

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Valen Tasser :
 : F-2024-3050302
v. :
 :
Duquesne Light Company :

**PETITION FOR RECONSIDERATION OF INTERIM ORDER DENYING
APPLICATION FOR A SUBPOENA**

On July 12, 2024, I, Valen Tasser (Complainant) filed a formal complaint against Duquesne Light Company alleging the bills are too high, and among other things, Duquesne Light is not calculating the budget bill correctly and the payments are not being correctly applied to the outstanding balance. The formal complaint is an appeal of a determination by the Bureau of Consumer Services (BCS) at 3982003. Duquesne Light filed an answer on August 14, 2024, which denied the material allegations of the complaint. A hearing is scheduled on the complaint on January 15, 2025.

On November 12, 2024, I, Valen Tasser, Complainant, requested a subpoena for BCS Investigator Holly Pyle as Ms. Pyle was the investigator of the formal complaint with Duquesne Light.

On November 18, 2024 BCS objected to the subpoena request.

On November 22, 2024 an Interim Order was issued by the Honorable Mary D. Long denying Complainant's subpoena request stating the testimony of Ms. Pyle would not be given any weight or deference and denied the subpoena on the basis of relevance.

According to Rule of Evidence 401¹, Evidence is relevant if it has a tendency to make a fact more or less probable than it would be without the evidence; and the fact is of consequence in determining action. As the complaint avers, and this Court has recognized, my stated claims are that Duquesne Light did not calculate my budget properly and have not applied my payments accordingly. It is believed that Ms. Pyle's testimony supports my claim as she states that Duquesne Light Company did not set up the correct budget for my account in accordance with §56.12². The testimony from Holly Pyle has a tendency to make a fact more or less probable than without it. Ms. Pyle's testimony is not only of consequence in determining the claims before the Court it is material to my case.

As the Honorable Mary. D. Long indicated in her Order, and it is well-established law, the Complainant has the burden of proof. In order to establish the burden, I, Valen Tasser, must provide evidence. Failure on my part to provide evidence to sustain my burden will result in a dismissal of my case. *See Leung v. Philadelphia Gas Works*, Docket F-2020-3020041 (Opinion and Order entered October 28, 2021).

By denying the subpoena for the Complainant's witness, Holly Pyle, this Court is depriving the Complainant the opportunity to present evidence which will hinder me in establishing my burden, and it may also violate my due process rights.

By not allowing me to call the witness, this Court puts me in an arduous position to develop the record and meet my burden. For example, if I attempt to introduce out of court statements for the truth of the matter i.e., my conversation with Holly Pyle on June 10, 2024, I believe opposing counsel will object to "hearsay" and this Court will sustain it.

¹ 225 Pa. Code r. 401

² 52 Pa Code § 56.12

WHEREFORE, upon consideration of this petition, I respectfully request this Court Grant this Petition for Reconsideration and Grant my Subpoena submitted on November 12, 2024.

Respectfully Submitted,

/s/ Valen Tasser

CERTIFICATE OF SERVICE

F-2024-3050302 - VALEN TASSER v. DUQUESNE LIGHT COMPANY

The Honorable Mary D. Long
Administrative Law Judge
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