant from filing further complaints against the Company regarding her account until her arrearages were paid in full.

15. Additionally, in his Initial Decision dismissing the First Complaint, the administrative law judge found that the Complainant engaged in a form of "identity fraud" in an attempt to escape responsibility for her arrearages. *Harilal v. PPL Electric Utilities Corp.*, Docket No. C-2019-3009714, p. 12 (Initial Decision dated Oct. 10, 2019).

16. Therefore, when adopting the Initial Decision, the Commission barred the Complainant from filing informal or formal complaints against PPL Electric regarding arrearages on her electric service account until her existing arrearages are paid in full.

17. In response to the Second Complaint, the Commission similarly ordered that, “the filing of any complaint pertaining to the arrearages which are the subject of this proceeding shall be dismissed without further proceedings.” *Harilal II*, p. 1.

18. Thus, the Complainant is legally barred from initiating any informal or formal complaints against PPL Electric until her existing arrearages are paid in full.

19. Here, the Complainant has filed yet another Complaint against PPL Electric disputing the arrearages on her electric service account. (*See* Third Complaint ¶ 4.)

20. The Complainant in the instant action is the same Complainant whose First and Second Complaints, which also challenged Complainant’s arrearage amounts, were dismissed by the Commission.

21. The Complainant’s electric service account is the same that was at issue in the First and Second Compliant proceedings.

22. Nothing in the Third Complaint establishes that the Complainant has paid in full the arrearages on her electric service account with PPL Electric.

23. As of the date of this Preliminary Objection, the Complainant has not paid her arrearages in full and has a balance in arrears with PPL Electric exceeding \$11,000.00.

24. The Complainant’s Third Complaint should be dismissed without further proceedings in accordance with the Commission’s Orders in *Harilal I* and *II*.

25. Thus, the Complainant’s Third Complaint is legally insufficient and should be summarily dismissed with prejudice pursuant to 52 Pa. Code § 5.101(a)(4).

IV. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the above-captioned Third Formal Complaint filed by Gomattie Harilal at Docket No. C-2024-3050671 be dismissed in its entirety and with prejudice pursuant 52 Pa. Code § 5.101(a)(4).

Respectfully submitted,



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Dated: September 3, 2024

Attorneys for PPL Electric Utilities
Corporation

Appendix A

Initial Decision and Final Order in the First Complaint Proceeding

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Gomattie Harilal	:	
	:	
v.	:	C-2019-3009714
	:	
PPL Electric Utilities Corporation	:	

INITIAL DECISION

Before
Benjamin J. Myers
Administrative Law Judge

INTRODUCTION

This decision dismisses the complaint filed in this matter for failure of the Complainant to appear for the hearing and prosecute the complaint. It also bars the Complainant from filing of any further complaints with the Commission until the Complainant's outstanding account balance has been paid in full due to the Complainant's abuse of the Commission's processes.

HISTORY OF THE PROCEEDING

On May 6, 2019, Gomattie Harilal (Complainant) filed a complaint with the Pennsylvania Public Utility Commission (Commission) against PPL Electric Utilities Corporation (PPL or Respondent). The complaint alleges, among other things, that upon opening an account with PPL, the Complainant's account was improperly charged with the outstanding balance of another customer.¹ By way of relief, the Complainant requested the

¹ The complaint filed in this matter was an appeal from the Commission's Bureau of Consumer Services (BCS) decision issued on March 14, 2019 in BCS No. 3627234. This decision makes reference to previous BCS decisions in BCS No. 3104628 (2013) and BCS No. 33374009 (2016) which addressed the same or similar allegations as those lodged in the instant complaint as well as previous Commission-ordered payment arrangements on which the Complainant defaulted.

criminal prosecution of individuals associated with PPL who had committed violent acts against her, compensation for her distress, monetary relief and free electricity wherever she may live.

On May 28, 2019, PPL filed an answer to the complaint. The answer admitted or denied the various averments of the complaint. However, PPL specifically denied that the Complainant had been improperly billed. PPL added that as of May 2, 2019 the Complainant had an outstanding account balance of \$11,419.99.

By notice dated May 30, 2019 the Commission scheduled this matter for an initial telephonic hearing on July 23, 2019 at 10:00 a.m. and assigned the case to me. A prehearing order was issued on June 4, 2019, addressing, inter alia, requests for continuance, subpoena procedures, attorney representation and the Commission's policy encouraging settlements. Both the hearing notice and prehearing order advised the parties that they may lose this case if they failed to appear for the hearing.

Both the notice of hearing and prehearing order were sent to the Complainant's correct address of record as it appears on the complaint. Neither the notice of hearing nor the prehearing order sent to the Complainant by the Office of Administrative Law Judge (OALJ) were returned as undeliverable by the postal authorities.

The telephonic hearing was conducted as scheduled on July 23, 2019. The Complainant failed to appear and participate in the hearing. Additional time was given for the Complainant to call into the conference number to participate in the hearing; however, the Complainant never appeared.

Upon commencement of the hearing, Attorney Kimberly Krupka, counsel for PPL, moved to dismiss the complaint for failure to appear and prosecute. The Respondent was advised that its motion would be taken under advisement.

The record closed on July 23, 2019, at the conclusion of the hearing.

At 4:39 p.m. on July 29, 2019, the Complainant sent an email to both my office and Respondent's counsel. This email made several allegations regarding the Complainant's awareness of, and failure to participate in, the telephonic hearing. At 5:13 p.m. that same day, PPL replied to Complainant's email and indicated that it objected to a request for any further hearing in this matter and outlined the number of times and manner in which the Complainant had been advised of the date and time of the telephonic hearing as well as the contact information for the OALJ. On July 30, 2019, I emailed both parties indicating that I considered the Complainant's email to be a request to reopen the record and outlined the reasons for my denial. I also indicated that I would further address this ruling in the initial decision which would be issued.² The denial of the Complainant's request to reopen the record in this matter will be discussed below.

Subsequent to the denial to reopen the record the Complainant and/or her husband, Kumar Harilal, continued emailing both the OALJ and counsel for PPL.³ These emails purported to be between the Complainant and Latchmi Persaud, an individual identified by the Complainant as an interested party and witness. As a result of the number and frequency of these emails, and most importantly the allegations being made within them, I decided to reopen the record in this matter and schedule an additional in-person hearing for August 26, 2019.⁴ A notice dated August 5, 2019 was sent to the parties scheduling them for said hearing. The notice was once again sent to the Complainant's address of record and was not returned as being undeliverable by the postal authorities.

The August 26, 2019 in-person hearing was conducted as scheduled. The Complainant did not appear for the hearing. Counsel for PPL and one witness attended the hearing who testified and sponsored six exhibits which were admitted into the record. A total of 14 ALJ exhibits comprising the Complainant's emails referenced above were presented and

² These emails were submitted to the Secretary's Bureau on July 30, 2019 to be made a part of the record in this matter.

³ Many of these emails were subsequently made a part of the record as ALJ Ex's 1-14 at the further hearing held on August 26, 2019. The allegations made within them will not be addressed in this initial decision

⁴ This matter was rescheduled for an in-person hearing on August 26, 2019, as the Complainant had indicated in one of the emails that she had never requested an initial hearing by telephone.

admitted into the record without objection. The hearing concluded at which time the record was again closed.

This matter is now ready for disposition. For the reasons discussed below, the Respondent's motion to dismiss the complaint for failure to prosecute will be granted. In addition, the Complainant will be barred from filing additional complaints regarding this matter until such time as the Complainant's outstanding account balance with the Respondent has been paid in full.

FINDINGS OF FACT

1. The Complainant in this case is Gomattie Harilal.
2. The Respondent in this case is PPL Electric Utilities Corporation.
3. The Complainant's service address is [REDACTED].
4. On May 6, 2019, the Complainant filed a complaint with the Commission against the Respondent.
5. The Respondent filed an answer to the complaint on May 28, 2019.
6. By hearing notice dated May 30, 2019, the Commission scheduled this matter for an initial telephonic hearing on July 23, 2019 at 10:00 a.m.
7. The hearing notice advised the parties that the hearing would be conducted by telephone and provided the toll-free telephone number and conference code to enter in order to participate in the hearing.

8. The hearing notice was sent to the Complainant's correct address of record and was not returned as undeliverable by the postal authorities.

9. On June 4, 2019, a prehearing order was issued to the Complainant at the same address as the hearing notice and again reminded the parties that the hearing would be conducted by telephone and that they would be required to call in to participate.

10. The prehearing order was not returned as undeliverable by the postal authorities.

11. Both the hearing notice and the prehearing order provided the parties with the contact information for the Office of Administrative Law Judge.

12. Both the hearing notice and the prehearing order advised the parties that failure to attend the hearing may result in the absent party losing the case.

13. The Complainant failed to participate in the July 23, 2019 telephonic hearing.

14. The Complainant's first contact with the Office of Administrative Law Judge occurred on July 29, 2019, six days after the telephonic hearing had been conducted and the record had closed.

15. In the July 29, 2019 email, the Complainant provided two reasons for her failure to participate in the July 23, 2019 telephonic hearing: 1) She did not receive a letter informing her that the hearing was scheduled to occur on July 23 until July 29, 2019; and 2) She had received a letter from counsel for PPL on July 23, 2019 which had the date and time of the hearing but did not provide a telephone number.

