

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Roxane Leaveck	:	
	:	
v.	:	C-2025-3054458
	:	
PPL Electric Utilities Company	:	

ORDER GRANTING PRELIMINARY OBJECTIONS

On April 1, 2025, Roxane Leaveck (Complainant or Ms. Leaveck) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against PPL Electric Utilities Corporation (PPL). On her complaint form, Ms. Leaveck checked the box indicating that PPL was threatening to shut off her service or had already shut off her service. Ms. Leaveck also checked the box indicating that incorrect charges were present on her bill. Finally, she checked the “Other” box, writing, “I have been investigation [presumably meaning ‘investigating’] the ‘business practices’ of this Company since 2022, under the “Qui Tam” provisions of the USC. ‘ROXANE LEAVECK’ is a Trust, not a ‘resident, consumer, or living soul’, and these utility companies are defrauding both me and the State & Federal Governments. I filed a Formal Report/Complaint with the Pennsylvania Attorney General & Secretary of State & the United States President, Secretary, & Attorney General on March 31, 2025”.

As her requested relief, Ms. Leaveck stated the following: “I have made numerous attempts to ‘negotiate’ with the Corporation and requested both a ‘True Bill’ under 12 CFR & FDCPA, or to get a ‘Full Accounting’ from them, as Benefice for this Trust, since 2022, to no avail. I would like them to Immediately Cease & Desist from ever contacting me again. See also PASC Docket 132 MM 2024, where all ‘Respondents’ did Fail to Respond in Kind; decision currently under Appeal in higher Court.” The Complainant does not specify outright in the Complaint any particular part of her bill she requests be modified or that her past due balances are improper or should be eliminated, only that going forward she requests never to

again be contacted by PPL. The Complainant also cites to various federal entities and provisions in her requested relief and throughout her complaint.

On April 28, 2025, PPL filed an Answer with New Matter and Preliminary Objections in response to the Complaint. In its Answer, PPL admits that the Company issued multiple termination notices to the Complainant but denies that these actions were in violation of the Public Utility Code, the Commission's regulations, or the Company's Commission-approved tariff. PPL also denies that there are any incorrect charges present on the Complainant's bill, averring that the Complainant received a single estimated bill from PPL in January 2023, which was later reconciled to an actual meter read with a bill issued on January 31, 2023, and that at all other times relevant to her Complaint, the Complainant's electric service charges were based on actual meter readings and the rates applicable during the billing periods in question.

PPL explained that the Complainant has, as of April 28, 2025, an outstanding balance of \$2,429.67 owed to the Company for utility service. Further, PPL explained that it has no record of the Complainant requesting a "True Bill". PPL does, however, admit that the Complainant requested a "Full Accounting" via email to the Company on July 15, 2022, but that in past correspondences, the Complainant communicated to the Company that she was not legally responsible for paying her bill, and that it is the responsibility of the United States Treasury to pay her bill. Further, PPL explained that the claims the Complainant has made in regards to her belief in her lack of responsibility to pay her bill, where she cites various federal provisions outside of the jurisdiction of the Commission, and refers to herself specifically and intentionally as a "Trust" and not as "a resident, consumer, or living soul", are outside of the Company's scope of knowledge and information about this proceeding or relevance to the complaint. PPL also explains to have a lack of knowledge and information concerning her other claims and their relevance to this Complaint, such as the Complainant's claims of her "investigat[ing]" their "business practices", and her mention of the "Qui Tam" provisions of the USC, a provision concerning private individuals acting as whistleblowers for companies defrauding the United States Government. PPL also denies the Complainant's accusation that the Company is defrauding the Government or the Complainant herself.

In its Preliminary Objections, PPL avers that the Commission lacks jurisdiction over the portions of the Complaint where the Complainant alleges violations under the United States Code, Title 12 of the Code of Federal Regulations, and the Fair Debt Collection Practices Act and, accordingly, requests that those portions be dismissed from the Complaint. PPL also avers that the Complainant made no specific allegation that the Company billed her in violation of the Public Utility Code, the Commission's regulations or orders, or the Company's Commission approved tariff. Further, PPL avers that the Complainant made no specific claims disputing the balance on her account with PPL or any specific bill rendered by PPL.

A Notice to Plead was attached to the Preliminary Objection, advising Complainant to file a response within ten (10) days. The Complainant did not file a response.

It is now appropriate to rule on the Preliminary Objection.

Discussion

In ruling on preliminary objections, the Presiding Officer must accept as true all well-pled allegations of material facts as well as all inferences reasonable deducible therefrom.¹ However, the Presiding Officer need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion.² In addition, the Presiding Officer must determine whether, based on the factual pleadings, recovery is possible.³

¹ *Stilp v. Commonwealth*, 910 A.2d 775, 781 (Pa. Cmwlth. 2006) (“*Stilp*”) (citing *Dep't of Gen. Servs. v. Bd. Of Claims*, 881 A.2d 14 (Pa. Cmwlth. 2005)), affirmed, 974 A.2d 491 (Pa. 2009).

² *Stanton-Negley Drug Co. v. Dep't of Pub. Welfare*, 927 A.2d 671, 673 (Pa. Cmwlth. 2007), affirmed, 963 A.2d 670 (Pa. 2009).

³ *Rok v. Flaherty*, 527 A.2d 211, 214 (Pa. Cmwlth. 1987).

⁴ *Milliner v. Enck*, 709 A.2d 417, 418 (Pa. Super. 1998) (quoting *Santiago v. Pa. Nat. Mut. Cas. Ins. Co.*, 613 A.2d 1235, 1238 (Pa. Super 1992)).

⁵ *Feingold v. Bell*, 383 A.2d 791, 794 (Pa. 1977).

Indeed, for preliminary objections to be sustained, it must appear with certainty that the law will permit no recovery.⁴

As a creature of legislation, the Commission has only those powers which are expressly conferred upon it by the Legislature and those powers which arise by necessary implication.⁵ Application and interpretation of federal law fall outside of the express jurisdiction of the Pennsylvania Public Utility Commission. 66 Pa. C.S. § 701; *Alkhatib v. PECO Energy Co.*, Docket No. C-2011-2242125, 2021 Pa. PUC LEXIS, at *13-14 (Jan. 12, 2021) (citing 66 Pa. C.S. § 701).

Here, the Complainant alleges that PPL has been “defrauding both me and the State & Federal Governments.” The portions of the Complaint that allege PPL violated any Federal Laws or has been defrauding both the State and Federal Governments are outside of the Commission’s subject matter jurisdiction and are dismissed from the Complaint. Complainant is free to raise these claims in an appropriate forum.

Although other allegations in the Complaint lack specificity or detail as to improper charges or termination procedures, the Complainant has, arguably, suggested that billing errors or improper termination procedures may have occurred. If proven true, these allegations may constitute violations of the Public Utility Code or Commission regulations over which the Commission does have jurisdiction. Accordingly, a hearing will be scheduled to allow the Complainant to assert and address claims regarding improper billing or termination procedures. At the hearing, the Complainant will have the burden of proving that PPL violated the Public Utility Code or a Commission regulation or order over which the Commission has authority.

THEREFORE,

IT IS ORDERED:

1. That the Preliminary Objection filed by PPL Electric Utilities against the Formal Complaint filed by Roxane Leaveck at Docket Number C-2025-3054458 is granted.
2. That Complainant's claims that PPL Electric Utilities violated Federal Law are dismissed from the Complaint.
3. That an evidentiary hearing will be scheduled to address the any remaining claims involving allegations of improper billing or termination procedures.

Dated: June 12, 2025

/s/
Steven K Haas
Administrative Law Judge

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