BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Nicole Dundore	:	
	:	
v.	:	C-2025-3054242
	:	
FirstEnergy Pennsylvania Electric	:	
Company and Arcadia Power, Inc.	:	

INITIAL DECISION

Before
F. Joseph Brady
Administrative Law Judge

INTRODUCTION

This Initial Decision grants Complainant's request to withdraw her Formal Complaint because there is no objection to it and granting the request is in the public interest.

HISTORY OF THE PROCEEDING

On March 26, 2025, Nicole Dundore (Complainant) filed a Formal Complaint (Complaint) against FirstEnergy Pennsylvania Electric Company (FE PA) and Arcadia Power, Inc. (Arcadia) (collectively "Respondents") with the Pennsylvania Public Utility Commission (Commission). In the Complaint, Complainant alleged that she was billed for services that she cancelled and seeks reimbursement.

On April 15, 2025, FE PA filed an Answer admitting, in part, and denying, in part, the material allegations of the Complaint. Specifically, FE PA denied that they failed to transfer service out of Complainant's name. FE PA further stated that Complainant failed to provide a new address where her final bill should be sent.

On April 17, 2025, Arcadia filed an Answer admitting, in part, and denying, in part, the material allegations of the Complaint. Specifically, Arcadia denied that they failed to cancel Complainant's account.

By Call-In Telephone Hearing Notice dated April 25, 2025, an initial telephonic hearing was scheduled for June 17, 2025, and the matter was assigned to me.

A Prehearing Order was issued on April 25, 2025, advising the parties of the date and time of the scheduled hearing, and informing them of the procedures applicable to this proceeding.

On May 16, 2025, Complainant filed a Petition for Leave to Withdraw the Complaint pursuant to 52 Pa. Code § 5.94.

Also on May 16, 2025, a Hearing Cancellation Notice was served on the parties, cancelling the June 17, 2025, hearing.

FINDINGS OF FACT

1. Complainant is Nicole Dundore.

2. Respondents are FirstEnergy Pennsylvania Electric Company and Arcadia Power, Inc.

3. On March 26, 2025, Complainant filed a Formal Complaint against the Respondents.

4. On April 15, 2025, FE PA filed an Answer.

5. On April 17, 2025, Arcadia filed an Answer.

6. On May 16, 2025, Complainant filed a Petition for Leave to Withdraw the Complaint.

7. Neither Respondent has objected to the Petition for Leave to Withdraw the Complaint.

DISCUSSION

The Commission's Rules of Practice and Procedure at 52 Pa. Code § 5.94 permit parties to petition to withdraw pleadings in a contested proceeding:

> Except as provided in subsection (b), a party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days of service. After considering the petition, an objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted.

52 Pa. Code § 5.94(a).

The petition is granted only by permission of the presiding officer or the Commission. *Id*. The presiding officer or Commission must consider the petition, any

objections thereto, and the public interest in determining whether to permit withdrawal of the pleading. 52 Pa. Code § 5.94.

In this case, Complainant filed a Complaint *pro se* seeking reimbursement for a paid bill she claimed was given to her in error. Citing an inability to support her claims, Complainant filed a Petition for Leave to Withdraw the Complaint. The Respondents have not objected.

Under these circumstances, granting Complainant's request to withdraw the Complaint is in the public interest because doing so will eliminate the need for litigation and save the parties any additional costs in time and money they would otherwise incur litigating a case wherein the relief requested is no longer sought after. Further, the Complaint does not contain any novel issues or issues that would impact the public interest. Accordingly, Complainant's Petition for Leave to Withdraw the Complaint shall be granted.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties to and subject matter of this proceeding. 66 Pa.C.S. § 701.

2. The Commission's Rules of Practice and Procedure permit parties to withdraw pleadings in a contested proceeding by permission of the presiding officer or Commission. 52 Pa. Code § 5.94.

3. After considering the petition, any objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted. 52 Pa. Code § 5.94(a).

4. It is in the public interest to grant the Complainant's Petition for Leave to Withdraw the Complaint. 52 Pa. Code § 5.94.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Complainant's Petition for Leave to Withdraw the Complaint is granted.

2. That the Complaint of Nicole Dundore in the matter of Nicole Dundore v. FirstEnergy Pennsylvania Electric Company and Arcadia Power, Inc. at Docket No. C-2025-3054242 is withdrawn.

3. That Docket No. C-2025-3054242 be marked closed.

Date: July 17, 2025

/s/
F. Joseph Brady
Administrative Law Judge