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File #: 203093

May 16, 2025

**VIA EMAIL**

Matthew Homsher, Secretary  
PA Public Utility Commission  
Keystone Building  
400 North Street  
Harrisburg, PA 17120

Re: **Antonio Geatti v. PPL Electric Utilities Corporation**  
**Docket No: C-2023-3043427**

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Dear Secretary Homsher:

Attached for filing, please find the Answer of PPL Electric Utilities Corporation to the Petition of Reconsideration of Antonio Geatti in the above-referenced proceeding. Copies are being provided as indicated on the Certificate of Service.

Respectfully submitted,



Megan E. Rulli

MER  
Attachment

cc: The Honorable Alphonso Arnold III (*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 EMAIL AND FIRST-CLASS MAIL**

Antonio Geatti  
20 Shawnee Road  
Bloomsburg, PA 17815  
antoniogeatti@gmail.com

Date: May 16, 2025

  
\_\_\_\_\_  
Megan E. Rulli

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Antonio Geatti,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2023-3043427
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

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**ANSWER OF PPL ELECTRIC UTILITIES CORPORATION  
TO THE COMPLAINANT'S  
PETITION FOR RECONSIDERATION**

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Date: May 16, 2025

Attorneys for PPL Electric Utilities Corporation

## **I. INTRODUCTION**

Pursuant to 52 Pa. Code § 5.61, PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby files this Answer to the Petition for Reconsideration (“Petition”) filed by Antonio Geatti (“Complainant”). In his Petition, the Complainant seeks reconsideration of the Opinion and Order of the Pennsylvania Public Utility Commission (“Commission”) entered in the above-captioned proceeding on April 10, 2025 (“Order”).

As explained below, the Petition should be denied because it is untimely, fails to comply with the Commission’s regulations regarding petitions for reconsideration, and fails to meet the well-established standard for granting reconsideration set forth in Section 703(f) and (g) of the Public Utility Code, 66 Pa.C.S. § 703(f)-(g), and *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553, 559 (1982). The Petition was filed more than 10 days after the due date required by the Commission’s regulations and simply re-raises various arguments that were already considered and rejected by the Commission. For these reasons, and as more fully explained below, PPL Electric respectfully requests that the Commission deny the Complainant’s Petition for Reconsideration.

## **II. BACKGROUND**

1. The procedural history pertinent to this Answer is set forth below. The full procedural history in this case is fully set forth on pages 3-5 of PPL Electric’s Motion for Summary Judgment.

2. By Secretarial Letter dated October 6, 2023, PPL Electric was served with the above-captioned Complaint. In the Complaint, the Complainant states that the Company shut off his electric service and requests that the Company restore service to his residence located at 20 Shawnee Road, Bloomsburg, PA 17815 (“Property”). (Complaint ¶¶ 5-6).

3. On October 26, 2023, PPL Electric filed an Answer to the above-captioned Complaint. In its Answer, the Company admitted that it had disconnected electric service to the Property for safety reasons.

4. On November 6, 2024, PPL Electric filed a Motion for Summary Judgment requesting that the Complaint be dismissed as moot due to the demolition of the Complainant's residence.

5. On or about November 27, 2024, the Complainant filed an Answer to the Company's Motion for Summary Judgment.

6. On December 2, 2024, the Commission issued a Cancellation Notice, which canceled the hearing scheduled for December 10, 2024.

7. On December 5, 2024, Administrative Law Judge Alphonso Arnold III (the "ALJ") issued an Order Closing the Record, which noted that the record was closed and an Initial Decision would be prepared and issued.

8. On or about December 6, 2024, the Complainant filed a Motion to Keep Record Open and to Continue Hearings.

9. On December 30, 2024, PPL Electric filed its Answer to the Complainant's Motion to Keep Record Open and to Continue Hearings.

10. On January 2, 2025, the ALJ issued an Initial Decision ("ID"). The ID dismissed the Complaint with prejudice, granted the Company's Motion for Summary Judgment, and denied the Complainant's Motion to Keep Record Open and to Continue Hearings.

11. On January 21, 2025, the Complainant filed Exceptions. On February 3, 2025, the Company filed Reply Exceptions.

12. On April 10, 2025, the Commission entered an Opinion and Order adopting the Initial Decision, consistent with the Opinion and Order, and denying the Complainant's Exceptions.

13. On May 6, 2025, the Complainant filed a Petition for Reconsideration of the Commission's Order. For the reasons explained below, as well as those more fully explained in the Commission's Order, the Complainant's Petition for Reconsideration should be denied.

### **III. LEGAL STANDARDS**

14. The requirements for petitions for reconsideration of a Commission order are set forth in the Commission regulations at 52 Pa. Code § 5.572.

15. The Commission's standard for granting reconsideration following final orders is set forth in *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa. P.U.C. 553, 559 (1982) (emphasis added):

A petition for reconsideration, under the provisions of 66 Pa.C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part. In this regard we agree with the Court in the Pennsylvania Railroad Company case, wherein it was said that “[p]arties ..., cannot be permitted by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them....” What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission.

