

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Todd Elliott Koger, Sr. and	:	
Elliot-Todd Parker Koger	:	
	:	C-2024-3049627
v.	:	
	:	
Duquesne Light Company	:	
Todd Elliott Koger, Sr. and	:	
Elliot-Todd Parker Koger	:	
	:	
v.	:	C-2025-3054190
	:	
Duquesne Light Company	:	

**INTERIM ORDER**  
**DENYING COMPLAINANTS FIRST REQUEST FOR STAY**  
**AND EXTENSION OF TIME**

On or about March 26, 2025, Todd Elliott Koger, Sr. and Elliot-Todd Koger (Complainants) filed a Formal Complaint with the Commission at Docket No. C-2025-3054190 against Duquesne Light Company (Respondent, Company or Duquesne Light) related to claims that Duquesne Light is in violation of certain portions of the Pennsylvania Code, the United States Code, and federal law. Complainants also averred that Duquesne Light and/or its representatives “intentionally” and/or “criminally” misrepresented facts during the ongoing Chapter 7 Bankruptcy Petition proceeding of Elliot-Todd Parker Koger before the United States Bankruptcy Court for the Western District of Pennsylvania at Docket No. 24-210801-GLT (Chapter 7 Petition).<sup>1</sup>

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<sup>1</sup> Complaint ¶ 4.

On April 15, 2025, Duquesne Light filed Preliminary Objections to the Complaint, requesting that the Commission dismiss the portions of the Complaint that: (1) allege violations of Title 18 of the United States Code, Title 18 of the Pennsylvania Code, and Title VI of the Civil Rights Act of 1964 because the Commission lacks subject matter jurisdiction over those claims; and (2) allege Duquesne Light made false representations during the Chapter 7 Petition proceeding and that request damages because they constitute scandalous or impertinent matter.

On April 15, 2025, Duquesne Light filed an Answer to the Formal Complaint essentially denying the material averments set forth in the Complaint.

On April 17, 2025, Respondent filed a Motion for Consolidation pursuant to 52 Pa. Code § 5.81. The Company requested that the proceedings filed at Docket Numbers C-2024-3049627 and at C-2025-3054190 be consolidated for purposes of discovery, hearings, and adjudication because they raise overlapping issues of fact and law. The Respondent asserted these proceedings involve two complaints filed by Todd Elliot Koger, Sr. and Elliot Todd Parker Koger against Duquesne Light. The Formal Complaints filed at Docket Nos. C-2024-3049627 (First Complaint) and C-2025-3054190 (Second Complaint) involve electric service to the same account and address and raise service allegations arising out of the same alleged incident. Therefore, Respondent asserted, in the interests of administrative efficiency and judicial economy, the Company asserted these matters should be consolidated. Complainants did not file a timely responsive pleading to the Motion For Consolidation.

An Interim Order was entered granting the Motion For Consolidation on July 10, 2025.

On April 24, 2025, Complainants filed an Amended Complaint.

On May 15, 2025, Respondent filed an Answer to the Amended Complaint, essentially denying the material averments set forth in the Amended Complaint.

On May 15, 2025, the Respondent also filed Preliminary Objections to the Amended Complaint, Respondent requested that the Commission dismiss portions of the Amended Complaint that: (1) allege violations for Title 18 of the Pennsylvania Code, the Pennsylvania Human Relations Act and Title VI of the Civil Rights Act of 1964 because the Commission lacks subject matter jurisdiction over those claims, and (2) allege Duquesne Light made false representations during the Chapter 7 Petition proceeding and request damages because they constitute scandalous or impertinent matter.

The Complainants did not file a response to the Preliminary Objections of Respondent. An Interim Order was entered on July 9, 2025, granting the Preliminary Objections filed by Duquesne Light Company to the Amended Complaint filed at Docket No. C-2025-3054190, and dismissing the portions of the Formal Complaint that: (1) alleged violations of Title 18 of the Pennsylvania Code, the Pennsylvania Human Relations Act and Title VI of the Civil Rights Act of 1964 because the Commission lacks subject matter jurisdiction over those claims; and (2) alleged Duquesne Light made false representations during the Chapter 7 Petition proceeding and request for damages.

On June 3, 2025, Complainants filed a pleading entitled Complainant(s)' First Request for A Stay and An Extension of Time (Request for Stay).<sup>2</sup> Complainants requested that the Commission “indefinitely STAY and grant an extension of time to file any required pleading in this issue.”<sup>3</sup> Complainants Request for Stay stated that Complainants “Application addresses the grave misconduct that transpired on May 27, 2025, and seeks to preserve the integrity of the judicial

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<sup>2</sup> The Complainants Request for Stay did not include a Notice to Plead and was not served upon the undersigned presiding officer.

<sup>3</sup> Complainants Request for Stay, p. 1.

process and ensure due process protections.”<sup>4</sup> Count One of the Request provides, in part, that “[T]here exists a dispute between Petitioners and Respondents in cases 2025-3054190; C-2024-3049627; C-2023-3038703; C-2020-3020394; C-2019-3013238; and others.”<sup>5</sup> The Request also includes Count Two, which purports to be a “Declaratory Judgment”. Count Two further provides that “[T]he Formal Complaint process from the PUC would resolve the present controversy between the parties. As well as a Prayer for Relief that states “the Complainants, Todd Elliott Koger, Sr. and Elliott-Todd Parker Koger, respectfully request that the Pennsylvania Public Utility Commission: a. Conduct a full and fair investigation into the matters raised in this Amended Complaint. b. Find that Duquesne Light Company violated Section 1501 of the Pennsylvania Public Utility Code, 66 Pa. C.S. § 1501, by failing to provide safe, adequate, reliable service, leading to the "Total Loss" at the Complainants' residence on October 11, 2023. c. Find that Duquesne Light Company engaged in bad faith conduct in its handling of the Complainants' "Total Loss" claim, including the disingenuous denial of any record of said claim. d. Order Duquesne Light Company to compensate the Koger family for the full extent of the damage resulting from the electrical event October 11, 2023, and its subsequent bad faith actions. e. Impose appropriate penalties and sanctions against Duquesne Light Company for its violation of the Public Utility Code and its bad faith conduct. f. Order such other and further relief as the Commission deems just and appropriate.”<sup>6</sup>

No Notice to Plead was attached to the Request for Stay, as required, and the request for relief seems to seek determination of the claims advanced by Complainants, which can be done, at an evidentiary proceeding. In addition, subject to the Interim Orders entered in these proceedings, the Parties may engage in appropriate discovery, conclude their preparation of their respective cases and present their admissible evidence at an evidentiary hearing. Furthermore, no evidentiary hearing has been scheduled in this proceeding and no evidence was advanced which would necessitate a stay of these proceedings.

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<sup>4</sup> Complainants Request for Stay, p. 1.

<sup>5</sup> Complainants Request for Stay, p. 13.

<sup>6</sup> Complainants Request for Stay, p. 13-15.

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

THEREFORE,

IT IS ORDERED:

For the reasons set forth above, the Complainant(s)' First Request for A Stay and An Extension of Time filed on June 3, 2025, is denied.

Date: July 10, 2025,

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/s/  
Jeffrey A. Watson  
Administrative Law Judge

**C-2024-3049627; C-2025-3054190 - TODD ELLIOTT KOGER SR AND ELLIOTT-TODD KOGER v. DUQUESNE LIGHT COMPANY**

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