

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

John Logue	:	
	:	
v.	:	C-2025-3053181
	:	
Peoples Natural Gas Company LLC	:	

**FIRST POST HEARING ORDER**

Reopen the Hearing Record to  
Correct Transcript

Before  
Katrina L. Dunderdale  
Administrative Law Judge

**HISTORY OF THE PROCEEDING**

On January 30, 2025, John Logue (Complainant or Mr. Logue) filed a Formal Complaint with the Pennsylvania Public Utility Commission (Commission) against Peoples Natural Gas Company LLC (Respondent or Peoples) alleging Peoples provided poor customer service when it applied the Weather Normalization Adjustment (WNA) to his billing statements for natural gas service provided to his residence, and when it used an incorrect formula to determine the adjustment. Complainant requested the Commission order Peoples to indicate each month on the billing statement, in plain and simple language, how the adjustment is calculated. In addition, Complainant alleged Peoples provided poor customer service when it applied the adjustment carried retroactively before the Commission authorized the use of the adjustment.

On February 20, 2025, Respondent filed an Answer, in which Peoples admitted it provides natural gas service to Complainant at the service address but generally denied the allegations.

On February 21, 2025, Complainant filed a response to the Answer.

On February 25, 2025, the Office of Administrative Law Judge (OALJ) issued an Initial Call-In Telephone Hearing Notice, which scheduled an initial telephonic hearing to be conducted on April 16, 2025. Also, on February 25, 2025, the presiding officer issued a Prehearing Order, reminding the parties as to the date, time and manner of the hearing, and advising the parties about various procedural rules, including the rules concerning how to request a continuance.

On March 11, 2025, Respondent served a Motion for Continuance on the presiding officer and Complainant via electronic mail,<sup>1</sup> and averred Respondent's attorney had a previously-scheduled business trip which would prevent her from being able to participate in a telephonic hearing. The continuance request indicated Mr. Logue did not object to the request. Respondent asserted both parties conferred, and counsel provided the ALJ with three possible alternative dates for a rescheduled hearing.

On March 11, 2025, the presiding officer issued the First Interim Order which granted the continuance request and rescheduled the initial hearing to April 23, 2025. Thereafter, on March 12, 2025, the OALJ issued the Cancelled/Rescheduled Initial Telephonic Hearing Notice, rescheduling the initial hearing to April 23, 2025.

On April 23, 2025, the presiding officer convened the initial hearing, at which Complainant and Respondent appeared. Complainant testified on his own behalf and Respondent presented the testimony of two witnesses: Carol Scanlon and Robert Dailey. Complainant moved to admit 7 exhibits which were marked as Complainant Exhibits 1 through 7

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<sup>1</sup> The Motion for Continuance was not filed with the Secretary's Bureau.

and were admitted into the hearing record. Respondent moved to admit 2 exhibits which were marked as Peoples Exhibits B and C and were admitted into the hearing record.

On May 15, 2025, a transcript produced by the court reporter from the initial hearing on April 23, 2025, was filed with the Commission's Secretary's Bureau.

On May 19, 2025, a transcript produced by the court reporter from the initial hearing on April 23, 2025, was filed with the Commission's Secretary's Bureau, in addition to filing the exhibits which had been admitted into the hearing record during the initial hearing.

On May 20, 2025, the presiding officer issued the Interim Order Closing the Hearing Record.

On May 27, 2025, Respondent filed a Petition to Reopen the Record (Petition), pursuant to 52 Pa. Code § 5.571. Respondent requested the presiding officer reopen the hearing record for the limited purpose of correcting certain typographical errors in the transcript.

Respondent attached to the Petition a list of the proposed corrections to the transcript, pursuant to provisions at 52 Pa. Code § 5.253, which list is identified as Appendix A. Appendix A consists of a chart that shows the page/line where the alleged typographical error can be found, the language as it appears in the transcript currently and the language Peoples propose should be reflected in the transcript. The chart includes 59 separate places within the transcript in which Peoples contends there is a need to correct for typographical errors.