Consequently, for a petition to warrant reconsideration by the Commission, it must demonstrate new and novel arguments that were raised by the petitioner, but not previously considered by the Commission. The Commission has cautioned that the last portion of the operative language of the *Duick* standard (*i.e.*, “by the Commission”) focuses on the deliberations of the Commission, not the arguments of the parties. *See Pa. PUC v. PPL Elec. Utils. Corp.*, Docket No. R-2012-2290597,

p. 3 (Order entered May 22, 2014). Therefore, a petition for reconsideration cannot be used to raise new arguments or issues that should have been, but were not, previously raised.

16. A petition seeking relief under the *Duick* standard may properly raise any matter designed to convince the Commission that it should exercise its discretion to rescind or amend a prior order in whole or part. Importantly, however, the *Duick* standard does not permit a petitioner to raise issues and arguments considered and decided below such that the petitioner obtains a second opportunity to argue properly resolved matters. *Id.* Further, as explained by the Pennsylvania Supreme Court, petitions for reconsideration of a final agency order may only be granted judiciously and under appropriate circumstances because such action results in the disturbance of final agency orders. *City of Pittsburgh v. Pa. Dep't of Transp.*, 490 Pa. 264, 416 A.2d 461 (1980).

17. As explained below, the Complainant's Petition clearly fails to satisfy the standards for granting reconsideration and also fails to meet the requirements of the Commission's regulations.

#### **IV. ARGUMENT**

##### **A. THE COMPLAINANT'S PETITION FOR RECONSIDERATION SHOULD BE DENIED BECAUSE IT IS UNTIMELY AND FAILS TO COMPLY WITH THE COMMISSION'S REGULATIONS REGARDING PETITIONS FOR RECONSIDERATION.**

18. The Complainant's Petition for Reconsideration fails to comply with the Commission's regulations at 52 Pa. Code § 5.572.

19. Section 5.572 requires that petitions for reconsideration be filed within "15 days after the Commission order involved is entered or otherwise becomes final." 52 Pa. Code § 5.572(c). The Commission's Order was entered on April 10, 2025. Therefore, any petitions for

reconsideration of the Order were due by April 25, 2025. The Complainant did not file the Petition until May 6, 2025, more than 10 days past the due date required by the Commission's regulations.

20. Section 5.572 also requires that petitions for reconsideration be "in numbered paragraphs." 52 Pa. Code § 5.572(a). The Complainant's Petition does not contain numbered paragraphs.

21. Therefore, the Petition should be denied because it is untimely and does not comply with the Commission's regulations regarding petitions for reconsideration.

**B. THE COMPLAINANT'S REQUEST FOR RECONSIDERATION SHOULD BE DENIED BECAUSE IT FAILS TO SATISFY THE *DUICK* STANDARD.**

22. The Complainant raises several arguments in his Petition, all of which he previously raised before the Commission in this proceeding. As explained herein and in the Commission's Order, the substantive arguments raised in the Petition are not new and were previously considered and rejected by the Commission in its Order. Further, the Complainant's process arguments related to certain filings are meritless. Therefore, the Petition fails to meet the *Duick* standard for reconsideration.

23. The Commission specifically considered and rejected the Complainant's arguments regarding the legality of Scott Township's demolition of his home. In the Petition, the Complainant restates his arguments that the Township did not have the authority to demolish his home and that the Demolition Order was fraudulent. Petition, pp. 1-2, 3, 4. However, the Commission considered the Complainant's arguments regarding the demolition and determined that those issues raise real property claims that are outside the scope of the Commission's subject matter jurisdiction. The relevant portions of the Commission's Order state:

. . . the Complainant's real property claims are outside both the scope of the instant proceeding and the Commission's subject matter jurisdiction.

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. . . the cause of the Township's action is not what is at issue in this proceeding, nor is it within the jurisdiction of the Commission.

Order, pp. 18-19.

24. The Commission specifically considered and rejected the Complainant's arguments that terminating service to his residence was improper. In the Petition, the Complainant argues that "PPL did not state any safety reasons in reference to the disconnection of the service to the Complainant's home" and generally claims that his Property did not poses a safety concern at the time of its demolition. Petition, pp. 2-3, 4. The Complainant is attempting to re-litigate his position that there was no basis for disconnecting service and that Scott Township's demolition was improper considering the condition of the Property. The Commission specifically rejected these arguments in its Order and agreed with the ALJ that "PPL's disconnection of service due to safety issues at the Service Address was 'reasonable pursuant to PPL's duty to furnish and maintain adequate, efficient, safe, and reasonable service and facilities.'" Order, p. 17. The Commission considered the record evidence in making this determination, finding that there was a Demolition Order in effect at the Complainant's service address due to the unsafe condition of the residence and that PPL Electric was unable to restore electricity to the residence during the pendency of the Demolition Order. See Order, pp. 16-18.

