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July 31, 2025

VIA ELECTRONIC FILING

Matthew Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Brian Russell v. FirstEnergy Pennsylvania Electric Company
Docket No. C-2025-3056202

Dear Secretary Homsher:

Enclosed please find the Motion to File the Answer of FirstEnergy Pennsylvania Electric Company *nunc pro tunc* to the Formal Complaint of Brian Russell. This document has been served on the Complainant as shown in the Certificate of Service.

Please contact me if you have any questions regarding this matter.

Very truly yours,

Angelina Umstead

AU/mlr

Enclosures

c: As Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BRIAN RUSSELL

v.

**FIRSTENERGY PENNSYLVANIA
ELECTRIC COMPANY**

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Docket No. C-2025-3056202

**MOTION OF FIRSTENERGY PENNSYLVANIA ELECTRIC COMPANY
TO FILE ANSWER NUNC PRO TUNC**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, FirstEnergy Pennsylvania Electric Company (“FE PA” or the “Company”) by and through Angelina Umstead, respectfully petitions the Pennsylvania Public Utility Commission’s (“Commission”) to accept the Answer to the Formal Complaint of Brian Russell being electronically filed contemporaneously with this Motion pursuant to 52 Pa. Code §§ 1.2, 5.62 and 5.103, as follows:

1. On June 27, 2025, Brian Russell (“Complainant”) filed a Formal Complaint against the Company with the Commission, which was electronically served upon the Company on July 9 30, 2025.
2. Pursuant to 52 Pa. Code § 5.61, the Company’s Answer to the Formal Complaint was due for filing on or before Tuesday, July 29, 2025.
3. Due to an administrative oversight, the Answer was not timely filed with the Commission’s Secretary’s Bureau.
4. The Company respectfully requests that this Honorable Commission accept the filing of its Answer *nunc pro tunc*.
5. 52 Pa. Code § 1.1 et seq. governs rules of administrative practice and procedure before the Public Utility Commission.

6. 52 Pa. Code § 1.2 states that the procedural rules of Title 52 shall be liberally construed to secure the just, speedy and inexpensive determination of every action or proceeding to which it is applicable.

7. Furthermore, the Pennsylvania Commonwealth Court has held that the Commission has authority to waive procedural defects when they do not affect the substantive rights of the parties.¹

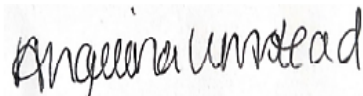
8. The Company respectfully submits that the late filing of its Answer was due to administrative oversight.

9. More importantly, acceptance of the Answer *nunc pro tunc* does not affect the substantive rights of the Complainant in this matter.

10. Accordingly, the Company respectfully requests that its Answer be accepted for filing *nunc pro tunc* so that this matter can be decided on the merits.

WHEREFORE, FirstEnergy Pennsylvania Electric Company hereby requests that its Answer and New Matter be accepted for filing *nunc pro tunc*.

Respectfully submitted,



Angelina Umstead
Attorney No.
FirstEnergy Service Company
341 White Pond Drive
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(610) 921-6202
aumstead@firstenergycorp.com

Counsel for FirstEnergy Pennsylvania Electric Company

Dated: July 31, 2025

¹ *Info. Connections, Inc. v. Pennsylvania Public Utility Commission*, 630 A. 2d 498 (Pa. Cmwlth. 1993).

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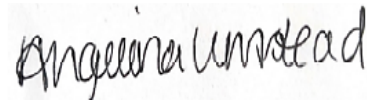
CERTIFICATE OF SERVICE

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

Service by overnight mail as follows:

Brian Russell
20 Lucas Drive
Littlestown PA, 17340

Dated: July 31, 2025



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FirstEnergy Service Company
341 White Pond Drive
Akron, OH 44320
(610) 921-6202
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Counsel for FirstEnergy Pennsylvania Electric
Company