

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement	:	
	:	
	:	
v.	:	C-2024-3046953
	:	
Diamond Energy Partners, LLC	:	

**ORDER STAYING THIS MATTER UNTIL  
SERVICE OF THE COMPLAINT IS PROPERLY EFFECTED**

On February 14, 2024, the Pennsylvania Public Utility Commission’s (Commission) Bureau of Investigation and Enforcement (I&E), filed a formal complaint (Complaint) against Diamond Energy Partners, LLC (Respondent). The Complaint alleged that the Respondent violated the PA One Call Law at 73 P.S. §§ 177(5)(vii) and sought the imposition of a \$2,000 civil penalty in addition to certain corrective/remedial actions to be taken by Respondent.

On February 29, 2024, the Complaint was served by certified mail on the Respondent at P.O. Box 328, Warren, OH 44482, which is the last known mailing address that the Respondent provided to the Commission.

The Respondent did not file an Answer or other responsive pleading to the Complaint.

By Initial Telephonic Hearing Notice dated April 4, 2024, a telephonic hearing was scheduled for June 5, 2024, and the matter was assigned to Administrative Law Judge (ALJ) Dennis J. Buckley.

On April 8, 2024, I&E filed a Motion for Default Judgment (Motion), including a Notice to Plead, directed to the Respondent. The Respondent did not file an Answer to the Motion.

On June 5, 2024, the telephonic hearing convened as scheduled. Grant Rosul, Esquire, appeared on behalf of I&E and presented the testimony of Sara Andrade Locke. I&E offered six exhibits marked I&E Exhibits 1-6. No one appeared on behalf of the Respondent.

On June 6, 2024, ALJ Buckley issued an Order granting the Respondent twenty days to file objections to the admission of I&E Exhibits 1-6 and/or request a further hearing in this matter. The Respondent did not file a response to this Order.

By Judge Change–Assignment Notice dated April 23, 2025, this matter was reassigned to me.

Upon review of this case, the record contains no indication that a return receipt was received by the Commission for service of the Complaint on the Respondent. Further, the record contains no indication that a return receipt was requested as required by 52 Pa. Code § 1.53(c). Without proof that the Complaint was properly served on the Respondent, this matter cannot move forward and a decision on I&E’s Motion for Default Judgment would be premature.

THEREFORE,

IT IS ORDERED:

1. That the matter of the Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Diamond Energy Partners, LLC, at Docket No. C-2024-3046953, is hereby stayed until it can be demonstrated that service of the Complaint upon the Respondent was properly effected.

2. That the Secretary's Bureau shall serve the Complaint upon the Respondent by registered or certified mail, return receipt requested, in accordance with 52 Pa. Code § 1.53(c).

3. That if the Secretary's Bureau is unable to serve the Respondent in accordance with Ordering Paragraph No. 2, the Secretary's Bureau may make service by publication in a newspaper of general circulation or the *Pennsylvania Bulletin* in accordance with 52 Pa. Code § 1.53(e).

Date: April 24, 2025

\_\_\_\_\_/s/\_\_\_\_\_  
F. Joseph Brady  
Administrative Law Judge

**C-2024-3046953-PENNSYLVANIZ PUBLIC UTILITY COMMISSION BUREAU OF INVESTIGATION & ENFORCEMENT v. DIAMON ENERGY PARTNERS LLC.**

GRANT ROSUL ESQUIRE  
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Accepts eService Served April 24, 2024

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DIAMOND ENERGY PARTNERS LLC  
PO BOX 328  
WARREN OH 44482  
Served via first-class mail Served April 24, 2024