

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Timothy Guiner and Valerie Patterson	:	C-2024-3050663
Jesse Darlington	:	C-2024-3050779
Matthew Rooke	:	C-2024-3050912
Heather Sekiguchi	:	C-2024-3050923
Marc Blucas	:	C-2024-3050949
Kathleen Ronning	:	C-2024-3050975
Charles Brickman	:	C-2024-3050976
Erin Durnin	:	C-2024-3050979
Carol Spiewak	:	C-2024-3050985
Matthew and Elizabeth Kurteson	:	C-2024-3051002
	:	
v.	:	
	:	
PECO Energy Company	:	

**ORDER  
STRIKING ENTRY OF APPEARANCE OF TIMOTHY OMARZU**

The above-captioned proceedings all concern Complainants who filed Formal Complaints against PECO Energy Company (PECO) concerning the reliability of their electric service. Formal Complaints were filed at each of the above-captioned proceedings on the following dates: August 12, 2024 for C-2024-3050663; August 16, 2024 for C-2024-3050779; August 26, 2024 for C-2024-3050912; August 27, 2024 for C-2024-3050923; August 28, 2024 for C-2024-3050949; August 30, 2024 for C-2024-3050975; August 29, 2024 for C-2024-3050976; August 30, 2024 for C-2024-3050979; August 30, 2024 for C-2024-3050985; and August 29, 2024 for C-2024-3051002.

PECO filed an answer and new matter, as well as preliminary objections, at each of the above-captioned proceedings on the following dates: August 30, 2024 for C-2024-3050663; September 6, 2024 for C-2024-3050779; September 16, 2024 for C-2024-3050912; September 16, 2024 for C-2024-3050923; September 18, 2024 for C-2024-3050949; September 23, 2024 for C-2024-3050975; September 23, 2024 for C-2024-3050976;

September 23, 2024 for C-2024-3050979; September 23, 2024 for C-2024-3050985; and September 24, 2024 for C-2024-3051002. No replies to PECO's new matters or preliminary objections were received.

On October 9, 2024, the Commission issued a motion judge assignment notice, assigning the matter at C-2024-3050663 to me to resolve any issues which may arise during the preliminary phase of this proceeding.

On October 22, 2024, PECO filed at each above-captioned docket a motion to consolidate all of the above-captioned proceedings. No replies to PECO's motion to consolidate have been received.

On November 5, 2024, I issued an order, granting PECO's preliminary objections at C-2024-3050663, and referring the proceeding to mediation.

On November 13, 2024, the Commission issued a motion judge assignment notice, assigning the matters at C-2024-3050779, C-2024-3050912, C-2024-3050923, C-2024-3050949, C-2024-3050975, C-2024-3050976, C-2024-3050979, C-2024-3050985, and C-2024-3051002 to me to resolve any issues which may arise during the preliminary phase of those proceedings.

On November 19, 2024, I issued an order consolidating the above-captioned proceedings, granting PECO's preliminary objections, and referring the consolidated proceeding to mediation.

On January 21, 2025, Timothy Omarzu, who identified himself as a paralegal of Barnes Law, LLP, filed an Entry of Appearance in the above-captioned proceedings (Entry of Appearance).<sup>1</sup>

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<sup>1</sup> I was not served the Entry of Appearance and only became aware of the Entry of Appearance on April 28, 2025.

On April 28, 2025, I sent the following e-mail to Mr. Omarzu, copying Complainants, counsel for PPL, and Commission Mediator Teri-Lee Rhoades:

Mr. Omarzu: It has come to my attention that you filed an entry of appearance with the Pennsylvania Public Utility Commission on January 21, 2025 intending to represent the Complainants at PA PUC Docket Nos. C-2024-3050663 C-2024-3050779 C-2024-3050912 C-2024-3050923 C-2024-3050949 C-2024-3050976 C-2024-3050975 C-2024-3050985 C-2024-3050979 and C-2024-3051002. These dockets all concern adversarial proceedings at the Commission. From my review of your entry of appearance, it appears you are not authorized to represent the Complainants in these adversarial proceedings. Specifically, you indicate you are a paralegal, and there is no assertion that you are an attorney admitted to practice law in Pennsylvania or otherwise permitted to represent others before the Commission. The rules for representing others in adversarial proceedings before the Commission can be found at 52 Pa. Code § 1.22. Additionally, if you are not already aware, the unauthorized practice of law is prohibited by Section 2524 of Pennsylvania's Judicial Code, 42 Pa. C.S. §2524. Therefore, please cease any efforts on behalf of the Complainants purporting that you represent them in Commission proceedings.

