

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Mahogany Quinonez	:	
	:	
v.	:	C-2025-3055234
	:	
Columbia Gas of Pennsylvania, Inc.	:	

INITIAL DECISION

Before
John M. Coogan
Administrative Law Judge

INTRODUCTION

This Initial Decision grants the unopposed Petition for Leave to Withdraw the Formal Complaint filed by Mahogany Quinonez against Columbia Gas of Pennsylvania, Inc. because it is unopposed and in the public interest.

HISTORY OF THE PROCEEDING

On May 19, 2025, Mahogany Quinonez (Ms. Quinonez or Complainant) filed a Formal Complaint with the Pennsylvania Public Utility Commission (Commission) against Columbia Gas of Pennsylvania, Inc. (Columbia Gas or Company). In her Complaint, Ms. Quinonez indicated that Columbia Gas is threatening to shut off her service or has already shut off her service and that there are incorrect charges on her bill. Specifically, Ms. Quinonez disputes that she owes \$6,689.13 to Columbia Gas. As relief, Ms. Quinonez requests that Columbia Gas show proof of the total amount due, and

if proof cannot be provided, that the Company remove the amount due from her account and inform her of the removal.

On June 6, 2025, Columbia Gas filed an answer. In its answer, Columbia Gas admitted that Complainant received a shut-off notice dated May 12, 2025. However, Columbia Gas states that the notice was received for failure to pay monthly bills. Columbia denies there are incorrect charges on Complainant's bills, and asserts Complainant currently owes a balance of \$6,513.76.

On June 20, 2025, the Commission issued an initial telephonic hearing notice setting a formal call-in telephonic hearing of the Formal Complaint for August 5, 2025, and assigning me as the presiding officer. Also on June 20, 2025, I issued a prehearing order, setting forth various rules that would govern the August 5, 2025, hearing.

On July 7, 2025, I received an e-mail from Ms. Quinonez, stating in relevant part:

I have made several attempts to get an attorney that specialize in representing "individuals" that have filed complaints against utility companies. I have spoke with multiple people such as mid-penn legal services, attorney General's, etc no one can assist representing me in court in my behalf against Columbia gas. They all claim "to not be able to represent individuals with complaints as such". Someone has informed me to hire a private attorney, which I cannot do financially.

Columbia gas has me on this extremely expensive payment plan monthly that's unreasonable for me to accommodate, so I am currently seeking assistance through Community progress council in PA, for financial assistance with this bill. Before Columbia gas officially terminates my Services.

Because of the lack of help and assistance from the state of Pennsylvania with my complaint filed against the utility company, I am forced to withdraw my upcoming court date against Columbia gas. I DO NOT wish to proceed.

Are you able to withdraw my case and dismiss it?

On July 14, 2025, I responded to Ms. Quinonez by e-mail, copying counsel for Columbia Gas, stating that I would be fine with treating her e-mail as an informal petition to withdraw the Formal Complaint. However, I also emphasized to Ms. Quinonez that:

[Y]ou do not need to have an attorney to proceed with your Formal Complaint. From your e-mail, it may be that you do not want to proceed with your Formal Complaint without an attorney, but I just want to double check that you understand that you do not need an attorney to proceed. If this was not clear and you do want to proceed with your Formal Complaint without an attorney, please let me know by July 16, 2025. Otherwise, I will cancel the hearing scheduled for August 5, 2025.

On July 14, 2025, counsel for UGI responded by e-mail that there were no objections to the petition to withdraw. No further communications have been received from Ms. Quinonez. On July 18, 2025, the Commission issued a hearing cancellation notice, cancelling the hearing scheduled for August 5, 2025.

The record closed on July 7, 2025, the date I received the Complainant's e-mail withdrawal request. I will treat Ms. Quinonez's request as a Petition for Leave to Withdraw, and I will grant the Petition as it is unopposed and in the public interest.

