

July 14, 2025

Via Electronic Filing

Matt Homsher, Esquire
Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2025-3054879
Joanne Miller v. FirstEnergy Pennsylvania Electric Company
Motion to Dismiss of FE PA (Penn Power Rate District)**

Dear Secretary Homsher:

Attached for filing is the Motion of FirstEnergy Pennsylvania Electric Company to dismiss the Formal Complaint filed by Joanne Miller (Complainant) on behalf of Nora Hospitality LLC in the above-referenced proceeding.

A copy of the Motion to Dismiss has been forwarded to the Complainant in the manner indicated on the attached Certificate of Service.

If there are any questions, please contact me.

Very truly yours,

Reger Rizzo & Darnall LLP



Margaret A. Morris

MAM/co
Enclosures

cc: The Hon. Mary Long, PA Public Utility Commission [w/encls.]
Tori Giesler, Esquire, FirstEnergy Service Company [w/encls.]
Joanne Miller [w/encls.]

**Re: Docket No. C-2025-3054879
Joanne Miller v. FirstEnergy Pennsylvania Electric Company
Motion to Dismiss of FE PA (Penn Power Rate District)**

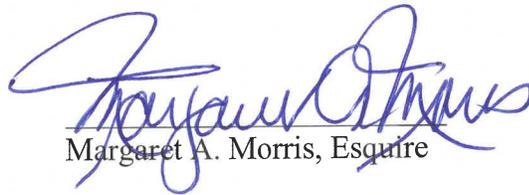
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the person(s) listed below, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Via Electronic Mail

Joanne Miller
i0079@redroof.com

Dated: July 14, 2025


Margaret A. Morris, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOANNE MILLER

v.

FIRSTENERGY PENNSYLVANIA
ELECTRIC COMPANY

:
:
:
:
:
:

Docket No. C-2025-3054879

NOTICE TO PLEAD

Pursuant to 52 Pa. Code § 5.103, you are hereby notified that if you do not file a written response to the enclosed Motion to Dismiss of FirstEnergy Pennsylvania Electric Company within **five (5) days** from service of this Notice, the facts set forth by FirstEnergy Pennsylvania Electric Company in the Motion to Dismiss may be granted. All pleadings, such as an Answer to the Motion to Dismiss, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for FirstEnergy Pennsylvania Electric Company, Margaret A. Morris, Esq., and to the Honorable Mary Long, the Presiding Officer in the above-captioned proceeding.

File by Mail or e-file with:

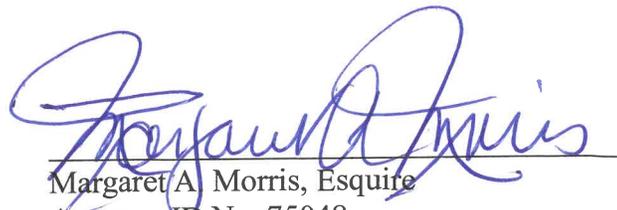
Matt Homsher, Esquire
Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

With a copy to:

Margaret A. Morris, Esquire
Reger Rizzo & Darnall LLP
Cira Centre, 13th Floor
Philadelphia, PA 19104
mmorris@regerlaw.com

The Honorable Mary Long
malong@pa.gov

Date: July 14, 2025



Margaret A. Morris, Esquire
Attorney ID No. 75048
Reger Rizzo & Darnall LLP
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2929 Arch Street
Philadelphia, PA 19104
(215) 495-6524 (tel.)
mmorris@regerlaw.com

*Counsel for FirstEnergy Pennsylvania Electric
Company (Penn Power Rate District)*

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOANNE MILLER	:	
	:	
v.	:	Docket No. C-2025-3054879
	:	
FIRSTENERGY PENNSYLVANIA	:	
ELECTRIC COMPANY	:	

**MOTION OF FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY
TO DISMISS THE FORMAL COMPLAINT OF JOANNE MILLER**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

FirstEnergy Pennsylvania Electric Company, Penn Power Rate District, (Respondent, FE PA, or Company), by and through its attorneys, Reger Rizzo and Darnall, LLP, files this Motion to Dismiss, pursuant to 52 Pa. Code § 5.103. In support, the Respondent avers as follows:

I. Introduction

1. In this Motion, the Respondent seeks the dismissal of the Formal Complaint captioned *Joanne Miller v. FirstEnergy Pennsylvania Electric Company* filed by Joanne Miller (Complainant) on behalf of Nora Hospitality LLC. Nora Hospitality LLC, the customer of record (Customer), is a Pennsylvania business entity registered on or about May 4, 2023. As a Pennsylvania corporation with the Pennsylvania Bureau of Corporations, the Customer is required at this stage of the proceeding to be represented by an attorney at law in accordance with Commission regulations, 52 Pa. Code §§ 1.21-1.23.

II. Factual Background

2. The Formal Complaint was filed against the Company on April 30, 2025, requesting a Commission payment arrangement (PAR) for delinquent charges billed to the non-residential electric under Account Nos. 110164095868 (Account) in the Customer's name to 20009 Route 19, Cranberry Township, Pennsylvania (Service Location).

