

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Molay Magwood	:	
	:	
v.	:	C-2024-3051558
	:	
PPL Electric Utilities Corporation	:	

INITIAL DECISION

Before
Eranda Vero
Administrative Law Judge

INTRODUCTION

This Initial Decision grants Molay Magwood’s request to withdraw his Formal Complaint against PPL Electric Utilities Corporation, as there was no objection to the request, and granting the request is in the public interest.

HISTORY OF THE PROCEEDING

On October 2, 2024, Molay Magwood (Complainant or Mr. Magwood) filed a Formal Complaint (Complaint) against PPL Electric Utilities Corporation (PPL, Respondent or Company) with the Pennsylvania Public Utility Commission (Commission) alleging his inability to pay his electricity bills to PPL. As relief, he requested a payment arrangement.

On October 28, 2024, the Respondent filed an Answer denying all material allegations of fact and conclusions of law in the Complaint.

An Initial Call-in Telephonic Hearing Notice dated November 14, 2024, notified the parties that an initial call-in telephone hearing was scheduled for January 27, 2025, at 10:00 a.m., and that the matter was assigned to me.

On December 30, 2024, I issued a Prehearing Order. The Prehearing Order directed the parties to comply with various procedural requirements, reminded them of the time and date of the hearing and provided instructions for calling in to the hearing.

The hearing convened as scheduled on January 27, 2025. Mr. Magwood appeared *pro se*. Nicholas Stobbe, Esq., appeared representing the Respondent. The parties expressed their desire to engage in settlement discussions with me participating as a Settlement Judge. Although the settlement discussions were unsuccessful in resolving the issues raised in the Complaint, PPL agreed to send the Complainant more information regarding LIHEAP¹ and two other programs that could provide him with energy conservation and financial assistance. Mr. Magwood stated on the record that he wished to withdraw his Complaint and explore other options for paying his electricity bills to PPL. He wished to reserve the right to refile the Complaint once he could obtain legal representation. I offered to continue the hearing for a later date in order to provide him with additional time to obtain legal representation, but Mr. Magwood declined the offer. Although Mr. Magwood declined my offer to continue the hearing, I informed him that I would keep the record open until February 10, 2025, in case he was successful in obtaining legal representation.

¹ Referring to the Low Income Heat Energy Assistance Program.

The Respondent did not object to Complainant's request to withdraw the present Complaint.

As of the date of this Initial Decision, there has been no communication from Mr. Magwood and no attorney has entered his or her appearance on his behalf.

The record closed upon receipt of the hearing transcript on February 17, 2025.

For the reasons set forth below, the Complainant's request to withdraw his Complaint is granted.

FINDINGS OF FACT

1. The Complainant is Molay Magwood.
2. The Respondent is PPL Electric Utilities Corporation.
3. On October 2, 2024, Mr. Magwood filed a Formal Complaint against PPL alleging his inability to pay his electricity bills and requesting a payment arrangement.
4. On October 28, 2024, the Respondent filed an Answer denying all material allegations of fact and conclusions of law in the Complaint.
5. An Initial Call-in Telephonic Hearing Notice dated November 14, 2024, notified the parties that an initial call-in telephone hearing was scheduled on January 27, 2025, at 10:00 a.m.
6. A Prehearing Order dated December 30, 2024, directed the parties to

comply with various procedural requirements, reminded them of the time and date of the hearing and provided instructions for calling in to the hearing.

7. The hearing convened as scheduled on January 27, 2025, with Mr. Magwood appearing *pro se* and Nicholas Stobbe, Esq. representing the Respondent.

8. The parties engaged in settlement discussions through the Settlement Judge Process.

9. At the conclusion of the settlement discussions, Mr. Magwood made an on-the-record request to withdraw his Complainant against PPL in order to explore other options for paying his electricity bills to PPL. Tr. 5-6.

10. Mr. Magwood requested to reserve the right to refile the Complaint once he obtained legal representation. Tr. 5-6.

11. Mr. Magwood declined an offer to continue the hearing for a later date in order to provide him with additional time to obtain legal representation. Tr. 6.

