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May 15, 2025

VIA ELECTRONIC FILING

Mathew Homsher, Secretary
Commonwealth Keystone Building,
400 North Street, 2nd Floor,
P.O. Box 3265, Harrisburg, PA 17105-3265

Re: Mary-Ruth & Raymond-Thomas Oechsle v. PPL Electric Utilities Corporation
Docket No: F-2024-3051701

Dear Secretary Homsher:

Attached for filing, please find the Replies to Exceptions to the Initial Decision on behalf of PPL Electric Utilities Corporation in response to the Complaint of Mary-Ruth & Raymond-Thomas Oechsle in the above-referenced proceeding. Copies are being provided as indicated on the Certificate of Service.

Respectfully submitted,



Alice A. Wade
Associate

AAW/sa
Attachment

cc: Administrative Law Judge Erin L. Gannon (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing 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 E-MAIL AND FIRST CLASS MAIL

Mary-Ruth & Raymond-Thomas Oechsle
827 Green Street
Perkasie, PA 18944-2807
raymondthomasoechsle27@gmail.com

Dated: May 15,2025



Alice A. Wade

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Mary-Ruth & Raymond-Thomas Oechsle,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. F-2024-3051701
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**REPLIES OF PPL ELECTRIC UTILITIES CORPORATION TO THE
EXCEPTIONS OF RAYMOND-THOMAS OECHSLE**

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 Raymond-Thomas Oechsle (“Complainant”). In his Exceptions, the Complainant disputes Administrative Law Judge Erin L. Gannon’s (“ALJ”) Initial Decision (“ID”) dismissing the above-captioned Formal Complaint (“Complaint”). Specifically, the Complainant challenges the ALJ’s grant of the Company’s preliminary objection and dismissal of the Complaint. The Complainant’s Exceptions do not conform to the Commission’s regulations because they do not cite to any specific pages of the ID, referencing a single line from the ALJ’s order across the exceptions.¹

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.

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).

I. INTRODUCTION

On October 14, 2024, the Complainant filed the Complaint against PPL Electric claiming that PPL Electric had threatened to shut off his electric service. The Complainant also claimed that PPL Electric failed to properly process what he described as a “bill of exchange.”

On November 12, 2024, PPL Electric filed an Answer and New Matter to the Complaint. The Complainant did not file a response to this New Matter.

Also on November 12, 2024, PPL Electric filed a preliminary objection to the Complaint. The Complainant did not file a response to the preliminary objection.

On January 2, 2025, the ALJ issued an interim order holding the Company’s preliminary objection in abeyance and directing that a prehearing conference would be held on March 7, 2025 at 10 am.

On March 4, 2025, the prehearing conference was held as scheduled.

On April 15, 2025, the ALJ’s ID was issued, which granted the preliminary objection and dismissed the Complaint finding PPL had met the standard for dismissal without a hearing based on a lack of Commission jurisdiction.

On April 22, 2025, the Commission posted the Complainant’s Exceptions to the ID.

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 EXCEPTIONS NO. 1 & 2 – THE ALJ CORRECTLY FOUND THAT THE COMMISSION LACKS JURISDICTION TO INTERPRET NEGOTIABLE INSTRUMENTS UNDER THE UNIFORM COMMERCIAL CODE

The ALJ correctly granted PPL Electric’s preliminary objection and dismissed the Complaint because the Commission does not have jurisdiction to interpret negotiable instruments under the Uniform Commercial Code (UCC). (*See* ID at 1.) The Commission has long held that it lacks the authority to interpret the UCC to determine the negotiability of instruments. See *Haleema B. Alkhatib v. PECO Energy Company*, Docket No. C-2011-2242125 (Opinion and Order entered January 12, 2012); *James Coppedge v. PECO Energy Company*, Docket No. F-2009-2135893 (Opinion and order entered August 3, 2010). (ID at 9.) The Complainant claims in Exception 1 that he is not seeing an adjudication under the UCC, but a ruling on PPL Electric’s failure to “process a lawfully presented instrument of payment in good faith” and “to provide equal and reasonable treatment under 66 Pa. C.S. § 1501.” (Exceptions at 1.) To determine whether the bill of exchange is a reasonable form of payment, the Commission would have to determine the reasonableness of the instrument. To determine the reasonableness of the instrument as a form of payment, the Commission will have to determine the negotiability of the instrument. Thus, to determine if the bill of exchange at issue in the proceeding is “a lawfully presented instrument of payment” requires the Commission to interpret the UCC. Further, regarding the Complainant’s suggestion that not accepting the subject bill of exchange as a form of payment is unreasonable, the ALJ correctly found that “[t]he Commission has held that it is not unreasonable for a utility to limit the methods of payment it will accept.” (ID at 12, citing *Coppedge v. PECO Energy Co.*, Docket No. F-2014-2406180 (Opinion and Order entered Jan. 29, 2015). Accordingly, the ALJ properly concluded that the Commission does not have jurisdiction over the issues the Complainant seeks to litigate.