3. On May 21, 2025, the Company filed an Answer and New Matter denying, *inter alia*, that a Commission PAR was permitted for a non-residential account. In its Answer, the Company specifically denied that the Complainant is the customer of record. In its New Matter, the Company avers that the Customer is a Pennsylvania corporation and is not represented by an attorney as required by the Commission's regulations. A copy of the Customer's corporate status with the Commonwealth of Pennsylvania is provided as Attachment 1.

4. A Hearing Notice, dated June 23, 2025, was issued for the Initial Call-in Telephonic Hearing on August 6, 2025, before the Honorable Mary Long (Judge Long).

5. An Interim Order, dated June 25, 2025, was issued ordering the Complainant to cause an attorney licensed to practice law in the Commonwealth of Pennsylvania to enter an appearance on behalf of Nora Hospitality, LLC in accordance with 52 Pa. Code §§ 1.21-1.25, on or before July 9, 2025.

6. As of the filing of this Motion, no attorney has filed an Entry of Appearance on behalf of the Customer in the instant proceeding.

III. Corporations Must be Represented by Counsel

7. Representation before the Commission is governed by the Commission's regulations at 52 Pa. Code §§ 1.21-1.23. These regulations provide that "[i]n adversarial proceedings, partnerships, corporations, trusts, associations, agencies, political subdivisions and

government entities shall be represented only by . . . an attorney.” 52 Pa. Code § 1.21. An adversarial proceeding begins with the filing of an Answer. 52 Pa. Code § 1.8 *New Fizon Catering, Inc. v. PECO Energy Company*, Docket Nos. C-2008-2065498 and C-2008-2079076 (Order entered June 24, 2009).

8. A non-attorney owner/operator of a limited liability corporation may file a formal complaint pleading, without an attorney, but thereafter must be represented by counsel. *Tyler Run, LLC v. Penelec*, Docket No. C-200438888 (Order entered January 5, 2005) and *Snyderville Community Development Corporation v. Philadelphia Gas Works*, Docket No. C-20055032 (Order entered July 31, 2006).

9. The Commission’s obligation to require attorneys in adversarial proceedings for parties other than individual *pro se* proceedings is well-settled:

In Pennsylvania, the Supreme Court is responsible for regulating the practice of law, and this Commission is bound by the Supreme Court’s rules. The only persons authorized to practice law in Pennsylvania are as follows: (1) persons fully admitted to the Pennsylvania Bar; (2) persons admitted *pro hac vice* under Rule 301; and (3) persons qualified as certified legal interns under Rule 321. The Pennsylvania Supreme Court in *Shorz v. Farrell*, 327 Pa. 81, 193 A.20 (1937), held that if the nature of an administrative hearing is to determine questions of fact or interpretation of administrative law, then the hearing is of a judicial character. Any participation in such a hearing constitutes the practice of law. Accordingly, it would be unlawful to allow non attorney representation in adversarial proceedings before the Commission.

James and Judith Simon v. Franklin Water Company, Docket No. C-00956589 (Order entered January 29, 1996).

10. Consequently, a corporation that files a formal complaint with the Commission must obtain counsel to proceed with all other aspects of the proceeding, including, without limitation, responsive pleadings, discovery, testimony preparation, attendance at hearing, examination of witnesses and briefing.

11. At this point, the Company is required to incur the time and expense to prepare for a full evidentiary hearing without knowing if the Customer will even be represented by counsel.

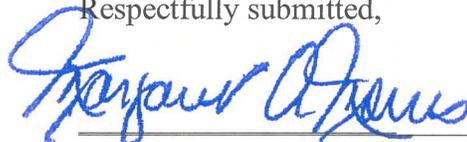
12. In order to minimize any further prejudice, time and/or expense by the Company, the Complainant should be ordered to have a Pennsylvania licensed attorney file an Entry of Appearance within ten (10) days of the issued order, or the proceedings will be dismissed.

WHEREFORE, for the foregoing reasons, FirstEnergy Pennsylvania Electric Company, respectfully requests that the Commission:

a) Enter an order directing the Complainant to have a Pennsylvania licensed attorney enter an appearance on behalf of Nora Hospitality LLC within ten (10) days of the issued order; and

b) Dismiss the Formal Complaint in this proceeding if a Pennsylvania licensed attorney does not enter an appearance on behalf of Nora Hospitality LLC in compliance with any applicable order.

Respectfully submitted,



Margaret A. Morris, Esq.
Attorney ID No. 75048
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Cira Centre, 13th Floor
2929 Arch Street
Philadelphia PA 19104
(215) 495-6524 tel.
mmorris@regerlaw.com

Dated: July 14, 2025

*Counsel for FirstEnergy Pennsylvania Electric
Company (Penn Power Rate District)*

Docket No. C-2025-3054879
Joanne Miller v. FirstEnergy Pennsylvania Electric Company
(Penn Power Rate District)

Attachment 1

Corporate Filing

Nora Hospitality LLC (13426182)



File Annual Report



Request Certificate

Initial Filing Date

05/04/2023

Status

Active

Formed In

PENNSYLVANIA

Filing Type

Domestic Limited Liability Company

Filing Subtype

Limited Liability Company

Annual Report Due Date

09/30/2025

Registered Office

**20009 US 19
CRANBERRY TWP, PA
16066
County: BUTLER**