25. The Commission specifically considered and rejected the Complainant's argument that PPL Electric conspired with Scott Township to demolish his Property. In the Petition, the Complainant re-argues his position that "[t]he complaint and the destruction of the Complainants [sic] residence came as a byproduct of the complaint that was filed with the PUC, because PPL as well as other parties decided to conspire to destroy the Complainants [sic] Home . . . ." Petition, pp. 2-3; *see* also Petition pp. 4, 5. In its Order, the Commission explicitly rejected these baseless arguments. The Commission stated, in relevant part, as follows:

Furthermore, we find it incredulous that PPL would conspire to demolish the homes of its customers to avoid customer complaints, as suggested by the Complainant

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In support of his request for relief, the Complainant has relied solely upon his belief that PPL acted, in concert, with the Township to have his residence demolished. In doing so, it is clear that Mr. Geatti is attempting to resolve this matter before the Commission, asserting that many factual issues remain in dispute related to the destruction of the Complainant's residence. As such, the Complainant is attempting to use this Commission as a forum to resolve an underlying dispute that he has with the Township. However, nothing in the Code authorizes the Commission to engage in this activity.

Order, pp. 19, 20.

26. The Commission specifically considered and rejected the Complainant's arguments that this matter is not moot and should be set for hearing. In his Petition, the Complainant reiterates his claims that the case should remain open because he has no electric service at his Property. Petition, pp. 3, 4, 5. The Commission denied the Complainant's Exception on this point, stating:

[T]he provision at 52 Pa. Code § 5.102 serves judicial economy by avoiding a hearing where no factual dispute exists. If no factual issue pertinent to the resolution of the case exists, a hearing is unnecessary." I.D. at 8 (citing *Lehigh Valley Power Committee v. Pa. PUC*, 563 A.2d 557 (Pa. Cmwlth. 1989)). Based on our review of the pleadings and the applicable law, we find that the ALJ properly granted PPL's Motion for Summary Judgment. Viewing the record in the light most favorable to the Complainant, the relief Mr. Geatti is seeking, i.e., a restoration of electric service to his residence at the Service Address, cannot be granted due to its demolition pursuant to the Demolition Order, rendering this proceeding moot. As such, we agree with ALJ Arnold that no genuine issue of material fact exists as to whether PPL can restore electric service to the Service Address.

Order, p. 18.

27. For the Complainant to meet the *Duick* standard for granting reconsideration, he cannot simply re-raise the same arguments that were considered and rejected by the Commission. As explained herein, the Commission previously considered and rejected the substantive

arguments raised in the Complainant's Petition for Reconsideration. Thus, the Petition should be denied.

28. Finally, the Complainant's process claims raised in the Petition are meritless and do not warrant reconsideration of the Commission's Order. In his Petition, the Complainant alleges that his Exceptions were "ignored" and that the Commission's Secretary's Bureau was "unwilling to process them." Petition, p. 4. The Complainant also claims that the Commission improperly rejected his Amended Complaint and his response to PPL Electric's Reply to his Exceptions. Petition, p. 4.

29. First, the very purpose of the Commission's Order was to rule on the Complainant's Exceptions, and the Commission specifically considered his Exceptions and made findings based on the arguments contained therein. *See* Order, pp. 1-21. The fact that the Commission rejected the Complainant's arguments does not mean that the Commission overlooked or failed to consider them.

30. Second, the Commission's Order states that the Complainant's Amended Complaint was rejected because the Commission's "Regulations do not authorize the filing of an Amended Complaint during the review of Exceptions to an initial Decision granting summary judgment." Order, p. 16. The Commission also noted that it would "not consider the response filed by the Complainant in this docket on March 6, 2025, as our Regulations do not permit the filing of responses to Replies to Exceptions." Order, p. 16 (citing 52 Pa. Code §§ 5.533, 5.535).

31. The Commission properly rejected the Complainant's filings because they are not authorized under the Commission's regulations. In fact, these filings contain the same arguments that the Complainant has raised throughout this proceeding, including in his Answer to PPL Electric's Motion for Summary Judgment, Motion to Keep the Record Open and to Continue

Hearings, and Exceptions to the Initial Decision. Accepting these unauthorized and repetitive filings would not have changed the outcome of this case.

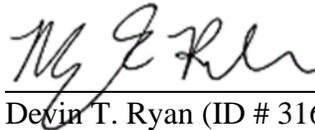
32. As such, the Complainant's process arguments are without merit and should be denied.

33. For these reasons, the Complainant has failed to show that he is entitled to the relief requested, *i.e.*, reconsideration of the Commission's Order, and the Petition should be denied in its entirety.

V. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Pennsylvania Public Utility Commission deny the Petition for Reconsideration filed by Antonio Geatti in its entirety.

Respectfully submitted,



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Date: May 16, 2025

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