On April 28, 2025, Mr. Omarzu responded, stating: "That's fine. I'll be submitting an entry of appearance, pro hac vice, for Robert Barnes, Esq., my employer."

These proceedings became adversarial once PECO filed pleadings responsive to the Formal Complaints. *See* 52 Pa. Code § 1.8. Participation in a formal adversarial proceeding before this Commission constitutes the practice of law. *Lesley A. Scheaffer for Leslie W. Scheaffer v. PPL Electric Utilities Corporation*, Docket No. F-2016-2577647 (Opinion and Order entered April 3, 2018) (*Scheaffer*); *Ronald Angle Jr. c/o Sharon Angle v. Metropolitan Edison Company*, Docket No. F-2018-3006055 (Opinion and Order entered December 19, 2019) (*Angle*). Participation in adversarial proceedings is limited to those who either file as individuals and represent themselves or to attorneys and certified legal interns who represent others. 52 Pa. Code §§ 1.21-1.22. Just as an attorney cannot empower an individual to engage in the unauthorized practice of law, no agency can confer the power to engage in conduct like the unauthorized practice of law that is prohibited by Section 2524 of the Judicial Code, 42 Pa. C.S.

§2524. *Scheaffer; Angle; see, Kohlman v. Western Pennsylvania Hospital*, 652 A.2d 849 (Pa. Super. 1994); *Westmoreland County v. Rodgers, et al.*, 693 A.2d 996 (Pa. Cmwlth. 1997). The established practice of this Commission is to prevent non-attorneys from representing other people before the Commission. *LeStat Corporation v. Pennsylvania Power and Light Company*, Docket No. C-00946284 (Opinion and Order entered August 30, 1995). Additionally, section 5.483 of the Commission's regulations provides presiding officers with the authority to regulate the course of proceedings. 52 Pa.Code § 5.483(a). Presiding officers are required to conduct fair and impartial hearings and maintain order. 52 Pa.Code § 5.485(a).

Mr. Omarzu is neither an attorney nor certified legal intern authorized to represent others in the above-captioned proceedings. Specifically, Mr. Omarzu's Entry of Appearance states that he is a paralegal. Mr. Omarzu has not otherwise asserted that he is qualified to represent Complainants in these proceedings. Therefore, his participation in these proceedings to represent Complainants is improper and his Entry of Appearance shall be stricken.

Additionally, Mr. Omarzu indicates that he will submit an entry of appearance *pro hac vice* for his employer. However, a motion to consider whether Mr. Omarzu's employer may be allowed to participate in these proceedings *pro hac vice* has not been filed and therefore is not set for disposition.<sup>2</sup>

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<sup>2</sup> An attorney not licensed to practice law in the Commonwealth of Pennsylvania may appear before the Commission in accordance with the Pennsylvania Bar Admission Rules. 52 Pa. Code § 1.22(b). Pennsylvania Bar Admission Rules allow an attorney qualified to practice in the courts of another state special admission to the Commonwealth bar for purposes limited to a particular case. Pa. B.A.R. 301(a). To be admitted *pro hac vice*, applicants must satisfy several requirements found at Pa. B.A.R. 301(b) which includes, among other things, the filing of a motion for *pro hac vice*.



C-2024-3050663, C-2024-3050779, C-2024-3050912, C-2024-3050923, C-2024-3050949, C-2024-3050976, C-2024-3050975, C-2024-3050985, C-2024-3050979, C-2024-3051002 - IN RE: COMPLAINTS AGAINST PECO ENERGY: COMPANY'S RELIABILITY IN SOLEBURY: TOWNSHIP

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