

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Clovernote Holdings LLC	:	
	:	
v.	:	F-2024-3048157
	:	
Huson Energy Services LLC and	:	
Duquesne Light Company	:	

**INTERIM ORDER REQUIRING COMPLAINANT TO CAUSE AN ATTORNEY TO  
ENTER AN APPEARANCE ON ITS BEHALF**

On March 13, 2024, Clovernote Holdings, LLC (Complainant or Clovernote) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Hudson Energy Services LLC (Hudson). Clovernote alleges incorrect charges on its bill.

By Hearing Notice dated May 21, 2024, an Initial Call-In Telephonic Hearing was scheduled for July 24, 2024, at 10:00 a.m. and the matter was assigned to me.

On May 24, 2024, Hudson filed a request for extension of time to file to file its Answer. The extension was granted by secretarial letter on May 29, 2024.

On June 5, 2024, Hudson requested a continuance of the July 24, 2024 hearing. The Continuance was granted, and on June 11, 2024, a rescheduled hearing notice was issued, scheduling the hearing for September 11, 2024 at 10:00 a.m.

On June 12, 2024, Hudson filed its Answer and New Matter to the Complaint, denying the material allegations in the Complaint. In its New Matter, Hudson, *inter alia*, claims that Clovernote is a business entity which is required to be represented by counsel.

On August 23, 2024, Robert Eckenrode, on behalf of Clovernote, sent an email to me, copying Hudson's attorney, requesting a continuance of the hearing and requesting that Duquesne Light Company be "called in to court with the PAPUC to justify their numbers that they suggested." On August 29, 2024, I replied to the email, stating that I would grant the continuance, asking if the parties feel that Duquesne Light Company is an indispensable party, and informing Mr. Eckenrode that Clovernote must have an attorney enter an appearance on its behalf.

On August 30, 2024, Hudson, stated via email, that they had no objections to having Duquesne Light Company added as an indispensable party.

On September 9, 2024, I issued an Interim Order adding Duquesne Light Company (DLC) to this matter as an indispensable party, Ordering that a copy of the Complaint be served on DLC and continuing this matter, generally, to allow DLC to file an Answer to the Complaint.

Due to an issue with service, DLC was not served a copy of the Complaint until January 9, 2025.

On January 29, 2025, Hudson filed a Motion to Dismiss, claiming that Complainant has failed to cause an attorney to enter an appearance on its behalf and has failed to file a response to Hudson's New Matter. The Motion to Dismiss contained a Notice to Plead, providing Complainant 20 days to file a reply.

Also on January 29, 2025, DLC filed an Answer and New Matter to the Complaint. In its Answer, DLC denied the material averments of the Complaint. In its New Matter, DLC averred that Complainant is required to be represented by an attorney. The Answer and New Matter contained a Notice to Plead, providing Complainant 20 days to file a reply.

On February 17, 2025, Hudson filed a letter indicating that it does not deny any of the Averments in DLC's New Matter. Also in the letter, Hudson states that it does not view it

“just, reasonable, or legally necessary” to provide Complainant additional time to have counsel enter and appearance on its behalf.

As of today, February 19, 2025, Complainant has not, within 20 days of service, filed a reply to Hudson’s Motion to Dismiss or DLC’s New Matter as well as failing to file a reply to Hudson’s June 2024 New Matter. While, it is true that any facts averred in the New Matter may be deemed admitted, the only “facts” alleged were that Complainant is required to be represented by an attorney, therefore, the merits of the case have not been addressed.

While, Complainant has been made aware of the requirement that it cause an attorney to enter an appearance on its behalf, there was not yet a specific Order directing it to do so by a certain date. Therefore, Hudson’s Motion to Dismiss will be held in abeyance at this time and Complainant shall cause an attorney to enter an appearance on its behalf on or before Friday, March 21, 2025.<sup>1</sup>

A hearing in this matter will be scheduled for Friday March 28, 2025, at 10:00 a.m.

If Complainant fails to cause an attorney to enter their appearance on its behalf by COB, March 21, 2025, Hudson’s Motion to Dismiss will be revisited, the Formal Complaint in this matter will be dismissed, and the hearing will be cancelled.

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<sup>1</sup> The Commission’s regulations provide that only an individual may represent themselves. 52 Pa. Code § 1.22(a). All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*. 52 Pa. Code §§ 1.21, 1.22. These regulations are consistent with the rules of the Pennsylvania Supreme Court and may not be waived. *Smaha v. Landy*, 638 A.2d 392 (Pa. Cmwlth. 1994). Accordingly, in order to participate further in these proceedings, Clovernote Holdings, LLC, must be represented by counsel licensed to practice law in the Commonwealth. *Cars R Us c/o Holman Copeland v. Phila. Gas Works*, Docket No. C-2008-2033437 (Opinion and Order entered Feb. 4, 2010).

THEREFORE,

IT IS ORDERED:

1. The Motion to Dismiss filed by Hudson Energy Services is held in abeyance.
2. That a hearing in this matter will be scheduled for March 28, 2025, at 10:00 a.m.
3. That Clovernote Holdings LLC shall cause an attorney to enter an appearance on its behalf on or before Friday, March 21, 2025.
4. That if Complainant fails to cause an attorney to enter their appearance on its behalf by COB, March 21, 2025, the Formal Complaint shall be dismissed and the March 28, 2025 hearing shall be cancelled.

Date: February 19, 2025

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/s/  
Michael J. Mroczka  
Special Agent

**F-2024-3048157 - CLOVERNOTE HOLDINGS LLC v. HUDSON ENERGY SERVICES  
LLC AND DUQUESNE LIGHT COMPANY**

*Revised: September 9, 2024*

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Served eService, email, first-class mail on February 19, 2025

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