16. By hearing notice dated August 5, 2019, this matter was scheduled for an in-person hearing on August 26, 2019 at 10:00 a.m.

17. The August 5, 2019 hearing notice was sent to the Complainant's correct address of record and was not returned as undeliverable by the postal authorities.

18. The Complainant failed to appear and participate in the August 26, 2019 in-person hearing.

19. At the time of the August 26, 2019 hearing, the Complainant's account at Account No. [REDACTED] had an outstanding account balance of \$11,517. Tr. at 13; PPL Exhibit 1.

DISCUSSION

Complainant's Failure to Appear

Administrative agencies, such as the Commission, are required to provide due process to the parties appearing before them. Schneider v. Pa. Pub. Util. Comm'n., 479 A.2d 10 (Pa.Cmwlth. 1984). This due process requirement is satisfied, however, when the administrative agency provides the parties notice and the opportunity to be heard. Id.

The Commission sent notice of the telephonic hearing in this case to the Complainant on May 30, 2019, by regular first-class mail to the address of record. This notice scheduled the parties for a call-in telephonic hearing on July 23, 2019. This notice specifically advised the parties that the hearing would be conducted by telephone and provided the toll-free telephone number and conference code in order to participate in the hearing. This notice was never returned to the Commission as being undeliverable by the postal authorities. The notice also advised the parties that they may lose this case if they fail to appear and participate in the hearing.

A prehearing order was issued on June 4, 2019, which again provided the parties with information on how to participate in the hearing by telephone. The prehearing

order, which was again mailed to the Complainant at her address of record, was never returned as being undeliverable by the postal authorities.

A second notice of hearing was sent to the Complainant on August 5, 2019, scheduling this matter for an additional, in-person hearing on August 26, 2019. It was again mailed to the Complainant at her address of record and was never returned as being undeliverable by the postal authorities.

Given that none of the documents sent to the Complainant's address of record was ever returned as undeliverable, it must be presumed that these documents were received by the Complainant. Berkowitz v. Mayflower Securities, Inc., 317 A.2d 584 (Pa. 1974); Meierdierck v. Miller, 147 A.2d 406 (Pa. 1959); Samaras v. Hartwick, 698 A.2d 71 (Pa.Super. 1997); Judge v. Celina Mutual Insurance Co., 449 A.2d 658 (Pa.Super. 1982).

Both parties were properly notified of the date and time of the July 23, 2019 telephonic hearing in this matter as well as the manner in which to call in to participate in the hearing. Despite multiple notices providing that information, the Complainant did not call into the conference number on the scheduled date and did not participate in the hearing despite being given additional time to do so. It was not until July 29, 2019, six days after the hearing (and the close of the record), that Complainant contacted OALJ via email regarding her failure to appear.

Because the record had closed at the conclusion of the hearing, Complainant's email will be viewed as a request to reopen the record.

The Commission's Rules of Practice and Procedure permit a party to petition to reopen the record in a proceeding at any time after the record is closed but before a final decision is issued for the purpose of taking additional evidence. 52 Pa.Code § 5.571(a). The party seeking to reopen the record has the burden to set forth the grounds requiring reopening the record, including a material change of fact or law that has occurred since the conclusion of the hearing. 52 Pa.Code § 5.571(b). The presiding officer may reopen the record if the presiding officer has not issued a decision or certified the record to the Commission and

determines that there has been a material change of law or fact or that it is in the public interest to reopen the record. 52 Pa.Code § 5.571(d).

The Complainant's July 29, 2019 email does not comply with 52 Pa.Code § 5.571, as it does not fulfill the general requirements of a petition set forth in 52 Pa.Code § 5.41. The regulation at 52 Pa.Code § 1.2(a) provides that the presiding officer or the Commission may disregard an error or defect of procedure which does not affect the substantive rights of the parties.

I will ignore the procedural defects of the Complainant's request and treat the July 29, 2019 email as a petition to reopen the record filed pursuant to 52 Pa.Code § 5.571 in order to secure a just, speedy and inexpensive determination of this proceeding pursuant to 52 Pa.Code § 1.2(a). This will not adversely affect the Respondent's substantive rights, pursuant to 52 Pa.Code § 1.2(c), since it had notice of the Complainant's request for another hearing and an opportunity to respond.

Having decided to treat the Complainant's July 29, 2019 email as a petition to reopen pursuant to 52 Pa. Code § 5.571, I will now address the merits of the Complainant's request. As stated above, the Complainant was scheduled to participate in the July 23, 2019 hearing by telephone. The Complainant did not call in to the hearing as scheduled and this therefore constitutes a failure to appear by the Complainant.

The Commission has addressed reopening the record where the complainant failed to be available for a telephonic hearing. In Nestorick v. UGI Utilities, Inc., Docket No. C-2010-2202901 (Order entered February 16, 2012) (Nestorick), the Commission denied a complainant's request to reopen the record where the complainant was not home at the time scheduled for a telephonic hearing. In support of her request to reopen the record, the Complainant claimed that the Commission had not notified her of the hearing.

In denying the complainant's request to reopen the record, the Commission in Nestorick observed that it had mailed a hearing notice to the complainant at her address and that the hearing notice had not been returned to the Commission as undeliverable. The Commission

in Nestorick therefore concluded that the complainant received notice of the hearing. The Commission in Nestorick stated that, once the Commission provides notice of a hearing, it is the responsibility of the parties to be present for the hearing. As discussed above, the Complainant had notice and the responsibility to be present for the July 23, 2019 telephonic hearing.

However, the Commission's Rules of Practice and Procedure recognize that there may be circumstances where the complainant's failure to appear at a hearing may be beyond her control and reopening the record is appropriate. Pursuant to 52 Pa.Code § 5.245(a), where the complainant has failed to appear for a hearing, she shall not be permitted to reopen the record unless the presiding officer determines that the failure to appear was unavoidable and the interests of the other parties would not be prejudiced.

The Commission has discussed what constitutes an unavoidable failure to appear. In Bethay v. PECO Energy Company, Docket No. F-2011-2266250 (Order entered August 2, 2012) (Bethay) the Commission denied the complainant's request to reopen the record where the complainant did not appear for a hearing because she was hospitalized for knee replacement surgery.

In Bethay, the Commission found that the Commission had mailed a hearing notice to the complainant at her address and that the hearing notice had not been returned to the Commission as undeliverable. The Commission therefore concluded that the complainant received notice of the hearing and that it was her responsibility to be present for the hearing. The Commission stated that, while it appeared that the complainant would have had good cause to request a continuance, she had not done so. The Commission also noted that the complainant had the time and opportunity to request a continuance and notify the Commission of her scheduled surgery but failed to do so. The Commission therefore concluded that the complainant's failure to appear at the hearing was not unavoidable.

In the Complainant's July 29, 2019 email request, the Complainant made several allegations regarding her alleged lack of awareness of, and failure to participate in, the telephonic hearing. First, the Complainant argued that it was not until July 29, 2019 – 61 days after the

notice of hearing was mailed to the Complainant – that she received a letter informing her that a hearing had been scheduled for July 23, 2019.⁵ Given that the notice of hearing was mailed to the Complainant on May 30, 2019 and the prehearing order was mailed on June 4, 2019, and neither were returned to the Commission as being undeliverable, the Complainant’s allegation that she did not receive notice of the scheduled hearing in this matter until July 29, 2019 is not credible.

In addition, the Complainant alleged that she was unaware of the July 23, 2019 hearing until July 29, 2019. This is contradicted by the other assertions the Complainant made in her July 29, 2019 email request. The Complainant indicated in her email that she received a letter from PPL’s counsel on July 23, 2019 which advised her of “the date and time of the hearing” but “no phone number”. On one hand the Complainant has alleged she was unaware of the July 23, 2019 hearing until July 29, 2019 while on the other she received correspondence from PPL on July 23, 2019 – the day of the hearing – indicating the hearing was occurring that very day.

Last, the Complainant failed to provide a reasonable explanation for her delay in contacting OALJ with her request to reopen the record. In PPL’s answer to the Complainant’s request, counsel indicated that upon returning to her office after the hearing on July 23, 2019, she received an email from the Complainant which had been sent to her at 10:15 a.m.⁶ In response at 10:52 a.m., counsel informed the Complainant that the hearing had been conducted as scheduled and advised her to contact OALJ regarding her failure to attend the hearing. Counsel further provided the Complainant with the telephone number for OALJ at that time. Despite receiving this information from Respondent’s counsel via email at 10:52 a.m. on July 23, 2019, the Complainant did not contact OALJ until the late afternoon of July 29, 2019. The Complainant failed to provide a reasonable explanation for such a delay.

⁵ Given that the Complainant’s email also makes reference to correspondence she received from PPL which included the date and time of the hearing, the “letter” to which the Complainant is referring must either be the notice of hearing or prehearing order issued on May 30 and June 4, 2019 respectively.

⁶ It is noted that despite Complainant’s allegation that she was unaware of the date and time of the hearing, the Complainant was coincidentally sending this email at the exact time the hearing was being conducted.

