

**PENNSYLVANIA PUBLIC UTILITY COMMISSION  
HARRISBURG, PENNSYLVANIA 17120**

**Jennifer Potora**

**Public Meeting of April 24, 2025  
3050151-OSA  
Docket No. C-2024-3050151**

v.

**UGI Utilities, Inc. – Gas Division**

**MOTION OF CHAIRMAN STEPHEN M. DeFRANK**

Before the Commission for consideration today is the disposition of the Exceptions filed by Jennifer Potora in response to an Initial Decision issued by the Office of Administrative Law Judge. The Initial Decision dismissed Ms. Potora’s complaint against UGI Utilities, Inc. – Gas Division (UGI) because it was legally insufficient.

The Presiding Officer determined that Ms. Potora’s complaint was legally insufficient because she had previously been barred from initiating formal or informal complaints against UGI regarding the arrearages on her natural gas service account until those arrearages are paid in full. UGI stated in its answer and new matter that Ms. Potora was previously barred from filing further complaints because she had been found to have abused the administrative process in a prior proceeding.<sup>1</sup> UGI added that Ms. Potora has not paid her arrearages in full and that her balance with UGI was \$6,218.93.

In response to the Initial Decision, Ms. Potora filed Exceptions which state, in part, her position that she should be allowed to have a hearing to discuss her issues.

Barring a consumer from filing a complaint against a utility is a significant measure that has only been used by the Commission in certain limited circumstances. Nonetheless, I agree with the Initial Decision that dismisses Ms. Potora’s complaint on a preliminary basis.

Here, Ms. Potora has filed five complaints against UGI. The first and second complaints were dismissed, with prejudice, by the Commission for Ms. Potora’s failure to appear for the hearings and prosecute the complaints after she was granted continuances in both dockets. In response to her third complaint, the Administrative Law Judge determined that Ms. Potora had a history of abusing the Commission’s process and precluded her from filing informal or formal complaints against UGI regarding arrearages on her

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<sup>1</sup> See, Potora v. UGI Penn Natural Gas, Inc., Docket No. C-2018-3003485 (Order entered Aug. 8, 2019).

natural gas service until her existing arrearages are paid in full. The fourth complaint was dismissed by the Commission because it was the same as the prior three formal complaints and Ms. Potora was barred from filing such complaints. As a result, I believe that Ms. Potora's Exceptions in this case should be denied and the Initial Decision adopted.<sup>2</sup>

In addition, I move today to direct the Secretary's Bureau to establish internal processes and procedures that ensure that those few customers who have previously been barred by the Commission from filing complaints due to their determined abuse of the complaint process are indeed unable to have their complaint accepted by the Commission, unless any future complaint is accompanied by evidence showing compliance with the requirements necessary to alleviate the complainant of their barred status. Such requirements would be outlined in any underlying Commission Order establishing the barred status. The Secretary's Bureau is directed to work in conjunction with the Office of Executive Director and other relevant Commission bureaus as necessary to establish these processes and procedures.

Establishing such processes and procedures is important. There is time and expense associated with, among other things, docketing the complaint, the respondent answering the complaint, a dispositive preliminary motion being filed and both the presiding officer and the Commission addressing that preliminary motion, as necessary. Such a process requires substantial Commission resources to hear complaints that should not have been accepted by the Commission.

We strongly encourage all consumers who feel they have been aggrieved by a utility to raise those grievances with the Commission, either formally or informally, to ensure they have notice and opportunity to be heard regarding their vital utility services. However, consumers cannot use the Commission's process to avoid paying for utility services they have consumed.

**THEREFORE, I MOVE:**

1. That the Initial Decision of Administrative Law Judge of John M. Coogan dated September 26, 2024 is hereby adopted.
2. That the Exceptions filed by Jennifer Potora dated October 16, 2024 are denied.

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<sup>2</sup> Ms. Potora has also filed multiple complaints against Pennsylvania American Water Company with regard to her water service, including after having also been barred by an Administrative Law Judge from filing further complaints after having been found to have abused the Commission's processes. See, Letter from Nicholas Stobbe to Rosemary Chiavetta, Docket No. C-2025-3054299 (dated April 3, 2025).

3. That, within 90 days of the entry of this Order, the Secretary's Bureau is directed to develop internal Commission processes and procedures in which any complaint received from a complainant who was previously barred from filing a complaint after having been found to abuse the Commission's procedures will not be accepted or docketed by the Secretary's Bureau unless accompanied by proof documenting satisfactory compliance with the requirements established by the Commission for the complainant to be relieved of their barred status.
4. That the Office of Special Assistants prepare an Order consistent with this motion.

April 24, 2025

Date



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Stephen M. DeFrank  
Chairman