
Devin Ryan

dryan@postschell.com
717-612-6052 Direct
717-731-1985 Direct Fax
File #: 205591

March 13, 2025

VIA EMAIL

Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Yolonda Jones v. PPL Electric Utilities Corporation
Docket No: C-2024-3048012

Dear Secretary Chiavetta:

Enclosed for filing are the Replies of PPL Electric Corporation to the Exceptions of Yolonda Jones in the above-referenced proceeding. Copies are being provided as indicated on the Certificate of Service.

Respectfully submitted,



Devin Ryan

DR/sa
Enclosures

cc: Honorable Marta Guhl (*via Email mguhl@pa.gov*)
Office of Special Assistants (*via Email ra-osa@pa.gov*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this filing 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 EMAIL AND FIRST CLASS MAIL

Yolonda Jones
1819 Owasco Terrace
Tobyhanna, PA 18466
Lonjones1970@gmail.com

Date: March 13, 2025



Devin Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Yolonda Jones,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2024-3048012
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**REPLIES OF PPL ELECTRIC UTILITIES CORPORATION TO THE
EXCEPTIONS OF YOLONDA JONES**

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”), pursuant to 52 Pa. Code § 5.535, hereby respectfully submits these Replies to the Exceptions of Yolonda Jones (“Complainant”). In her Exceptions, the Complainant disputes Administrative Law Judge Marta Guhl’s (“ALJ”) Initial Decision (“ID”) dismissing the above-captioned Formal Complaint (“Complaint”). Specifically, the Complainant challenges the ALJ’s dismissal of the Complaint because she allegedly cannot afford her electric bill. Also, the Complainant makes assertions about her financial and employment situations in support of her request for a “revised payment plan.” The Complainant’s Exceptions do not conform to the Commission’s regulations because they are unnumbered and do not cite to any Findings of Fact, Conclusions of Law, or any specific pages of the ID.¹

¹ Section 5.533(b) of the Pennsylvania Public Utility Commission’s (“Commission”) regulations provides that “[e]ach exception must be numbered and identify the finding of fact or conclusion of law to which exception is taken and cite relevant pages of the decision. Supporting reasons for the exceptions shall follow each specific exception.” 52 Pa. Code § 5.533(b).

For these reasons and as further explained below, PPL Electric respectfully requests that the Commission deny the Complainant's Exceptions, adopt the well-reasoned ID without modification, and dismiss the Complaint with prejudice.

I. INTRODUCTION

On April 1, 2024, the Complainant filed the Complaint against PPL Electric claiming that PPL Electric had threatened to shut off her electric service. The Complainant also requested a new payment arrangement from PPL Electric.

On April 22, 2024, PPL Electric filed an Answer to the Complaint.

On April 23, 2024, a Telephonic Hearing Notice was issued, scheduling a telephonic evidentiary hearing for June 27, 2024.

A Prehearing Order was issued on May 27, 2024.

On June 26, 2024, a Hearing Cancellation Notice was issued, canceling the June 27, 2024 hearing.

On August 14, 2024, a Telephonic Hearing Notice was issued, scheduling a telephonic evidentiary hearing for October 15, 2024.

On October 15, 2024, the telephonic evidentiary hearing was held as scheduled.

On February 11, 2025, the ALJ's ID was issued, which denied the Complaint because the Complainant failed to meet her burden of proof that "she is entitled to a Commission-issued payment arrangement due to her poor payment history and defaulting on multiple Company-issued payment arrangements." (ID at 1.)

On February 19, 2025, the Complainant filed Exceptions to the ID.

Because the Complainant did not include a Certificate of Service with her Exceptions, the Commission issued a Secretarial Letter on February 19, 2025, serving PPL Electric with the Exceptions and setting a deadline of March 13, 2025, to file Replies to Exceptions.

For the reasons explained in more detail below, the Complainant's Exceptions are without merit. Accordingly, the Commission should adopt the ALJ's well-reasoned ID without modification and dismiss the Complaint with prejudice.

II. REPLIES TO EXCEPTIONS

A. REPLY TO EXCEPTION NO. 1 – THE ALJ CORRECTLY DISMISSED THE COMPLAINT, AND NOTHING PRESENTED IN THE COMPLAINANT'S EXCEPTIONS WARRANTS DISTURBING THAT RULING²

The ALJ correctly dismissed the Complaint because nothing in the record establishes that the Complainant is eligible for another Commission-ordered payment arrangement. (*See* ID at 6-10.) Although the Commission's "policy" is to "exercise its discretion when customers have demonstrated some evidence of a good-faith effort in paying utility bills or customers have experienced a change of circumstances outside of their control," the record shows that the Complainant's history does not support exercising that discretion. In particular, the Complainant "has defaulted on nine previous payment arrangements from the Company," the Complainant "has only made one payment on her account in 2024 and 2023," and her "outstanding balance at the time of the hearing was \$29,069.42." (ID at 4.) As the ALJ concluded, these facts demonstrate that "[t]here is a very strong likelihood that the Complainant will again default on any payment arrangement that can be provided to her under the terms of the Act." (ID at 9.) Accordingly, the ALJ properly concluded that the Complainant is not entitled to another payment arrangement.