The Complainant as the party seeking to reopen the record has the burden to set forth the grounds which require the reopening the record, including a material change of fact or law that has occurred since the conclusion of the hearing. 52 Pa.Code § 5.571(b). The Complainant has provided no such credible grounds. While the Commission's Rules of Practice and Procedure recognize that there may be circumstances where the Complainant's failure to appear at a hearing may be beyond her control and reopening the record is appropriate. Pursuant to 52 Pa.Code § 5.245(a), where the complainant has failed to appear for a hearing, she shall not be permitted to reopen the record unless the presiding officer determines that the failure to appear was unavoidable and the interests of the other parties would not be prejudiced. The Complainant has failed to demonstrate any such unavoidable circumstances or any reason for the long delay in contacting OALJ with her request to reopen the record which closed at the conclusion of the July 23, 2019 hearing.

The Complainant's July 29, 2019 request to reopen the record was therefore properly denied.

Respondent's Motion to Dismiss

Section 332(a) of the Public Utility Code, 66 Pa.C.S. § 332(a), places the burden of proof upon the proponent of any request for relief. As the party bringing this complaint, the Complainant bears the burden of proving by a preponderance of the evidence that she is entitled to relief. By failing to participate at two scheduled hearings and proffer any evidence to support her complaint, the Complainant has failed to meet this burden. Jefferson v. UGI Utilities, Inc., Docket No. Z-00269892 (Opinion and Order entered December 26, 1995); El-Ayazra v. West Penn Power Company, Docket No. F-2015-2509292 (Opinion and Order entered June 30, 2016); 52 Pa.Code § 5.245.

The Respondent's motion to dismiss the complaint as a result of the Complainant's failure to prosecute will therefore be granted.

Complainant's Email Correspondence

It should be noted that the record in this matter was later reopened *sua sponte* as a result of the various continuing allegations the Complainant and/or her husband made via a chain of emails which have been admitted to the record as ALJ exhibits 1 through 14.⁷ Due to the ongoing inappropriate nature of those emails and allegations made within them, a second hearing was scheduled for August 26, 2019 by hearing notice dated August 5, 2019, which was sent to the Complainant at her address of record. That August 5, 2019 notice was never returned as being undeliverable by the postal authorities. The Complainant was therefore duly notified of the August 26, 2019 hearing but again chose not to appear.

As discussed at the August 26, 2019 hearing, the Complainant's course of conduct with respect to this email chain is troubling. This chain purports to be between the Complainant and an individual named Latchmi Persaud, identified by the Complainant as an interested party and witness in this matter. In fact, in this email chain the Complainant and Latchmi Persaud repeatedly allege that the Respondent is improperly attempting to make the Complainant responsible for an outstanding account balance belonging to Ms. Persaud.

However, PPL Ex. No. 4 is an obituary that identifies Ms. Persaud as the Complainant's deceased mother who passed away on February 12, 2016, and that the Complainant's husband is Kumar – the same name used in the email address in correspondence with Ms. Persaud.

In short, the Complainant and her husband have engaged in a type of identity fraud. The Complainant has pretended to correspond with Latchmi Persaud, who is deceased, in an attempt to mislead the Commission into believing that Ms. Persaud is 1) a material witness in this matter who was prevented from providing testimony at a hearing, and 2) the person actually

⁷ The emails contain allegations that the Complainant was denied notice and the opportunity to participate in a hearing as a result of racism, discrimination, inappropriate *ex parte* communication and corruption as well as various other allegations. These allegations are not addressed in this initial decision as it is based solely on the Complainant's failure to appear and prosecute her complaint at two separate scheduled hearings and her abuse of the Commission's processes by engaging in the fraudulent behavior described herein.

responsible for the Complainant's outstanding account balance. The Complainant has attempted to manipulate and abuse the Commission's processes by engaging in behavior clearly designed to perpetuate a fraud and attempt to escape responsibility for an outstanding account balance in excess of \$11,000.

There is ample Commission precedent to support the preclusion of a party from filing further informal or formal complaints when the party has abused the regulatory process.⁸ See, Seidenstricker v. Metropolitan Edison Co., Docket No. F-2008-2019388 (Final Order entered July 28, 2009) (Seidenstricker). In Seidenstricker, the Commission precluded the filing of further complaints pertaining to the same account until the arrearage was paid in full after finding that Complainant had abused the system by using the Commission's provisions to prevent termination of service while receiving utility service and accruing a large outstanding balance. See also, Thomas v. The Peoples Natural Gas Co., Docket No. C-2009-2102194 (Opinion and Order entered June 17, 2010); Mazza v. PECO Energy Co., Docket No. C-2012-2318472 (Opinion and Order entered April 23, 2014); Argento's Pizza v. Philadelphia Gas Works, Docket No. C-2009-2138055 (Final Order entered October 1, 2010).

Deceptively creating a chain of emails between a complainant and a person who is deceased serves no other purpose but to perpetuate a fraud and wastefully expend the Commission's resources. Fraudulent behavior intended to delay a proceeding, obtain an additional hearing, mislead the Commission or escape responsibility for an outstanding utility account balance are clear abuses of the regulatory process. Such abuses are an attempt to use the Commission's provisions to prevent termination of service while continuing to receive utility service and accrue an ever-larger outstanding account balance. The Complainant and her husband will therefore be barred from filing any further informal or formal complaints pertaining to the account with Respondent until such time as the outstanding balance on the account is paid in full.

⁸ While previous Commission decisions regarding abuse of process have typically involved complainants who file multiple complaints, request multiple continuances and/or continually fail to appear at scheduled hearings, the course of conduct by the Complainant here is no less of an attempt to abuse the Commission's provisions and hearing process. The Complainant's sole purpose is to prevent or delay termination of service while continuing to receive utility service and accrue - and ultimately escape - an even larger outstanding account balance.

Conclusion

The Respondent's motion to dismiss the complaint in this matter for failure to prosecute will be granted. This dismissal will be with prejudice as the Complainant has engaged in a course of behavior to delay and disrupt the adjudication of this matter and therefore unnecessarily expended both the Commission's and the Respondent's time and resources. To prevent the needless expenditure of future additional Commission resources, the Complainant and her husband will be barred from filing any further formal or informal complaints with the Commission pertaining to the account with Respondent until such time as the outstanding balance on the account has been paid in full.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter of and the parties to this proceeding. 66 Pa.C.S. § 701.
2. The Commission's duty as an administrative agency to provide due process to the parties appearing before it is satisfied when it provides the parties notice and the opportunity to be heard. Schneider v. Pa. Pub. Util. Comm'n., 479 A.2d 10 (Pa.Cmwlth. 1984).
3. Mail which has never been returned as undeliverable must be presumed to have been received by the Complainant. Berkowitz v. Mayflower Securities, Inc., 317 A.2d 584 (Pa. 1974); Meierdierck v. Miller, 147 A.2d 406 (Pa. 1959); Samaras v. Hartwick, 698 A.2d 71 (Pa.Super. 1997); Judge v. Celina Mutual Insurance Co., 449 A.2d 658 (Pa.Super. 1982).
4. By failing to participate in the hearing and proffer any evidence to support the complaint, the Complainant has failed to meet her burden of proving that she is entitled to the relief that she seeks from the Commission. 66 Pa.C.S. § 332(a).

5. Failure by a complainant to appear for a scheduled hearing of which the complainant had notice warrants dismissal of the complaint with prejudice. Jefferson v. UGI Utilities, Inc., Docket Number Z-00269892 (Opinion and Order entered December 26, 1995; Jones v. The Peoples Natural Gas Company d/b/a Dominion Peoples, Docket Number C-20054885 (Opinion and Order entered February 14, 2006).

6. There is ample Commission precedent to support the preclusion of a party from filing further informal or formal complaints when the party has been an abuser of the system. Seidenstricker v. Metropolitan Edison Co., Docket No. F-2008-2019388 (Final Order entered July 28, 2009). See also, Thomas v. The Peoples Natural Gas Co., Docket No. C-2009-2102194 (Opinion and Order entered June 17, 2010; Argento's Pizza v. Philadelphia Gas Works, Docket Nos. C-2009-2138055 and C-2010-2167822 (Final Order entered October 1, 2010).

7. Complainant has abused the Commission's administrative processes by deceptively creating a chain of emails between the Complainant and a person who is deceased to delay, mislead and expend the Commission's resources in order to prevent termination of service while attempting to escape responsibility for an outstanding account balance.

8. Complainants who have engaged in the abuse of the Commission's administrative processes may be precluded from filing further complaints with the Commission and Commission staff, including the Commission's Bureau of Consumer Services and the Secretary's Bureau, may reject any complaint that a complainant or any person acting on their behalf may attempt to file with the Commission until the entire outstanding account balance has been paid in full. Mazza v. PECO Energy Co., Docket No. C-2012-2318472 (Opinion and Order entered April 23, 2014).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the motion of PPL Electric Utilities Corporation to dismiss the complaint for failure to prosecute is granted.

2. That the complaint of Gomattie Harilal against PPL Electric Utilities Corporation at Docket No. C-2019-3009714 is dismissed with prejudice.

3. That Gomattie Harilal, and her husband Kumar Harilal, are precluded from filing any further complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on Account No. [REDACTED] for electric service rendered by PPL Electric Utilities Corporation, until such time as the entire outstanding account balance has been paid in full.

4. That the filing of any complaint pertaining to the arrearages which are the subject of this proceeding shall be dismissed without further proceedings.

5. That Commission staff, including the Commission's Bureau of Consumer Services and the Secretary's Bureau, shall reject any formal or informal complaint that Gomattie Harilal or her husband Kumar Harilal, or any person acting on their behalf, may attempt to file with the Commission, pertaining to Account No. [REDACTED], until the entire outstanding account balance has been paid in full.

