

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

John Brooks	:	
	:	
v.	:	Docket No. C-2025-3054296
	:	
FirstEnergy Pennsylvania	:	
Electric Company	:	

**CORRECTED¹ INTERIM ORDER DIRECTING COMPLAINANT TO RETAIN
COUNSEL, HOLDING THE MOTION TO DISMISS IN ABEYANCE AND
CANCELING THE SCHEDULED HEARING**

History of the Proceeding

On March 31, 2025, John Brooks (“Complainant”) filed a Formal Complaint (“complaint”) against FirstEnergy Pennsylvania Electric Company (“Respondent”) regarding electric service. The complaint indicated that Respondent is threatening to shut off service or has already shut off service and requested a payment arrangement as the reasons for the complaint. (Complaint ¶ 4). As relief, Complainant requested onsite inspection of the five meters that are present. (Complaint ¶ 5).

On April 21, 2025, Respondent timely filed an Answer and New Matter, which included a Notice to Plead. In its Answer, Respondent averred that the actual customer for all five of the accounts is Lynnville Holdings LLC and that two of the accounts are non-residential accounts. (Answer ¶¶ 1, 4). In its New Matter, Respondent averred that the actual customer in this matter is a limited liability corporation and must be represented by a licensed attorney in adversarial proceedings. (New Matter ¶ 12). Complainant did not file an Answer or other responsive pleading to the New Matter.

¹ The due date in Ordering Paragraphs #3 and #5 has been corrected from June 18, 2025 to July 18, 2025. Also, Ordering Paragraph #6 has been added extending the due date to have counsel enter an appearance to July 31, 2025.

On May 23, 2025, the Commission issued an Initial Telephonic Hearing Notice scheduling a hearing in this matter for June 30, 2025 at 10:00 a.m. That same day, the Commission issued a Prehearing Order setting forth the general rules for the hearing.

On May 28, 2025, Respondent filed a Motion to Dismiss the Formal Complaint of John Brooks (“motion”) arguing that the actual customer of record is Lynnville Holdings LLC, which is a limited liability company. (Motion ¶ 1). Respondent further argues that the current proceeding is now adversarial and Complainant, as a limited liability corporation, must be represented by counsel pursuant to 52 Pa. Code §§ 1.21 and 1.22. (Motion ¶¶ 6-9).

Disposition

Based on the uncontested facts in the pleadings, the actual customer in this matter is Lynnville Holdings LLC, which is a limited liability corporation. The law is well-settled that corporations must be represented by an attorney that is admitted to practice law in the Commonwealth of Pennsylvania in adversarial proceedings before the Commission. 52 Pa. Code §§ 1.21 & 1.22; *James and Judith Simon v. Franklin Water Company*, Docket No. C-00956589 (Order entered January 29, 1996). Because Respondent has filed an Answer and New Matter with the Commission, the current matter is now deemed to be adversarial. *Tyler Run, LLC v. Penelec*, Docket No. C-20043888 (Order entered January 5, 3005) and *Snyderville Community Development Corporation v. Philadelphia Gas Works*, Docket No. C-20055032 (Order entered July 31, 2006). Thus, Complainant is now required to be represented by counsel in accordance with 52 Pa. Code § 1.24(b).

John Brooks, who filed the complaint, does not identify himself as an attorney and may not represent Lynnville Holdings LLC in this litigation. As of this date, no attorney has filed an appearance on behalf of Complainant or Lynnville Holdings LLC.

Without representation by counsel, Complainant may not proceed with the litigation of its Complaint. Complainant must timely obtain counsel in conformity with the terms of this Order. Complainant must have counsel enter appearance on its behalf on or before

July 18, 2025. Failure to abide by this requirement will be deemed failure to comply with the order of a presiding officer, which would be grounds for the dismissal of the Complaint. “A presiding officer's orders must be complied with, and a lack of compliance presents a sufficient basis to dismiss a complaint.” *Treffinger v. PPL Electric Utilities Corp.*, Docket No. C-20027978 (Order entered March 3, 2003); *Snyderville Community Development Corp. v. PGW*, Docket No. C-20055032 (Order entered July 31, 2006); *Application of Black Diamond Cab Co.*, Docket No. A-00122566 (Order entered December 1, 1966).

THEREFORE,

IT IS ORDERED:

1. That telephonic evidentiary hearing scheduled for June 30, 2025 at 10:00 a.m. at Docket No. C-2025-3054296 is canceled.
2. That the Motion of FirstEnergy Pennsylvania Electric Company to Dismiss the Formal Complaint of John Brooks filed at Docket No. C-2025-3054296 is held in abeyance pending compliance with this Order.
3. That John Brooks/Lynnville Holdings LLC shall have an attorney licensed to practice in the Commonwealth of Pennsylvania enter an appearance on its behalf in accordance with 52 Pa. Code § 1.24(b) at Docket No. C-2025-3054296 on or before July 18, 2025.
4. That upon receiving counsel’s entry of appearance on behalf of John Brooks/Lynnville Holdings LLC, the Commission will reschedule an evidentiary hearing for the matter at Docket No. C-2025-3054296.

C-2025-3054296 - JOHN BROOKS v. FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY

JOHN BROOKS
LYNNVILLE HOTEL
8148 BAUSCH ROAD
NEW TRIPOLI PA 18066
610.391.0699

johnbrooks118@msn.com

Served via eService July 23, 2025

MARGARET MORRIS ESQUIRE
REGER RIZZO & DARNALL
CIRA CENTRE 13TH FL
2929 ARCH STREET
PHILADELPHIA PA 19104
215.495.6524
215.870.5785

mmorris@regerlaw.com

Served via eService July 23, 2025

(Counsel for FirstEnergy Pennsylvania Electric Company)

TORI L GIESLER
FIRSTENERGY SERVICE COMPANY
2800 POTTSVILLE PIKE
READING PA 19605
610.921.6658

paregulatorycomplaints@firstenergycorp.com

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