Furthermore, this ruling is consistent with the former Section 1405(d) of the Public Utility Code, which provided, in relevant part: "[a]bsent a change in income, the [C]ommission shall not establish or order a public utility to establish a second or subsequent payment arrangement if a

² Although the Complainant failed to number her Exceptions as required by the Commission's regulations, PPL Electric is grouping the entirety of her Exceptions into Exception No. 1 for ease of reference.

customer has defaulted on a previous payment arrangement established by a [C]ommission order or decision.” 66 Pa. C.S. § 1405(d). As the ALJ observed, Chapter 14 of the Public Utility Code “was in effect and governed the conduct at issue at the time of the conduct in question in this matter” but has “subsequently sunset.” (ID at 6.) Critically, the Commission’s Statement of Policy entered December 24, 2024, stated that the Commission would “maintain its application of the four-tiered process establishing the length of payment arrangements currently articulated in Chapter 14,” including the “principles provided in Section 1405(b) and the relevant definitions of ‘change in income’ and ‘significant change in circumstances’ as provided in Section 1403 of the Code, 66 Pa.C.S. §§ 1403, 1405(b).” *Sunset of Chapter 14, Title 66 of the Pennsylvania Public Utility Code*, Docket No. M-2024-3052328 (Statement of Policy entered Dec. 24, 2024). In light of the Statement of Policy, the ALJ correctly concluded that the provisions of Chapter 14 should be applied here and, therefore, prevent a new payment arrangement being established for the Complainant, absent a change in come, due to her history of repeatedly defaulting on payment arrangements. (ID at 8-9, 10.)

Nothing in the record establishes a change in income for the Complainant that would warrant revising her eligibility for a new payment arrangement. Also, the Complainant improperly attempts to introduce extra-record evidence in her Exceptions about an alleged change in income. (*See* Exceptions at 1.) Even if this extra-record evidence is considered by the Commission, which it should not,³ the allegations would not change the ultimate conclusion in this case. Indeed, the

³ It is well-established that parties cannot introduce evidence for the first time at the briefing or exceptions stage. *See, e.g., Application of Apollo Gas Co.*, 1994 Pa. PUC LEXIS 45, at *8-9 (Order entered Feb. 10, 1994) (denying party’s attempt to introduce extra-record evidence in its exceptions). “The Commission, as an administrative body, is bound by the due process provisions of constitutional law and by the principles of common fairness.” *Hess v. Pa. PUC*, 107 A.3d 246, 266 (Pa. Cmwlth. 2014) (citations omitted). “Among the requirements of due process are notice and an opportunity to be heard on the issues, to be apprised of the evidence submitted, to cross-examine witnesses, to inspect documents, and to offer evidence in explanation or rebuttal.” *Id.* (citations omitted). Therefore, any extra-record evidence that the Complainant introduces or relies on in her Exceptions should be disregarded.

Complainant asserts that the change in income is how she “do[es] not have a part time job anymore,” so it is “just [her] salary in the house.” (Exceptions at 1.) As the ALJ found, “[a]t the time of the hearing, the Complainant’s gross monthly income was approximately \$8,000 for her full-time work, \$360 for her part-time work, and her daughter’s gross monthly income was approximately \$3,025, for total gross monthly household income of approximately \$11,385.” (ID at 4.) Assuming the elimination of the Complainant’s part-time work and her daughter’s gross monthly income, the total gross monthly household income would be approximately \$8,000, i.e., \$96,000 per year. That level of income is still well in excess of \$63,450, which is 300% of the Federal Poverty Guidelines for a two-person household.⁴ Further, the Complainant claims that as a federal government employee, there is “a lot of uncertainty about [her] job.” However, speculation about a future impact on her employment status cannot be considered a change in income.

For these reasons, the Commission should deny the Complainant’s Exception No. 1, adopt the ALJ’s ID without modification, and dismiss the Complaint with prejudice.

⁴ See Federal poverty guidelines, 90 Fed. Reg. 5917 (Jan. 17, 2025); <https://aspe.hhs.gov/sites/default/files/documents/dd73d4f00d8a819d10b2fdb70d254f7b/detailed-guidelines-2025.pdf>.

III. CONCLUSION

WHEREFORE, for all the foregoing reasons, as well as those more fully explained in the well-reasoned Initial Decision of Administrative Law Judge Marta Guhl, PPL Electric Utilities Corporation respectfully requests that the Pennsylvania Public Utility Commission: (1) deny the Exceptions filed by Yolonda Jones; (2) adopt the Initial Decision without modification; and (3) dismiss the Formal Complaint at Docket No. C-2024-3048012 with prejudice because the Complainant has failed to sustain her burden of proof establishing that she is entitled to another Commission-ordered payment arrangement.

Respectfully submitted,



Kimberly A. Klock (ID # 89716)
Michael J. Shafer (ID # 205681)
PPL Services Corporation
645 Hamilton Street, Suite 700
Allentown, PA 18101
Phone: 610-774-2599
Fax: 610-774-4102
E-mail: kklock@pplweb.com
mjshafer@pplweb.com

Devin T. Ryan (ID # 316602)
Post & Schell, P.C.
One Oxford Centre
301 Grant Street, Suite 3010
Pittsburgh, PA 15219
Phone: 717-612-6052
Fax: 717-731-1985
E-mail: dryan@postschell.com

Peter J. Kramer (ID # 331797)
Three Logan Square
1717 Arch Street
24th Floor
Philadelphia, PA 19103
Phone: 215-587-1075
Email: pkramer@postschell.com

Megan E. Rulli (ID # 331981)
Post & Schell, P.C.
17 North Second St., 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-612-6012
Fax: 717-731-1985
E-mail: mrulli@postschell.com

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Attorneys for PPL Electric Utilities Corporation