6. That the filing of any other pleadings in this case concerning the same subject matter shall not be deemed a stay on the implementation of this order.

7. That PPL Electric Utilities Corporation shall file a notice with the Commission, with a copy to all parties to this proceeding, at Docket No. C-2019-3009714, within seven (7) days of the date that outstanding balance for Account No. [REDACTED] has been paid in full.

8. That the failure to pay the outstanding account balance for Account No. [REDACTED] shall be deemed grounds for termination of service in accordance with Chapters 56 and 64 of the Commission's rules of administrative practice and procedure.

9. That a copy of this decision shall be served to the Commission's Bureau of Consumer Services and the Secretary's Bureau.

10. That the case at Docket No. C-2019-3009714 shall be marked closed.

Date: October 10, 2019

/s/
Benjamin J. Myers
Administrative Law Judge

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Gomattie Harilal	:	
	:	
v.	:	C-2019-3009714
	:	
PPL Electric Utilities Corporation	:	

FINAL ORDER

In accordance with the provisions of Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), the decision of Administrative Law Judge Benjamin J. Myers dated October 10, 2019, has become final without further Commission action;

THEREFORE,

IT IS ORDERED:

1. That the motion of PPL Electric Utilities Corporation to dismiss the complaint for failure to prosecute is granted.
2. That the complaint of Gomattie Harilal against PPL Electric Utilities Corporation at Docket No. C-2019-3009714 is dismissed with prejudice.
3. That Gomattie Harilal, and her husband Kumar Harilal, are precluded from filing any further complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on Account No. [REDACTED] for electric service rendered by PPL Electric Utilities Corporation, until such time as the entire outstanding account balance has been paid in full.

4. That the filing of any complaint pertaining to the arrearages which are the subject of this proceeding shall be dismissed without further proceedings.

5. That Commission staff, including the Commission's Bureau of Consumer Services and the Secretary's Bureau, shall reject any formal or informal complaint that Gomattie Harilal or her husband Kumar Harilal, or any person acting on their behalf, may attempt to file with the Commission, pertaining to Account No. [REDACTED], until the entire outstanding account balance has been paid in full.

6. That the filing of any other pleadings in this case concerning the same subject matter shall not be deemed a stay on the implementation of this order.

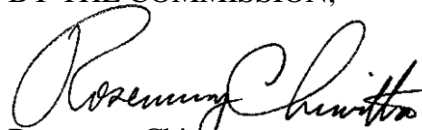
7. That PPL Electric Utilities Corporation shall file a notice with the Commission, with a copy to all parties to this proceeding, at Docket No. C-2019-3009714, within seven (7) days of the date that outstanding balance for Account No. [REDACTED] has been paid in full.

8. That the failure to pay the outstanding account balance for Account No. [REDACTED] shall be deemed grounds for termination of service in accordance with Chapters 56 and 64 of the Commission's rules of administrative practice and procedure.

9. That a copy of this decision shall be served to the Commission's Bureau of Consumer Services and the Secretary's Bureau.

10. That the case at Docket No. C-2019-3009714 shall be marked closed.

BY THE COMMISSION,


Rosemary Chiavetta
Secretary

(SEAL)

ORDER ENTERED: December 4, 2019

PPL Electric Exhibit B

Initial Decision and Final Order in the Second Complaint Proceeding

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Gomattie Harilal	:	
	:	
v.	:	C-2021-3027573
	:	
PPL Electric Utilities Corporation	:	

INITIAL DECISION

Before
John M. Coogan
Administrative Law Judge

INTRODUCTION

This Initial Decision grants a motion to dismiss for failure to prosecute because the Complainant failed to appear for the hearing at the designated date and time despite being given notice of the hearing. The Initial Decision also bars the Complainant or her husband from filing any further complaints with the Commission until the Complainant’s outstanding account balance has been paid in full due to the Complainant’s and her husband’s abuse of the Commission’s process.

HISTORY OF THE PROCEEDING

On July 29, 2021, Gomattie Harilal (Complainant or Ms. Harilal) filed a formal complaint with the Pennsylvania Public Utility Commission (Commission) against PPL Electric Utilities Corporation (PPL), docket number C-2021-3027573. In her complaint, Ms. Harilal averred that there are incorrect charges on her bill for Account No. [REDACTED], PPL is threatening to shut of her service or has already shut off her service, and that PPL refuses to provide her information in writing. Attached to Ms. Harilal’s complaint is a one-page hand-written letter that contains several allegations, including: PPL sent her a termination letter, and

she wrote to PPL, but PPL “refuse[d] to write back”; Ms. Harilal filed an informal complaint, but it was handled by “white conspiracy investigators that hated [her] skin color”; the “white conspiracy investigators assumed [her] identity and conspired with PPL”; Ms. Harilal “never authoriz[ed the] PUC white conspiracy investigators to accept anything from PPL on [her] behalf”; the “white conspiracy investigators never provided [her] with any documents that PPL provided”; and that Ms. Harilal still does “not have any legal documents from PUC white conspiracy investigators about [her] case [number] 3783124.” The hand-written letter also requests a jury trial, a fair judge, and “no white conspiracy judge.” As relief, Ms. Harilal requests that PPL be told to “answer [her] questions and all answers [have] to be written on official documents.”

On August 25, 2021, PPL filed an answer to Ms. Harilal’s complaint. In its answer, PPL admitted or denied the various averments in the complaint. In particular, PPL admitted that on March 2, 2021, it rendered a residential termination notice with a proposed termination date in April. However, PPL denied incorrect charges appear on Complainant’s bill and asserted that, as of April 26, 2021, Account No. [REDACTED] had an overdue balance of \$10,884.38. Further, PPL’s answer highlighted language from a Commission final order dated December 4, 2019 at docket number C-2019-3009714 (December 4, 2019 Order), which precludes Complainant and her husband, Kumar Harilal, from filing further complaints with the Commission until the entire outstanding balance for Account No. [REDACTED] has been paid in full. Lastly, PPL denies both that Ms. Harilal has not received notice or communication regarding subsequent complaints, or that there has been a case or decision from the PUC’s Bureau of Consumer Services for a case docketed at 3783124.

Also on August 25, 2021, PPL filed preliminary objections in response to Ms. Harilal’s complaint. In its preliminary objections, which was accompanied by a notice to plead, PPL objected to Ms. Harilal’s allegations regarding PPL and its employees and/or agents as racists and conspirers. PPL avers such allegations are purely scandalous, impertinent, and wildly unfounded, and therefore, per 52 Pa. Code § 5.101(a)(2), such language should be stricken from the complaint. PPL further averred Ms. Harilal has failed to pay the balance on Account No. [REDACTED] since issuance of the December 4, 2019 Order, and, per the December 4, 2019

Order, Ms. Harilal is prohibited from filing a complaint. Therefore, PPL concludes Ms. Harilal's complaint was docketed in error and Ms. Harilal lacks standing to bring a claim against PPL pursuant to 52 Pa. Code § 5.101(a)(5).

On August 26, 2021, the Commission issued an initial telephonic hearing notice setting a formal call-in telephonic hearing for this matter for September 30, 2021, at 10:00 a.m. and assigning me as the presiding officer. In anticipation of that hearing, I issued a prehearing order on September 1, 2021, setting forth various rules that would govern that proceeding.

Ms. Halilal's answer to the preliminary objections was due no later than September 7, 2021. No answer was filed. On September 10, 2021, I issued an order granting in part and denying in part PPL's preliminary objections. PPL's preliminary objections regarding allegations that PPL and its employees and/or agents are racists and conspirers was stricken from the complaint. However, PPL's request that the complaint be dismissed for lack of standing was denied.

On September 28, 2021, I received an e-mail from Kumar Harilal, Ms. Harilal's husband, stating he was unavailable for a hearing on September 30, 2021 for religious reasons. On September 29, 2021, counsel for PPL indicated by e-mail they would not object to Mr. Harilal's request for a continuance. On September 29, 2021, I informally granted Mr. Harilal's request for a continuance, and canceled the September 30, 2021 hearing. A revised initial telephonic hearing notice was issued on September 29, 2021, canceling the September 30, 2021 hearing, and providing instructions to participate in the October 20, 2021 telephonic hearing. On September 30, 2021, I issued a formal order, continuing the September 30, 2021 hearing to October 20, 2021.

The initial hearing convened on October 20, 2021, as scheduled. Kimberly Krupka, Esquire, appeared on behalf of PPL. PPL presented the testimony of Tami Roland, a Senior Customer Service Representative with PPL. PPL offered one exhibit, which was admitted into the record. (PPL Exhibit 1). No one appeared on behalf of the Complainant.

The record in this case consists of the transcript of 20 pages and one PPL exhibit. The record closed on November 5, 2021, upon my receipt of the hearing transcript. For the reasons discussed below, the complaint will be dismissed.

FINDINGS OF FACT

1. The Complainant in this case is Gomattie Harilal.
2. The Respondent in this case is PPL Electric Utilities Corporation.
3. Complainant's account number with PPL is [REDACTED].
4. The service address is [REDACTED].

PPL Exhibit 1.

5. PPL Exhibit 1 is an account activity statement for Complainant's PPL account for the service address from October 10, 2017, to September 30, 2021. PPL Exhibit 1.

