

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Lissette Mendez	:	
	:	
v.	:	C-2024-3050719
	:	
PPL Electric Utilities Corporation	:	

INITIAL DECISION

Before
Alphonso Arnold III
Administrative Law Judge

INTRODUCTION

This Initial Decision grants Lissette Mendez’ unopposed Petition to Withdraw her Complaint because granting the Petition to Withdraw is in the public interest.

HISTORY OF THE PROCEEDING

On August 14, 2024, Lissette Mendez (“Ms. Mendez” or “Complainant”) filed a Formal Complaint against PPL Electric Utilities Corporation (“PPL” or “Respondent”) with the Pennsylvania Public Utility Commission (“Commission”), requesting a payment arrangement.

On September 3, 2024, PPL filed an Answer to the Complaint, wherein it admitted or denied the assertions in the Complaint.

On September 6, 2024, the Commission issued a Hearing Notice scheduling an evidentiary hearing to be held in this matter for November 5, 2024, and assigning the undersigned as Presiding Officer to this proceeding.

On October 17, 2024, the Commission issued a Corrected Hearing Notice, changing the starting time for the evidentiary hearing from 10:00 a.m. to 1:00 p.m.

Also on October 17, 2024, the Commission issued my Prehearing Order, which set forth the procedural rules that would govern the evidentiary hearing.

On November 5, 2024, the evidentiary hearing was held as scheduled. Both parties appeared for the hearing. On the record, Ms. Mendez made an oral Petition to Withdraw the Complaint (“Petition”), due to her moving out of her service address. Tr. 3, 4. PPL did not object to Ms. Mendez’s Petition. Tr. 4. No evidence was received into the evidentiary record.

On November 26, 2024, a five-page electronic transcript of the November 5, 2024, evidentiary hearing was filed with the Commission. The record in this matter was closed on this date.

For the reasons discussed below, Ms. Mendez’ unopposed Petition will be granted, and the Complaint will be withdrawn.

FINDINGS OF FACT

1. Complainant is Lissette Mendez.
2. Respondent is PPL Electric Utilities Corporation.

3. On August 14, 2024, Ms. Mendez filed a Formal Complaint against PPL with the Commission requesting a payment arrangement.

4. On September 3, 2024, PPL filed an Answer to the Complaint, wherein it admitted or denied the assertions in the Complaint.

5. At the November 5, 2024, evidentiary hearing held in this matter, Ms. Mendez made an oral Petition to Withdraw her Complaint due to her moving out of her service address. Tr. 3, 4.

6. PPL did not object to Ms. Mendez's Petition. Tr. 4.

DISCUSSION

Commission regulations address the withdrawal of pleadings in a contested proceeding in relevant part as follows:

§ 5.94. Withdrawal of pleadings in a contested proceeding.

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

52 Pa. Code § 5.94(a).

A "pleading" is defined as "An application, *complaint*, petition, answer, motion, preliminary objection, protest, reply, order to show cause, new matter and reply

to new matter or other similar document filed in a formal proceeding.” 52 Pa. Code § 1.8 (emphasis added). This matter became a contested proceeding when PPL filed an Answer to the Complaint. *See New Fizon v. PECO Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered June 24, 2009).

In her Complaint, Ms. Mendez requested a payment arrangement. At the evidentiary hearing, she petitioned to withdraw her Complaint, due to moving out of her service address.¹ PPL did not object to the Petition.

Pursuant to the Commission’s regulations, I must consider any objection to the Petition and the public interest when determining whether the Petition will be granted. PPL did not object to the Petition. As it relates to the public interest, it would not be in the public interest to have the parties in this matter further litigate this proceeding when it is clear that Ms. Mendez can no longer receive the relief that she requested in her Complaint due to her moving out of her service address.² Granting the Petition therefore eliminates the need for further litigation which in turn will save the parties and the Commission the time, money, and resources that would be incurred in further litigating this case.

For the above reasons, the Petition will be granted in the Ordering paragraphs below.

¹ Pursuant to the Commission’s regulations, I will treat the oral Petition as being formally filed pursuant to 52 Pa. Code § 5.94(a). *See* 52 Pa. Code § 1.2 (liberal construction).

² Pursuant to the Public Utility Code, only customers and applicants are eligible for Commission-issued payment arrangements. *See* 66 Pa.C.S. § 1405.

CONCLUSIONS OF LAW

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

2. A party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon other parties. 52 Pa. Code § 5.94(a).

3. A petition to withdraw a pleading in a contested proceeding must set forth the reasons for the withdrawal and that a party may object to the petition within ten days. 52 Pa. Code § 5.94(a).

4. After considering a petition to withdraw a pleading in a contested proceeding, any objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted. 52 Pa. Code § 5.94(a).

5. It is in the public interest to allow Ms. Mendez to withdraw her Complaint. 52 Pa. Code § 5.94.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the oral Petition to Withdraw the Complaint made by Lissette Mendez, at Docket No. C-2024-3050719, is granted.
2. That the Complaint of Lissette Mendez filed in the matter of Lissette Mendez v. PPL Electric Utilities Corporation, at Docket No. C-2024-3050719, is withdrawn.
3. That the Secretary's Bureau shall mark Docket No. C-2024-3050719 as closed.

Date: January 15, 2025

_____/s/
Alphonso Arnold III
Administrative Law Judge