

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Gasden Ridge Holdings, LLC a/k/a Treval, LLC	:	
	:	C-2024-3049516
v.	:	
	:	
PPL Electric Utilities Corporation	:	

**FURTHER INTERIM ORDER
REQUIRING COMPLAINANT TO OBTAIN COUNSEL**

Gasden Ridge Holdings, LLC a/k/a Treval, LLC (Complainant or Gadsen) filed a Formal Complaint (Complaint) dated June 11, 2024, against PPL Electric Utilities Corporation averring that Respondent has a right of way on Complainant’s property and damaged improvements made to his property. Complainant further averred that Respondent ran bulldozers up and down his asphalt driveway and buried over 2,000 feet of stone access roads constructed by Complainant. The Complainant also averred Respondent has not returned dozens of phone calls, detailed emails and requests for meetings. As relief, Complainant averred he wants his roads replaced back with stone, the topsoil piles returned to a contour that he can mow, the garbage cleaned up, the driveway repaved and stated that his damages exceed \$100,000.

PPL Electric Utilities Corporation (Respondent, PPL or Company) filed an Answer and Preliminary Objections on July 2, 2024. In its Answer, Respondent admitted it has a right of way on Complainant’s property and denied it exceeded its scope of its right of way. Respondent further denied it was negligent or that it damaged or destroyed improvements made to Complainant’s property or his asphalt driveway. Respondent further denied it buried access roads, left garbage on Complainant’s home or left dirt on the property which allowed erosion to occur.

In its preliminary objections, Respondent argues that Complainant’s claims are based upon two theories: (1) that PPL was negligent in the performance of the work within its right-of-way on

Complainant's property; and/or (2) that PPL exceeded the scope of its right-of-way of the property. However, Respondent argues the Commission does not have the authority to hear Complainant's claims.

Respondent further asserts Complainant requests monetary damages for which the Commission cannot award. The Complaint alleges that he suffered damages in excess of \$100,000. To the extent that the Complainant argues that it is entitled to monetary damages as a result of PPL's alleged actions, Respondent argues the Commission does not have the authority to award it monetary damages. Further, Complainant alleges that PPL caused damage and destruction to his property. To the extent that the Complainant is requesting that the Commission determine that PPL was negligent in performing work within its right-of-way on Complainant's property, Respondent argues the Commission lacks the authority to make such a determination.

Respondent argues the Commission is not the proper forum for resolving property rights controversies. Rather, such controversies are a matter for a court of general jurisdiction. To the extent that Complainant requests the Commission to determine the scope and validity of PPL's easement and whether PPL exceeded the scope of its right-of-way, Respondent argues the Commission also lacks the authority to do so.

Respondent concludes the Commission does not have jurisdiction over Complainant's claims and cannot award the relief sought by Complainant, and accordingly, the Complaint should be dismissed with prejudice.

The Preliminary objections dated July 2, 2024, included a notice to plead advising Complainant it may file a response to the preliminary objections within 10 days of service of the preliminary objections.

Complainant did not file a Response to Preliminary Objections.

On October 23, 2024, an Interim Order was entered granting the preliminary objections of Respondent, PPL Electric Utilities Corporation, to the extent that Complainant seeks

an award by the Commission of monetary damages to be paid by Respondent and striking any specific request for payment of monetary damages. The preliminary objections of PPL were denied to the extent that the preliminary objections sought to prohibit Complainant from introducing any testimony or exhibits at any evidentiary hearing regarding the alleged damages and service-related claims, subject to any objections raised prior to or raised at the hearing in this proceeding.

In addition, the preliminary objections of Respondent, PPL Electric Utilities Corporation, to the extent that Complainant specifically sought a determination of the scope and validity of PPL's easement and whether PPL exceeded the scope of its right-of-way, were granted, as specifically set forth in the Order. The preliminary objections of PPL Electric Utilities Corporation were denied to the extent that the preliminary objections sought to prohibit Complainant from providing evidence or advancing its claims that Respondent damaged improvements made to his property, ran bulldozers up and down his asphalt driveway and buried over 2,000 feet of stone access roads constructed by Complainant, left garbage on his property and related claims and that Respondent has not returned dozens of phone calls, detailed emails and requests for meetings.