6. The August 26, 2021 hearing notice stated that a party may lose the case if it does not take part in the hearing and present facts on the issues raised. Tr. 5.

7. The September 1, 2021 prehearing order stated that a party may lose the case if it does not take part in the hearing and present facts on the issues raised. Tr. 5.

8. The September 29, 2021 rescheduled hearing notice stated that a party may lose the case if it does not take part in the hearing and present facts on the issues raised. Tr. 6.

9. The hearing convened at 10:00 a.m. on October 20, 2021, as scheduled. Tr. 4-19.

10. No one appeared on behalf of Gomattie Harilal at the hearing on October 20, 2021. Tr. 4-19.

11. At 10:22 a.m. on October 20, 2021, Kumar Harilal sent an e-mail to Administrative Law Judge Coogan and counsel for PPL, stating he had not had telephone service for the past hour. Tr. 8.

12. As of December 4, 2019, the balance on Complainant's PPL account was \$11,493.21. Tr. 15; PPL Exhibit 1.

13. Complainant's PPL account balance as of December 4, 2019, has not been paid in full. Tr. 16; PPL Exhibit 1.

14. Complaint's PPL account balance as of the October 20, 2021 hearing was \$10,829.92. Tr. 16; PPL Exhibit 1.

DISCUSSION

As an initial matter, it is noted that, per Commission Order issued on December 4, 2019, at docket number C-2019-3009714 (December 4, 2019 Order), Ms. Harilal should have been precluded from filing the current formal complaint. Specifically, the Commission ordered that neither Gomattie Harilal nor her husband, Kumar Harilal, would be allowed to file a formal or informal complaint until the entire outstanding account balance at issue in the 2019 proceeding had been paid in full. *Id.* at O.P. 3. The Commission's December 4, 2019 Order states in relevant part:

3. That Gomattie Harilal, and her husband Kumar Harilal, are precluded from filing any further complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on Account No. [REDACTED] for electric service rendered by PPL Electric Utilities Corporation, until such time as the entire outstanding account balance has been paid in full.

4. That the filing of any complaint pertaining to the arrearages which are the subject of this proceeding shall be dismissed without further proceedings.

5. That Commission staff, including the Commission's Bureau of Consumer Services and the Secretary's Bureau, shall reject any formal or informal complaint that Gomattie Harilal or her husband Kumar Harilal, or any person acting on their behalf, may attempt to file with the Commission, pertaining to Account No. [REDACTED], until the entire outstanding account balance has been paid in full.

6. That the filing of any other pleadings in this case concerning the same subject matter shall not be deemed a stay on the implementation of this order.

7. That PPL Electric Utilities Corporation shall file a notice with the Commission, with a copy to all parties to this proceeding, at Docket No. C-2019-3009714, within seven (7) days of the date that outstanding balance for Account No. [REDACTED] has been paid in full.

December 4, 2019 Order.

Nonetheless, Complainant was provided an opportunity for a hearing because, based solely on the pleadings, there were no facts in evidence to dismiss the formal complaint pursuant to the December 4, 2019 Order without a hearing. Specifically, when viewing the complaint in the light most favorable to the Complainant and accepting as true all well pleaded materials facts, as is required when disposing of preliminary objections, I considered the possibility that Ms. Harilal paid the arrearages that were subject of the Commission's December 4, 2019 Order, and that the current dispute was in regard to new arrearages only. Therefore, although PPL filed preliminary objections, Ms. Harilal's complaint was not denied for lack of standing, and the initial hearing was scheduled for September 30, 2021.

In this proceeding, based on a reading of her complaint, Ms. Harilal averred that there are incorrect charges on her bill for her PPL account number [REDACTED], PPL is threatening to shut of her service or has already shut off her service, and that PPL refuses to provide her information in writing. As the party seeking relief, Ms. Harilal has the burden of

proof in this proceeding. 66 Pa.C.S. § 332(a). To establish a sufficient case and satisfy the burden of proof, the complainant must show that the respondent public utility is responsible or accountable for the problem described in the complaint. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa. PUC 196 (1990); *Feinstein v. Phila. Suburban Water Co.*, 50 Pa. PUC 300 (1976). Such a showing must be by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa. Cmwlth. 1990), *alloc. den.*, 602 A.2d 863 (Pa. 1992). That is by presenting evidence more convincing, by even the smallest amount, than that presented by the other party. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950). The offense must be a violation of the Public Utility Code, the Commission's regulations, or an outstanding order of the Commission. 66 Pa.C.S. § 701.

Administrative agencies, such as the Commission, are required to provide due process to the parties appearing before them. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984) (*Schneider*). This due process requirement is satisfied when the parties are afforded notice and the opportunity to be heard. *Id.*

The Commission's *Emergency Order re Suspension of Regulatory and Statutory deadlines, Modification to Filing and Service Requirements* at Docket No. M-2020-3019262 (Order entered March 20, 2021) (Emergency Order), provides that service by the Commission on parties will be exclusively electronic during the pendency of the Proclamation of Disaster Emergency (Proclamation). Although the Proclamation is no longer in effect, the notices and orders in this proceeding were sent while the Proclamation was still in effect. *See Suspension of Regulatory and Statutory Deadlines; Modification to Filing and Service Requirements*, Docket No. M-2020-3019262 (Order entered July 15, 2021) (adopting September 30, 2021 as the expiration date for the Emergency Order). However, in this case, notices and orders have been sent to Complainant via USPS first-class mail because the Office of Administrative Law Judge was notified that Complainant did not have adequate e-mail service to access notices and orders. Specifically, by e-mail dated August 30, 2021, Ms. Harilal's husband, Mr. Harilal, informed the Office of Administrative Law Judge that he was unable to open e-mail attachments, and requested that notices be mailed. Although the Complainant is Gomattie Harilal, e-mail communications have been with Mr. Harilal because it is his address listed as the e-mail contact

on the complaint. The formal complaint listed Complainant's home address as the contact to use for mail communication. Therefore, all notices and orders from the Office of Administrative Law Judge to Complainant have been sent by first-class mail to the USPS mailing address identified by Complainant in her Complaint.

Notice mailed to a party's last known address and not returned by the post office is presumed to have been received. *Harvey v. PECO Energy Co.*, Docket No. C-2018-3002514 (Opinion and Order entered December 20, 2018). The prehearing order and both hearing notices were sent to Ms. Harilal by first-class mail and none were returned to the Commission as undeliverable. Accordingly, it must be presumed that these documents sent to Ms. Harilal were received by Ms. Harilal. *Id.* Of note, the hearing notices and the prehearing order states that, if a party fails to participate in the hearing, the hearing may proceed without that party and a decision may be entered against that party.

Ms. Harilal was provided notice and an opportunity to be heard in this proceeding, but chose not to appear. Therefore, Ms. Harilal's due process rights have been fully protected. *See Mumma v. PPL Elec. Utils. Corp.*, Docket No. C-00014869 (Opinion and Order entered January 24, 2002).

Additionally, Commission regulations address circumstances where a party fails to appear in a proceeding. Section 5.245 provides:

§ 5.245. Failure to appear, proceed or maintain order in proceedings.

(a) After being notified, a party who fails to be represented at a scheduled conference or hearing in a proceeding will:

- (1) Be deemed to have waived the opportunity to participate in the conference or hearing.
- (2) Not be permitted thereafter to reopen the disposition of a matter accomplished at the conference or hearing.

(3) Not be permitted to recall witnesses who were excused for further examination.

52 Pa. Code § 5.245(a).

During the hearing, counsel for PPL introduced evidence that Complainant's PPL account balance as of December 4, 2019, has not been paid in full. Tr. 15-16; PPL Exhibit 1. Counsel for PPL moved to have the complaint dismissed both for lack of prosecution and because the Commission's December 4, 2019 Order precludes further contest of the charges. Tr. 8, 18. I agree with PPL that the Complainant's entire outstanding account balance at issue in the 2019 proceeding has not been paid in full. Specifically, as of December 4, 2019, the balance on Complainant's PPL account was \$11,493.21. Tr. 15; PPL Exhibit 1. Although payments have been made to Complainant's PPL account since December 4, 2019, they have not come close to equaling the amount owed at the time of the December 4, 2019 Order. Tr. 16; PPL Exhibit 1. Since December 4, 2019, the lowest balance Complainant's PPL account ever reached was \$10,599.38. PPL Exhibit 1. Therefore, the Commission's December 4, 2019 Order serves as an independent basis for why the formal complaint should be dismissed. Because she did not appear and present any evidence, Ms. Harilal failed to both carry her burden in support of her complaint and demonstrate that she is not precluded from filing a complaint. Thus, it is appropriate to dismiss the complaint. *See Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Order entered December 26, 1995).

Further, Ms. Harilal's husband, Mr. Harilal, contacted me and counsel for PPL by e-mail during the October 20, 2021 hearing, claiming that he was having trouble calling into the hearing with his phone. Specifically, by e-mail sent at 10:22 a.m., Mr. Harilal claimed that he had no telephone service for an hour, and that he was going to attempt to find service. Although technological problems are sometimes understandable, I do not find Mr. Harilal's assertions credible. The 10 a.m. start time for the hearing was initially delayed for fifteen minutes for Mr. or Ms. Harilal to call in. The hearing was paused again after receiving Mr. Harilal's 10:22 a.m. e-mail. Ultimately, the hearing was adjourned at 10:44 a.m., and still neither Mr. or Ms. Harilal had called in. I do not find it credible that Mr. or Ms. Harilal were either without or could not obtain phone service between approximately 9:22 a.m. and 10:44 a.m. Complainant was

provided with multiple notices that she may lose her case if she does not participate in the proceeding. No explanation has ever been provided why there has been no communications or appearances at any time from the named Complainant, Gomattie Harilal. Additionally, Mr. Harilal did not explain why e-mail service was available to him during the October 20 hearing, but phone service was not.