12. The Respondent did not object to Complainant's request to withdraw the present Complaint. Tr. 7.

13. As of the date of this Initial Decision, there has been no communication from Mr. Magwood and no attorney has entered his or her appearance on his behalf.

DISCUSSION

The Commission's Rules of Practice and Procedure at 52 Pa. Code § 5.94 permit parties to withdraw pleadings in a contested proceeding. The provision at 52 Pa. Code § 5.94(a) allows withdrawal of pleadings by filing, with the Commission and service to parties, a petition for leave to withdraw the pleading. The petition is granted only by permission of the presiding officer or the Commission. *Id.* The presiding officer or Commission must consider the petition, any objections thereto and the public interest in determining whether to permit withdrawal of the pleading. *Id.* Pursuant to 52 Pa. Code § 1.2, the Commission may, in order to secure the just, speedy and inexpensive determination of actions or proceedings, disregard an error or defect of procedure which does not affect the substantive rights of the parties. For purposes of this decision, the Complainant's on-the-record request to withdraw his Complaint against PPL Electric Utilities Corporation will be treated as a Petition for Leave to Withdraw the Complaint. 52 Pa. Code § 1.2.

Before the hearing was convened on January 27, 2025, the parties expressed their desire to engage in settlement discussions with me participating as a Settlement Judge. Although the settlement discussions were unsuccessful in resolving the issues raised in the Complaint, PPL agreed to send the Complainant more information regarding LIHEAP and two other programs that could provide him with energy conservation and financial assistance. Tr. 6-7. Mr. Magwood stated on the record that he wished to withdraw his Complaint and explore other options for paying his electricity bills to PPL. Tr. 5-6. He wished to reserve the right to refile the Complaint once he could obtain legal representation. *Id.* I offered to continue the hearing for a later date in order to provide him with additional time to obtain legal representation, but Mr. Magwood declined the offer. Tr. 6. Although Mr. Magwood declined my offer to continue the hearing, I informed him that I would keep the record open until February 10, 2025, in case he was successful in obtaining legal representation. Tr. 7. The Respondent

did not object to Complainant's request to withdraw the present Complaint. Tr. 7. As of the date of this Initial Decision, there has been no communication from Mr. Magwood and no attorney has entered his or her appearance on his behalf.

The Commission has no interest in mandating that complainants continue litigation when they have indicated that they no longer wish to proceed with their complaint. In the present case, the Complainant wishes to explore other options for paying his electricity bills to PPL. Tr. 5-6. Further, the Complaint does not allege any facts that would impact the public interest. The Complaint does not contain any novel issues or issues of public interest. Thus, evaluating the Complainant's claims and preparing a decision at this time would not be in the public interest. Under these circumstances, granting the Complainant's request to withdraw his Complaint is in the public interest because doing so will eliminate the need for further litigation and save the parties any additional costs in time and money they would otherwise incur litigating the case. Accordingly, the Complainant's request to withdraw the present Complaint is granted.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties to and subject matter of this proceeding. 66 Pa.C.S. § 701.
2. In order to secure the just, speedy and inexpensive determination of actions or proceedings, the Commission may disregard an error or defect of procedure which does not affect the substantive rights of the parties. 52 Pa. Code § 1.2.
3. The Commission's Rules of Practice and Procedure at 52 Pa. Code § 5.94 permit parties to withdraw pleadings in a contested proceeding by permission of the presiding officer or Commission.

4. In determining whether to permit withdrawal of the pleading, the presiding officer or Commission must consider the petition, any objections thereto and the public interest. 52 Pa. Code § 5.94.

5. Granting the Complainant's withdrawal request is in the public interest.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Petition of Molay Magwood for Leave to Withdraw his Formal Complaint filed at Docket No. C-2024-3051558 is granted.

2. That the Formal Complaint of Molay Magwood against PPL Electric Utilities Corporation filed on October 2, 2024, at Docket No. C-2024-3051558, is withdrawn.

3. That the Secretary's Bureau shall mark Docket No. C-2024-3051558 closed.

Date: May 7, 2025

/s/
Eranda Vero
Administrative Law Judge