In Complainant’s Exception 2, the Complainant argues that the bill of exchange is legal tender. To support this, the Complainant cites to a number of federal laws as well as a string of

cases with apparently erroneous citations. (Exceptions at 1-2.) However, as a creature of statute, the Commission “has only those powers which are expressly conferred upon it by the Legislature and those powers which arise by necessary implication.” *Feingold v. Bell*, 383 A.2d 791, 794 (Pa. 1977) (citations omitted). The Commission must act within its jurisdiction and may only hear complaints regarding the Public Utility Code, Commission regulations, or Commission orders. See *Alkhatib v. PECO Energy Co.*, Docket No. C-2011-2242125, 2012 Pa. PUC LEXIS, at *13-14 (Jan. 12, 2012) citing 66 Pa. C.S. § 701. Therefore, the Commission lacks jurisdiction to apply and interpret federal law. The Complainant is asking the ALJ and Commission to make determinations about the negotiable instrument that require it to engage in an interpretation of federal law and the UCC. This is outside the Commission’s jurisdiction. Exceptions 1 and 2 have no merit and should be denied.

B. REPLY TO EXCEPTION NO. 3 AND 4 – THE ALJ CORRECTLY FOUND THAT PPL ELECTRIC MET THE STANDARD FOR DISMISSAL OF A COMPLAINT WITHOUT A HEARING

The ALJ correctly found that PPL Electric met the standard for dismissal of a Complaint without a hearing. (ID at 13.) The Complainant argues that he has a right to a hearing and that in dismissing the Complaint, the ALJ committed a procedural error. On March 7, 2025, a prehearing conference was convened during which the Complainant had an opportunity to explain his Complaint. The ALJ found that “[p]reliminary objections are available to parties and may be filed in response to a complaint, citing a lack of Commission jurisdiction.” (ID at 12 citing 52 Pa. Code § 5.101(a)(1).) The ALJ further found that “Section 703 of the Public Utility Code provides that the Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary in the public interest.” (ID at 13 citing 66 Pa.C.S. § 703(b); 52 Pa. Code § 5.21(d).) It is well-settled that an evidentiary hearing is only necessary to resolve factual disputes. *Painter v. PUC*, 116 A.3d 749, 755 (2015). There is no factual dispute in this Complaint. The Complainant

presented to the Company what he referred to invariably as a bill of exchange. The Company did not recognize the bill of exchange as it is not a reasonable payment as contemplated by 52 Pa. Code §56.94. The Complainant was not denied due process, and was in fact given an opportunity to explain his Complaint to the ALJ. The question, as evidenced by the claims made in the Complainant's own exceptions, is whether PPL Electric had a legal obligation to accept that bill of exchange. The dispute here is a legal one and a legal one outside of the Commission's jurisdiction.

Further in Exception 4, the Complainant reiterates his objection to the ALJ's decision to rule on the preliminary objections, demands reconsideration of the decision, and reiterates his requested relief, demanding, "acknowledgement that PPL has a duty to accept lawful instruments under federally codified standards of tender." The Complainant's own admission here implicitly acknowledges that the issue here is a legal one, not a factual one, and that a ruling would require an interpretation of federal law. As such, Exceptions No. 3 and 4 have no merit and the ALJ correctly dismissed the Complainant without a hearing due to a lack of Commission jurisdiction.

C. REPLY TO PARAGRAPHS 5 AND 6

PPL Electric notes that paragraphs 5 and 6 of the Complainant's Exceptions do not appear to be exceptions. Paragraph 5 does not discuss the Initial Decision, but appears to address how the Complainant prefers to correspond to the PUC. Paragraph 6 contains a number of requests directed at PPL Electric, demanding that the Company "present into the record" a number of documents. (Exceptions at 3.) Discovery, in this case, is untimely and unnecessary as the Commission does not have jurisdiction over the subject matter of the Complaint. The Company declines to provide the requested documents. The Company requests that the Commission dismiss these requests as meritless.

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 Erin Gannon, PPL Electric Utilities Corporation respectfully requests that the Pennsylvania Public Utility Commission: (1) deny the Exceptions filed by Raymond-Thomas Oechsle; (2) adopt the Initial Decision without modification; and (3) dismiss the Formal Complaint at Docket No. F-2024-3051701 with prejudice because the Commission does not have jurisdiction to interpret negotiable instruments.

Respectfully submitted,



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Date: May 15, 2025

Attorneys for PPL Electric Utilities Corporation