It should be noted that, per the Commission's December 4, 2019 Order, the Harilals were barred from filing further complaints with the Commission because ALJ Benjamin Myers in 2019 found that Complainant had abused the Commission's process. *Harilal v. PPL Elec. Utils. Corp.*, Docket No. C-2019-3009714 (Initial Decision dated October 10, 2019) (October 10, 2019 Initial Decision). The Commission may preclude a party from filing further informal or formal complaints when the party has abused the regulatory process. *Potora v. UGI Penn Nat. Gas, Inc.*, Docket No. C-2018-3003485 (Opinion and Order entered August 8, 2019); *Mazza v. PECO Energy Co.*, Docket No. C-2012-2318472 (Opinion and Order entered April 23, 2014); *Argento's Pizza v. Phila. Gas Works*, Docket No. C-2009-2138055 (Final Order entered October 1, 2010); *Thomas v. Peoples Nat. Gas Co.*, Docket No. C-2009-2102194 (Opinion and Order entered June 17, 2010); *Seidenstricker v. Metro. Edison Co.*, Docket No. F-2008-2019388 (Final Order entered July 28, 2009).

In 2019, ALJ Myers found that the Harilals had abused the Commission's process because:

Complainant and her husband have engaged in a type of identity fraud. The Complainant has pretended to correspond with Latchmi Persaud, who is deceased, in an attempt to mislead the Commission into believing that Ms. Persaud is 1) a material witness in this matter who was prevented from providing testimony at a hearing, and 2) the person actually responsible for the Complainant's outstanding account balance. The Complainant has attempted to manipulate and abuse the Commission's processes by engaging in behavior clearly designed to perpetuate a fraud and attempt to escape responsibility for an outstanding account balance in excess of \$11,000.

October 10, 2019 Initial Decision (Final Order entered Dec. 4, 2019).

ALJ Myers' Initial Decision also dismissed the complaint because Complainant failed to appear at two scheduled hearings. As a result of the abuse of process, ALJ Myers' Initial Decision ordered that the Harilals be barred from filing a formal or informal complaint until the entire outstanding account balance had been paid in full. October 10, 2019 Initial Decision. ALJ Myers' Initial Decision became final without further Commission action and the Commission's December 4, 2019 Order adopted the Initial Decision's language precluding the Harilals from filing further complaints until the entire outstanding account balance at issue had been paid in full.

I find that the Complainant and her husband have again abused the Commission's process. First, Mr. Harilal was granted a continuance of the original September 30, 2021 hearing date, but failed to appear at the rescheduled hearing, which was made at his request. Second, I do not find the excuses for not attending the October 20, 2021 credible, for both the reasons explained above and Complainant's and Mr. Harilal's history. Instead, these excuses serve only to unnecessarily extend this proceeding and avoid termination. Given the previous determination by the Commission in 2019 that Complainant and Mr. Harilal has abused the Commission's process, they will not be given an opportunity to abuse the Commission's process again by asking for repeated continuances and failing to appear at scheduled hearings. Due process is not unlimited. *See Schneider*. The Commission has afforded Complainant and Mr. Harilal multiple opportunities to present their case, but Complainant and Mr. Harilal have failed to adhere to the Commission's processes multiple times. Neither the Commission nor PPL have endless resources to give Complainant and Mr. Harilal repeated attempts to pursue their complaint, and the Commission cannot ignore Complainant's or Mr. Harilal's repeated abuses.

Therefore, the formal complaint should be dismissed, and both Complainant and Mr. Harilal should again be barred from filing a complaint until the outstanding arrearage balance is paid in full. Commission staff should not accept either a formal or informal complaint from either Gomattie Harilal or Kumar Harilal until PPL has filed a notice to the docket of this proceeding that the entire outstanding account balance has been paid in full.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties and subject matter in this proceeding. 66 Pa.C.S. § 701, *et seq.*

2. Section 332(a) of the Public Utility Code provides that the party seeking relief from the Commission has the burden of proof. 66 Pa.C.S. § 332(a).

3. To establish a sufficient case and satisfy the burden of proof, the complainant must show that the respondent public utility is responsible or accountable for the problem described in the complaint. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa. PUC 196 (1990); *Feinstein v. Phila. Suburban Water Co.*, 50 Pa. PUC 300 (1976).

4. The degree of proof required to satisfy the burden of proof is a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa. Cmwlth. 1990), *alloc. den.*, 602 A.2d 863 (Pa. 1992).

5. A preponderance of the evidence is established by presenting evidence more convincing, by even the smallest amount, than that presented by the other party. *Se-Ling Hosier v. Margulies*, 70 A.2d 854 (Pa. 1950)

6. Administrative agencies, such as the Commission, are required to provide due process to the parties appearing before them. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984). This due process requirement is satisfied when the parties are afforded notice and the opportunity to be heard. *Id.*

7. Notice mailed to a party's last known address and not returned by the post office is presumed to have been received. *Harvey v. PECO Energy Co.*, Docket No. C-2018-3002514 (Opinion and Order entered December 20, 2018).

8. Once a hearing is scheduled and the parties are duly notified by the Commission, it is the responsibility of the parties to appear and participate in the hearing. *Mumma v. PPL Elec. Utils. Corp.*, Docket No. C-00014869 (Opinion and Order entered January 24, 2002).

9. After being notified, a party who fails to be represented at a scheduled conference or hearing in a proceeding will: 1) be deemed to have waived the opportunity to participate in the conference or hearing; 2) not be permitted thereafter to reopen the disposition of a matter accomplished at the conference or hearing; and 3) not be permitted to recall witnesses who were excused for further examination. 52 Pa. Code § 5.245(a).

10. The Commission may preclude a party from filing further informal or formal complaints when the party has abused the regulatory process. *Potora v. UGI Penn Nat. Gas, Inc.*, Docket No. C-2018-3003485 (Opinion and Order entered August 8, 2019); *Mazza v. PECO Energy Co.*, Docket No. C-2012-2318472 (Opinion and Order entered April 23, 2014); *Argento's Pizza v. Phila. Gas Works*, Docket No. C-2009-2138055 (Final Order entered October 1, 2010); *Thomas v. Peoples Nat. Gas Co.*, Docket No. C-2009-2102194 (Opinion and Order entered June 17, 2010); *Seidenstricker v. Metro. Edison Co.*, Docket No. F-2008-2019388 (Final Order entered July 28, 2009).

11. Complainant, Gomattie Harilal, and her husband Kumar Harilal, are precluded from filing any complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on Account No. [REDACTED] for electric service rendered by PPL Electric Utilities Corporation, until such time as the entire outstanding account balance as of December 4, 2019, has been paid in full. *Harilal v. PPL Elec. Utils. Corp.*, Docket No. C-2019-3009714 (Order entered October 10, 2019).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the motion of PPL Electric Utilities Corporation to dismiss the formal complaint of Gomattie Harilal at docket number C-2021-3027573 for failure to prosecute and because the Commission's December 4, 2019 Order precludes further contest of the charges is granted.

2. That the formal complaint filed by Gomattie Harilal against PPL Electric Utilities Corporation at docket number C-2021-3027573 is hereby dismissed.

3. That Gomattie Harilal, and her husband Kumar Harilal, are precluded from filing any further complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on Account No. [REDACTED] for electric service rendered by PPL Electric Utilities Corporation, until such time as the entire outstanding account balance has been paid in full.

4. That the filing of any complaint pertaining to the arrearages which are the subject of this proceeding shall be dismissed without further proceedings.

5. That PPL Electric Utilities Corporation shall file a notice with the Commission, with a copy to all parties to this proceeding, at Docket No. C-2021-3027573, within seven (7) days of the date that outstanding balance for Account No. [REDACTED] has been paid in full.

6. That, until the notice described in ordering paragraph five has been filed, Commission staff, including the Commission's Bureau of Consumer Services and the Secretary's

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17105-3265**

Gomattie Harilal	:	
	:	
v.	:	C-2021-3027573
	:	
PPL Electric Utilities Corporation	:	

FINAL ORDER

In accordance with the provisions of Section 332(h) of the Public Utility Code, 66 Pa. C.S. §332(h), the decision of Administrative Law Judge John M. Coogan dated November 18, 2021, has become final without further Commission action:

THEREFORE,

IT IS ORDERED:

1. That the motion of PPL Electric Utilities Corporation to dismiss the formal complaint of Gomattie Harilal at docket number C-2021-3027573 for failure to prosecute and because the Commission's December 4, 2019 Order precludes further contest of the charges is granted.
2. That the formal complaint filed by Gomattie Harilal against PPL Electric Utilities Corporation at docket number C-2021-3027573 is hereby dismissed.
3. That Gomattie Harilal, and her husband Kumar Harilal, are precluded from filing any further complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on Account No. [REDACTED] for electric service rendered by PPL Electric Utilities Corporation, until such time as the entire outstanding account balance has been paid in full.
4. That the filing of any complaint pertaining to the arrearages which are the subject of this proceeding shall be dismissed without further proceedings.