FINDINGS OF FACT

1. The Complainant in this case is Mahogany Quinonez.
2. The Respondent in this case is Columbia Gas of Pennsylvania, Inc.
3. On May 19, 2025, Ms. Quinonez filed a Formal Complaint against Columbia Gas.
4. On June 6, 2025, Columbia Gas filed an answer.
5. An initial telephonic hearing was scheduled for August 5, 2025.
6. On July 7, 2025, Ms. Quinonez requested by e-mail that her Formal Complaint be withdrawn.
7. On July 14, 2025, counsel for Columbia Gas stated by e-mail that there were no objections to the petition to withdraw.

DISCUSSION

Commission regulations address the withdrawal of pleadings in a contested proceeding in relevant part as follows:

§ 5.94. Withdrawal of pleadings in a contested proceeding.

[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).

A “pleading” is defined as “[a]n application, complaint, petition, answer, motion, preliminary objection, protest, reply, order to show cause, new matter and reply to new matter or other similar document filed in a formal proceeding.” 52 Pa. Code § 1.8. This matter became a contested proceeding once Columbia Gas filed an answer to the Formal Complaint. *Pa. Pub. Util. Comm’n v. West Penn Utils.*, Docket No. C-2022-3031862 (Opinion and Order entered May 18, 2023); *New Fizon Catering, Inc. v. PECO Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered Jun. 24, 2009).

The Commission’s regulations provide that the Commission or presiding officer at any stage of an action or proceeding may disregard an error or defect of procedure which does not affect the substantive rights of the parties. 52 Pa. Code § 1.2(a). The liberal construction provisions apply with particularity in proceedings involving *pro se* litigants. 52 Pa. Code § 1.2(d).

Complainant’s e-mail requesting that her Formal Complaint be withdrawn does not comply with the Commission’s regulations at 52 Pa. Code § 5.94(a). In particular, the request was not sent to counsel for Columbia Gas and was not filed with the Commission. I will exercise my discretion pursuant to Sections 1.2(a) and 1.2(d) of the Commission’s regulations and treat Complainant’s e-mail as a Petition for Leave to Withdraw the Complaint. *See Ulishney v. West Penn Power Co.*, Docket No. C-2021-3024487 (Opinion and Order entered May 19, 2022) (finding that an e-mail requesting withdrawal of a complaint constituted a petition to withdraw). Columbia Gas’s

substantive rights are not affected because I informed Columbia Gas of Ms. Quinonez's request and Columbia Gas had the opportunity to and did respond stating that there were no objections.

Pursuant to the Commission's regulations above, I must consider any objection to the Petition, and the public interest, when determining whether the Petition will be granted. Columbia Gas did not object to the Petition. The Complainant expressed a desire to have an attorney represent her in this matter. However, after being made aware that an attorney is unnecessary to proceed, she did not respond stating that she wished to proceed. It would not be in the public interest to have the parties in this matter further litigate this proceeding when Complainant no longer wishes to pursue the Formal Complaint. Granting the Petition will save the parties and the Commission additional costs in time and money they would otherwise incur in further litigating this case. Finally, the Complaint does not contain any novel issues or issues of public interest. Therefore, the Petition will be granted in the ordering paragraphs below.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter of and the parties to this proceeding. 66 Pa.C.S. § 701.
2. 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 other parties. 52 Pa. Code § 5.94(a).
3. A petition to withdraw a pleading in a contested proceeding must set forth the reasons for the withdrawal and that a party may object to the petition within ten days. 52 Pa. Code § 5.94(a).

4. After considering a petition to withdraw a pleading in a contested proceeding, 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).

5. The Commission or presiding officer at any stage of an action or proceeding may disregard an error or defect of procedure which does not affect the substantive rights of the parties. 52 Pa. Code § 1.2(a).

6. The liberal construction provisions apply with particularity in proceedings involving *pro se* litigants. 52 Pa. Code § 1.2(d).

7. A party's e-mail request to withdraw his/her complaint constitutes a petition to withdraw a pleading under 52 Pa. Code § 5.94(a). *Ulishney v. West Penn Power Co.*, Docket No. C-2021-3024487 (Opinion and Order entered May 19, 2022).

8. It is in the public interest to allow Complainant to withdraw her Formal Complaint. 52 Pa. Code § 5.94.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Petition for Leave to Withdraw the Formal Complaint made by Mahogany Quinonez on July 7, 2025, at Docket Number C-2025-3055234 is granted;