On June 2, 2025, Complainant served a Response to the Petition (Response).<sup>2</sup> Complainant objects to Peoples' Petition and requests the presiding officer deny the request. Complainant contends the items listed by Peoples in Appendix A to its Petition are more than

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<sup>2</sup> The cover letter to the Response is dated May 30, 2025, and the Certification of Service attached to the Response is dated May 31, 2025. Complainant served a copy of the Response on the presiding officer and opposing counsel via email at 10:00 p.m. on June 2, 2025, in which email Complainant indicated he sent a copy of the Response in hard copy, certified mail, return receipt requested to the Secretary of the Commission as well as to the presiding officer and opposing counsel. The date of June 2, 2025, will be accepted by the ALJ as the date the Response was filed despite being sent and received after the close of business hours.

typographical errors, and he argues that Peoples now attempts to alter the original and sworn statements because the statements reflected in the transcript are detrimental to Peoples' case. Further, Mr. Logue asserts the Petition fails to cite to material changes of fact or of law which occurred since the conclusion of the hearing and, pursuant to 52 Pa. Code § 5.571, Peoples' request should be denied for failure to make such contentions in its Petition. Complainant also objects because he did not purchase the transcript and the 59 examples provided by Peoples in its Petition are listed out of context that makes it difficult for him to respond to the Petition with any specificity.

### DISCUSSION

In this proceeding, the hearing record closed by order of the presiding officer one day after the transcript was filed by the court reporter with the Commission's Secretary's Bureau. Eight days after the transcript was filed, Respondent filed this Petition pursuant to 52 Pa. Code § 5.571. Respondent requests to reopen the hearing record.

Pursuant to 52 Pa. Code § 5.571(d), the presiding officer may reopen a record provided the presiding officer has not issued a decision or certified the record to the Commission. The record may be reopened to receive additional evidence if there is reason to believe that conditions of fact or of law have so changed as to require the reopening of the proceeding.

Respondent does not cite to any condition of fact and/or of law that has changed. Respondent cites to an alleged defect in the official transcript and requests corrections to the transcript. Corrections to transcripts are covered in 52 Pa. Code § 5.253, which states:

- (a) A correction in the official transcript may be made only to make it accurately reflect the evidence presented at the hearing and to speak the truth.
- (b) Proposed corrections of a transcript may be submitted by either of the following means:
  - (1) By written stipulation by the parties of record who were present when the transcription was taken.
  - (2) Upon written request of one or more parties of record present when the transcription was taken.

- (c) Proposed corrections shall be filed as follows:
  - (1) Within 10 days after the transcript has been filed with the Commission.
  - (2) Within 10 days after the electronically recorded testimony has been reviewed.
  - (3) Upon permission of the presiding officer granted prior to the closing of the record.
- (d) Objections or other comments to the proposed corrections shall be filed within 10 days of service of the proposed corrections.
- (e) Proposed corrections and objections or other comments shall be served upon the parties of record present when the original transcription was taken.
- (f) The presiding officer will rule upon a proposed correction of a transcript within 20 days of its receipt. A request for corrections not acted upon within 20 days is deemed to be:
  - (1) Denied if opposed in a timely manner.
  - (2) Granted if unopposed.

Complainant objects to changing or correcting the transcript because the proposed changes are more than simply typographical errors, as alleged by Respondent, and Peoples is attempting to alter the original testimony because its witnesses' statements may be detrimental to Peoples' position.

The hearing record must be reopened. The presiding officer will provide Respondent with an opportunity to file with the Secretary's Bureau a petition or motion to correct the transcript that is in conformity with the applicable provisions of 52 Pa. Code § 5.523. Complainant will have a period of ten (10) days in which to respond to the request, if Respondent chooses to request corrections, provided Complainant's response is in writing and is filed with the Secretary's Bureau, with a copy provided to the presiding officer and Respondent's attorney.

The parties are encouraged to discuss the proposed corrections and determine what proposed corrections can be corrected by stipulation and what proposed corrections remain in contention. If the parties are unable to reach any stipulation or agreement about any of the proposed corrections, the presiding officer will schedule a post-hearing conference to be conducted in person with both parties present in the Commission's hearing room in Pittsburgh, Pennsylvania. The purpose of the post-hearing conference will be to attempt to resolve the

disagreement between the parties. Any proposed corrections remaining unresolved will be determined by the presiding officer in a subsequent post-hearing order.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the proceeding at Docket No. C-2025-3053181 is reopened.
2. That, on or before June 18, 2025, Respondent should file with the Secretary's Bureau a request to correct the transcript that is in conformity with the provisions in 52 Pa. Code § 5.523.
3. That, if Respondent files a request on or before June 18, 2025, Complainant will have until June 30, 2025, to file a written response which specifies Complainant's agreement with or objection to each requested correction.
4. After June 30, 2025, the presiding officer will notify the parties whether a subsequent post-hearing conference will be conducted with the parties in person in Pittsburgh, Pennsylvania, or if any proposed correction will be granted.

Date: June 5, 2025

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/s/  
Katrina L. Dunderdale  
Administrative Law Judge

**C-2025-3053181 - JOHN J. LOGUE v. PEOPLES NATURAL GAS COMPANY LLC**

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