5. That PPL Electric Utilities Corporation shall file a notice with the Commission, with a copy to all parties to this proceeding, at Docket No. C-2021-3027573, within seven (7) days of the date that outstanding balance for Account No. [REDACTED] has been paid in full.

6. That, until the notice described in ordering paragraph five has been filed, Commission staff, including the Commission's Bureau of Consumer Services and the Secretary's Bureau, shall reject any formal or informal complaint that Gomattie Harilal or her husband Kumar Harilal, or any person acting on their behalf, may attempt to file with the Commission, pertaining to Account No. [REDACTED], until the entire outstanding account balance has been paid in full.

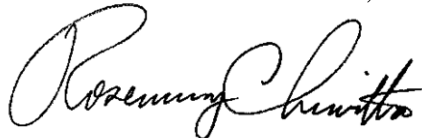
7. That the failure to pay the outstanding account balance for Account No. [REDACTED] shall be deemed grounds for termination of service in accordance with Chapters 56 and 64 of the Commission's rules of administrative practice and procedure.

8. That a copy of this decision shall be served to the Commission's Bureau of Consumer Services and the Secretary's Bureau.

9. That the filing of any other pleadings in this case concerning the same subject matter shall not be deemed a stay on the implementation of this order.

10. That the Secretary's Bureau shall mark docket number C-2021-3027573 as closed.

BY THE COMMISSION,



Rosemary Chiavetta
Secretary

(SEAL)

ORDER ENTERED: December 22, 2021

Appendix C

Complainant's Account Statement

*** Account Information ***

*** Current Account Status ***

Account Number: [REDACTED]
 Mail To: GOMATTIE HARILAL
 [REDACTED]
 Requested By: GOMATTIE HARILAL
 [REDACTED]
 Extension: [REDACTED]

Payment Agreement
 Installment: \$0.00 Balance: \$0.00
 Budget Bill Amortization
 Installment: \$0.00 Balance: \$0.00
 Current Rate: RS

DATE	TRANSACTION TYPE	DUE DATE	TRANSACTION AMOUNT	BALANCE FORWARD	ACTUAL BILLED	DEFERRED BALANCE	DEG DAY H/C	RDG/TYPE	DAYS USED	KWH	BILLED KW
08/28/2020	BUDGET BILLING		\$105.00								
08/28/2020	Regular Bill	09/21	\$10840.38	\$10735.38	\$115.82	\$40.98	0000/0290	20761A	29	893	
09/01/2020	Payment		\$-111.00								
09/30/2020	BUDGET BILLING		\$105.00								
09/30/2020	Regular Bill	10/21	\$10834.38	\$10729.38	\$114.49	\$50.47	0092/0117	21642A	33	881	
10/13/2020	Payment		\$-135.00								
10/29/2020	BUDGET BILLING		\$105.00								
10/29/2020	Regular Bill	11/19	\$10804.38	\$10699.38	\$137.86	\$83.33	0292/0000	22734A	29	1092	
11/16/2020	Payment		\$-140.00								
11/30/2020	BUDGET BILLING		\$105.00								
11/30/2020	Regular Bill	12/21	\$10769.38	\$10664.38	\$199.75	\$178.08	0610/0000	24381A	32	1647	
12/15/2020	Payment		\$-150.00								
12/30/2020	BUDGET BILLING		\$105.00								
12/30/2020	Regular Bill	01/20	\$10724.38	\$10619.38	\$124.02	\$197.10	0942/0000	25346A	30	965	
01/12/2021	Payment		\$-125.00								
02/01/2021	BUDGET BILLING		\$165.00								
02/01/2021	Regular Bill	02/22	\$10764.38	\$10599.38	\$113.50	\$145.60	1143/0000	26194A	33	848	
02/17/2021	Payment		\$-105.00								
03/03/2021	BUDGET BILLING		\$165.00								
03/03/2021	Regular Bill	03/24	\$10824.38	\$10659.38	\$105.39	\$85.99	1087/0000	26971A	30	777	
03/22/2021	Payment		\$-105.00								
04/01/2021	Special Agreement		\$-27.54								
04/01/2021	BUDGET BILLING		\$192.54								
04/01/2021	Regular Bill	04/26	\$10884.38	\$10719.38	\$106.55		0635/0000	27757A	29	786	
04/22/2021	Payment		\$-105.00								
05/03/2021	BUDGET BILLING		\$122.00								
05/03/2021	SPECIAL AGREEMENT - BB SETTLE		\$6.88								
05/03/2021	Regular Bill	05/24	\$10908.26	\$10779.38	\$106.51	\$-15.49	0408/0009	28536A	32	779	
05/25/2021	Payment		\$-130.00								
06/02/2021	BUDGET BILLING		\$122.00								

DATE	TRANSACTION TYPE	DUE DATE	TRANSACTION AMOUNT	BALANCE FORWARD	ACTUAL BILLED	DEFERRED BALANCE	DEG DAY H/C	RDG/TYPE	DAYS USED	KWH	BILLED KW
06/02/2021	SPECIAL AGREEMENT - BB SETTLE		\$6.88								
06/02/2021	Regular Bill	06/23	\$10907.14	\$10778.26	\$113.73	\$-23.76	0186/0061	29377A	30	841	
06/24/2021	Payment		\$-150.00								
07/01/2021	BUDGET BILLING		\$122.00								
07/01/2021	SPECIAL AGREEMENT - BB SETTLE		\$6.88								
07/01/2021	Regular Bill	07/22	\$10886.02	\$10757.14	\$152.23	\$6.47	0009/0223	30534A	29	1157	
07/23/2021	Payment		\$-160.00								
08/02/2021	BUDGET BILLING		\$122.00								
08/02/2021	SPECIAL AGREEMENT - BB SETTLE		\$6.90								
08/02/2021	Regular Bill	08/23	\$10854.92	\$10726.02	\$134.78	\$19.25	0003/0279	31541A	32	1007	
08/23/2021	Payment		\$-145.00								
08/31/2021	BUDGET BILLING		\$122.00								
08/31/2021	Regular Bill	09/21	\$10831.92	\$10709.92	\$123.27	\$20.52	0000/0303	32449A	29	908	
09/23/2021	Payment		\$-124.00								
09/30/2021	BUDGET BILLING		\$122.00								
09/30/2021	Regular Bill	10/21	\$10829.92	\$10707.92	\$108.16	\$6.68	0042/0103	33227A	30	778	
10/25/2021	Payment		\$-110.00								
10/29/2021	BUDGET BILLING		\$122.00								
10/29/2021	Regular Bill	11/22	\$10841.92	\$10719.92	\$95.79	\$-19.53	0171/0010	33910A	29	683	
11/22/2021	Payment		\$-96.00								
11/30/2021	BUDGET BILLING		\$122.00								
11/30/2021	Regular Bill	12/21	\$10867.92	\$10745.92	\$110.78	\$-30.75	0759/0000	34722A	32	812	
12/22/2021	Payment		\$-111.00								
12/30/2021	BUDGET BILLING		\$122.00								
12/30/2021	Regular Bill	01/24	\$10878.92	\$10756.92	\$135.79	\$-16.96	0813/0000	35601A	30	879	
01/21/2022	Payment		\$-137.00								
01/31/2022	BUDGET BILLING		\$103.00								
01/31/2022	Regular Bill	02/22	\$10844.92	\$10741.92	\$130.15	\$10.19	1255/0000	36480A	32	879	
02/22/2022	Payment		\$-131.00								
03/01/2022	BUDGET BILLING		\$103.00								
03/01/2022	Regular Bill	03/22	\$10816.92	\$10713.92	\$113.22	\$20.41	0975/0000	37230A	29	750	
03/21/2022	Payment		\$-114.00								
03/30/2022	Special Agreement		\$-29.84								
03/30/2022	BUDGET BILLING		\$132.84								
03/30/2022	Regular Bill	04/20	\$10805.92	\$10702.92	\$112.43		0697/0000	37974A	29	744	
04/25/2022	Payment		\$-113.00								

Bill Account: [REDACTED]