According to Sections 1.21 through 1.23 of the Pennsylvania Public Utility Code, if a party is an individual, he or she may represent him or herself, or the individual may be represented by an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *Pro Hac Vice*. However, if a party is not an individual, such as a partnership, limited liability company, corporation, trust, association, or governmental agency or subdivision, the party must have an attorney licensed to practice law in the Commonwealth of Pennsylvania, or admitted *Pro Hac Vice* to represent the party at the hearing. If a party is not an individual, and the party is not represented by an attorney, the party is not permitted to participate in the hearing.

The Complaint identifies Gasden Ridge Holdings, LLC a/k/a Treval, LLC as the Complainant in this proceeding and the verification attached to the Complaint indicates it was signed by the President of the Complainant Limited Liability Company..In addition, the Complaint indicates that Complainant is represented by an attorney, Don Jensen, however no

attorney entered an appearance with the Commission for Complainant. As a Limited Liability Company or LLC, Complainant must be represented by an attorney licensed to practice law in the Commonwealth of Pennsylvania or admitted *Pro Hac Vice*.

On October 25, 2024, an Interim Order was entered directing that Complainant, Gasden Ridge Holdings, LLC a/k/a Treval, LLC cause its legal counsel to enter his or her appearance with the Commission in accordance with the provisions of 52 Pa.Code § 1.24(b), in writing, filed with the Commission Secretary, under the Pennsylvania Public Utility Commission's rules, not later than 4:30 p.m. on Monday, November 25, 2024. The Order also provided that the failure of Complainant to fully comply with the terms of the Order, in a full and timely manner, may result in a decision being entered against the Complainant, and in favor of the Respondent, without a hearing or further notice in this proceeding. The Parties were notified that an evidentiary hearing would be scheduled in this proceeding.

On April 9, 2025, the initial telephone hearing was convened as scheduled. Trevor Walczak appeared at the hearing. Graig M. Schultz, Esquire appeared for Respondent along with his witnesses. Legal counsel did not appear for Complainant. Mr. Walczak stated he was the principal of Complainant and requested a continuance in order to have counsel represent Complainant. The Respondent made an oral motion to dismiss the Formal Complaint for failure of Complainant to appear with counsel and to prosecute the Formal Complaint.

Under the circumstances, the following Interim Order will be entered.

THEREFORE,

IT IS ORDERED:

1. That Complainant, Gasden Ridge Holdings, LLC a/k/a Treval, LLC shall cause its legal counsel to enter his or her appearance with the Commission in accordance with the provisions of 52 Pa.Code § 1.24(b), in writing, filed with the Commission Secretary, under

the Pennsylvania Public Utility Commission's rules, not later than 4:30 p.m. on Monday, July 21, 2025.

2. All pleadings filed by the Parties shall be filed with the Commission Secretary and copied to the opposing party's counsel if represented, and to the undersigned presiding officer.

3. The entry of appearance on behalf of Complainant shall be timely served upon the undersigned presiding officer by Counsel for Complainant by first class mail and email at jeffwatson@pa.gov.

4. That the Parties are required to serve a copy of all pleadings filed in this proceeding upon the undersigned presiding officer in WORD format, whenever possible.

5. That the failure of Complainant to fully comply with the terms of this Order, in a full and timely manner, consistent with the terms set forth in this Order, shall result in a decision being entered against the Complainant, and in favor of the Respondent, without a hearing or further notice in this proceeding.

6. That the Motion to dismiss the Formal Complaint shall be held in abeyance, pending a further Order to be entered by the undersigned presiding officer.

Dated: June 23, 2025

/s/
Jeffrey A. Watson
Administrative Law Judge

C-2024-3049516 - GASDEN RIDGE HOLDINGS LLC AKA TREVAL LLC v. PPL ELECTRIC COMPANY INC.

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