Account Activity Statement

Date: 08/13/24

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DATE	TRANSACTION TYPE	DUE DATE	TRANSACTION AMOUNT	BALANCE FORWARD	ACTUAL BILLED	DEFERRED BALANCE	DEG DAY H/C	RDG/TYPE	DAYS USED	KWH	BILLED KW
04/29/2022	BUDGET BILLING		\$120.00								
04/29/2022	SPECIAL AGREEMENT - BB SETTLE		\$7.46								
04/29/2022	Regular Bill	05/23	\$10820.38	\$10692.92	\$105.26	\$-14.74	0489/0001	38665A	30	691	
05/23/2022	Payment		\$-135.00								
05/31/2022	BUDGET BILLING		\$120.00								
05/31/2022	SPECIAL AGREEMENT - BB SETTLE		\$7.46								
05/31/2022	Regular Bill	06/21	\$10812.84	\$10685.38	\$117.58	\$-17.16	0149/0059	39451A	32	786	
06/22/2022	Payment		\$-118.00								
07/05/2022	BUDGET BILLING		\$120.00								
07/05/2022	SPECIAL AGREEMENT - BB SETTLE		\$7.46								
07/05/2022	Regular Bill	07/26	\$10822.30	\$10694.84	\$153.94	\$16.78	0010/0140	40295A	29	844	
07/21/2022	Payment		\$-154.00								
07/29/2022	BUDGET BILLING		\$120.00								
07/29/2022	SPECIAL AGREEMENT - BB SETTLE		\$7.46								
07/29/2022	Regular Bill	08/22	\$10795.76	\$10668.30	\$201.96	\$98.74	0000/0361	41434A	30	1139	
08/23/2022	Payment		\$-202.00								
08/29/2022	BUDGET BILLING		\$120.00								
08/29/2022	Regular Bill	09/19	\$10713.76	\$10593.76	\$149.27	\$128.01	0000/0340	42252A	31	818	
09/22/2022	Payment		\$-150.00								
09/28/2022	BUDGET BILLING		\$120.00								
09/28/2022	Regular Bill	10/19	\$10683.76	\$10563.76	\$135.08	\$143.09	0060/0115	42969A	30	717	
10/20/2022	Payment		\$-136.00								
10/27/2022	BUDGET BILLING		\$140.00								
10/27/2022	Regular Bill	11/17	\$10687.76	\$10547.76	\$139.53	\$142.62	0363/0000	43712A	29	743	
11/28/2022	Payment		\$-140.00								
11/28/2022	BUDGET BILLING		\$140.00								
11/28/2022	Regular Bill	12/19	\$10687.76	\$10547.76	\$145.56	\$148.18	0634/0005	44491A	32	779	
12/20/2022	Payment		\$-146.00								
01/03/2023	BUDGET BILLING		\$140.00								
01/03/2023	Regular Bill	01/24	\$10681.76	\$10541.76	\$191.96	\$200.14	1032/0000	45429E	32	938	
01/25/2023	Payment		\$-192.00								
01/27/2023	BUDGET BILLING		\$185.00								
01/27/2023	Regular Bill	02/21	\$10674.76	\$10489.76	\$122.74	\$137.88	0754/0000	45989A	28	560	
02/21/2023	Payment		\$-123.00								
02/28/2023	BUDGET BILLING		\$185.00								
02/28/2023	Regular Bill	03/21	\$10736.76	\$10551.76	\$165.58	\$118.46	0930/0000	46773A	32	784	

Bill Account: [REDACTED]

Account Activity Statement

Date: 08/13/24
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DATE	TRANSACTION TYPE	DUE DATE	TRANSACTION AMOUNT	BALANCE FORWARD	ACTUAL BILLED	DEFERRED BALANCE	DEG DAY H/C	RDG/TYPE	DAYS USED	KWH	BILLED KW
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03/20/2023	Payment		\$-166.00								
03/29/2023	Special Agreement		\$-88.51								
03/29/2023	BUDGET BILLING		\$273.51								
03/29/2023	Late Payment Charge		\$0.13								
03/29/2023	Late Payment Charge		\$80.39								
03/29/2023	Regular Bill	04/19	\$10836.28	\$10570.76	\$155.05		0730/0000	47502A	29		729
04/24/2023	Payment		\$-156.00								
04/25/2023	Late Payment Charge		\$82.70								
04/25/2023	Late Payment Charge		\$1.13								
04/28/2023	BUDGET BILLING		\$149.00								
04/28/2023	SPECIAL AGREEMENT - BB SETTLE		\$22.12								
04/28/2023	Regular Bill	05/22	\$10935.23	\$10680.28	\$155.31	\$6.31	0379/0017	48233A	30		731
05/22/2023	Payment		\$-156.00								
05/30/2023	BUDGET BILLING		\$149.00								
05/30/2023	SPECIAL AGREEMENT - BB SETTLE		\$22.12								
05/30/2023	Regular Bill	06/20	\$10950.35	\$10779.23	\$143.27	\$0.58	0216/0010	48901A	32		668
05/31/2023	Late Payment Charge		\$84.56								
05/31/2023	Late Payment Charge		\$2.17								
06/20/2023	Payment		\$-144.00								
06/27/2023	Late Payment Charge		\$2.17								
06/27/2023	Late Payment Charge		\$86.42								
06/28/2023	BUDGET BILLING		\$149.00								
06/28/2023	SPECIAL AGREEMENT - BB SETTLE		\$22.12								
06/28/2023	Regular Bill	07/19	\$11152.79	\$10806.35	\$114.65	\$-33.77	0027/0085	49493A	29		592
07/20/2023	Payment		\$-115.00								
07/25/2023	Late Payment Charge		\$88.28								
07/25/2023	Late Payment Charge		\$4.37								
07/28/2023	BUDGET BILLING		\$149.00								
07/28/2023	SPECIAL AGREEMENT - BB SETTLE		\$22.15								
07/28/2023	Regular Bill	08/21	\$11301.59	\$11037.79	\$198.12	\$15.35	0000/0325	50589A	30		1096
08/14/2023	AR Budget Billing		\$15.35								
08/23/2023	Payment		\$-199.00								
08/28/2023	BUDGET BILLING		\$174.85								
08/28/2023	Regular Bill	09/18	\$11292.79	\$11102.59	\$174.85		0000/0222	51527A	31		938
09/19/2023	Payment		\$-175.00								
09/27/2023	ELECTRIC SERVICE		\$149.30								
09/27/2023	Regular Bill	10/18	\$11267.09	\$11117.79			0070/0122	52313A	30		786
10/19/2023	Payment		\$-150.00								

Bill Account: [REDACTED]

Account Activity Statement

Date: 08/13/24

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DATE	TRANSACTION TYPE	DUE DATE	TRANSACTION AMOUNT	BALANCE FORWARD	ACTUAL BILLED	DEFERRED BALANCE	DEG DAY H/C	RDG/TYPE	DAYS USED	KWH	BILLED KW
10/26/2023	ELECTRIC SERVICE		\$138.86								
10/26/2023	Regular Bill	11/16	\$11255.95	\$11117.09			0262/0012	53038A	29		725

11/20/2023	Payment		\$-139.00								
11/28/2023	BUDGET BILLING		\$155.00								
11/28/2023	Regular Bill	12/19	\$11271.95	\$11116.95	\$150.80	\$-4.20	0709/0000	53833A	33		795
12/20/2023	Payment		\$-151.00								
12/29/2023	BUDGET BILLING		\$155.00								
12/29/2023	Regular Bill	01/22	\$11275.95	\$11120.95	\$139.74	\$-19.46	0832/0000	54610A	31		777
01/23/2024	Payment		\$-140.00								
01/30/2024	BUDGET BILLING		\$155.00								
01/30/2024	Regular Bill	02/20	\$11290.95	\$11135.95	\$137.55	\$-36.91	1044/0000	55388A	32		778
02/21/2024	Payment		\$-138.00								
02/28/2024	Late Payment Charge		\$5.52								
02/28/2024	Late Payment Charge		\$3.61								
02/28/2024	Late Payment Charge		\$98.34								
02/29/2024	BUDGET BILLING		\$155.00								
02/29/2024	Regular Bill	03/21	\$11415.42	\$11152.95	\$130.53	\$-61.38	0905/0000	56122A	30		734
03/25/2024	Payment		\$-131.00								
03/27/2024	Late Payment Charge		\$100.28								
03/27/2024	Late Payment Charge		\$6.87								
03/27/2024	Late Payment Charge		\$3.61								
04/01/2024	BUDGET BILLING		\$155.00								
04/01/2024	Regular Bill	04/22	\$11550.18	\$11284.42	\$126.15	\$-90.23	0683/0000	56828A	32		706
04/22/2024	Payment		\$-127.00								
04/30/2024	BUDGET BILLING		\$155.00								
04/30/2024	Regular Bill	05/21	\$11578.18	\$11423.18	\$117.44	\$-127.79	0368/0008	57478A	29		650
05/21/2024	Payment		\$-118.00								
05/30/2024	BUDGET BILLING		\$132.00								
05/30/2024	Regular Bill	06/20	\$11592.18	\$11460.18	\$122.47	\$-137.32	0113/0076	58160A	30		682
06/21/2024	Payment		\$-122.47								
06/26/2024	Late Payment Charge		\$8.26								
06/26/2024	Late Payment Charge		\$105.81								
06/26/2024	Late Payment Charge		\$3.61								
07/03/2024	Miscellaneous		\$-5793.69								
07/03/2024	Transfer Debit		\$5793.69								
07/03/2024	BUDGET BILLING		\$132.00								
07/03/2024	Regular Bill	07/29	\$11719.39	\$5676.02	\$145.52	\$-123.80	0008/0233	59042A	29		882

Bill Account: [REDACTED]

Account Activity Statement


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DATE	TRANSACTION TYPE	DUE DATE	TRANSACTION AMOUNT	BALANCE FORWARD	ACTUAL BILLED	DEFERRED BALANCE	DEG DAY H/C	RDG/ TYPE	DAYS USED	KWH	BILLED KW
07/30/2024	Payment		\$-145.52								
07/30/2024	BUDGET BILLING		\$132.00								
07/30/2024	Regular Bill	08/20	\$11705.87	\$11573.87	\$180.13	\$-75.67	0000/0382	60162A	32		1120

VERIFICATION

I, BETH A. FRONHEISER being the Credit & Collections Manager at PPL Electric Utilities Corporation, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect PPL Electric Utilities Corporation to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

September 3, 2024


Beth A. Fronheiser