

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jay Couzens	:	
	:	
v.	:	F-2025-3055434
	:	
Philadelphia Gas Works	:	

**INTERIM ORDER GRANTING RESPONDENT'S
MOTION TO CONTINUE HEARING**

On May 9, 2025, Jay Couzens filed a Formal Complaint (Complaint) on behalf of Pro Ventures Phila LLC (Complainant or LLC) against Philadelphia Gas Works (Respondent or PGW) with the Pennsylvania Public Utility Commission (Commission). The Complainant placed checkmarks in the box indicating that there are incorrect charges on his bill. The Complainant alleges that the account was closed in early 2022 when all HVAC and appliances were changed to electric and now PGW is holding him responsible because someone created a fictitious account, turned the gas on, and bypassed the meter at 4337 Wayne Avenue, Philadelphia, PA (service address). As relief, the Complainant asks PGW to remove the outstanding charges on his account.

On June 17, 2025, the Respondent filed an Answer to the Complaint.¹ PGW denies the material averments in the Complaint. Specifically, the Respondent avers that the Complainant has been the owner of the property at the Service Address since September 1, 2021 and denies there are incorrect charges on the Complainant's bill. PGW asks the Commission to deny all relief requested and dismiss the Complaint.

By Hearing Notice dated July 1, 2025, a call-in telephonic hearing was scheduled for August 21, 2025, at 10:00 a.m., and the matter was assigned to me.

¹ The Complaint was served on the Respondent on May 28, 2025.

I issued a Prehearing Order on July 1, 2025. The Prehearing Order directed the parties to comply with various procedural requirements and directed that a request to change the scheduled hearing should be sent to me at least five days prior to the hearing date, be in writing and state the agreement or opposition of the other party.

On August 7, 2025, PGW filed a motion to continue the hearing (Motion). In the Motion, the Respondent requested that the August 21, 2025 hearing be rescheduled because PGW is in the process of investigating the issues raised by the Complainant, which requires coordinating with the Complainant to schedule a PGW field visit to the Service Address. PGW states that it will not be able to conclude its investigation prior to the scheduled hearing date. Further, the Respondent states that it has spoken with the Complainant to discuss PGW's request for a continuance in this matter and the Complainant has stated that he does not have an objection to PGW's request.

Except as otherwise provided by statute, requests for continuance of hearings or for extension of time in which to perform an act required or allowed to be done at or within a specified time by this title or by order of the Commission or presiding officer, shall be by motion in writing, timely filed with the Commission, stating the facts on which the application rests. 52 Pa. Code § 1.15(b). Only for good cause shown will requests for continuance be considered. *Id.*

Here, PGW's motion is the first continuance request, was made in writing, and timely filed.

Based on the Respondent's stated reason in the unopposed Motion, I find that the Respondent has established good cause to postpone the August 21, 2025 hearing.

As further reason to provide additional time before the hearing, I considered the need for the Complainant to have attorney representation in order to participate in an evidentiary hearing.

The Commission regulation at 52 Pa. Code § 1.21(b) provides that persons in adversarial proceedings, except for individuals representing themselves, shall be represented by an attorney admitted to practice in the Commonwealth of Pennsylvania.² The regulation at 52 Pa. Code § 1.8 defines an adversarial proceeding as one that is contested, and which will be decided on the basis of a formal record.

This proceeding became adversarial when PGW filed an answer to the Complaint.³ Mr. Couzens, who identifies himself on the Complaint as “sole member” of owner of Pro Ventures Phila LLC, filed the Complaint regarding charges to an account in the name of the LLC. There being no indication that Mr. Couzens is an attorney, I gave the Complainant direct notice in the July 1, 2025 prehearing order regarding the requirements for representation and further advised that failure to have attorney representation would bar the Complainant from participating in the hearing.⁴

If the Complainant is a limited liability company (Pro Ventures Phila, LLC), then the Complainant will be deemed to have waived the opportunity to participate in the proceeding if an attorney licensed to practice in the Commonwealth of Pennsylvania does not enter an appearance to represent you at the hearing. The Complainant will not be permitted thereafter to reopen the disposition of matters accomplished at the hearing.

² The Commission’s regulations requiring attorney representation in adversarial proceedings are consistent with Pennsylvania court decisions holding that a corporation must have counsel in order to proceed in any legal action because a corporation cannot represent itself. *Smaha v. Landy*, 638 A.2d 392 (Pa. Cmwlth. 1994). Pennsylvania courts have ruled that a corporation can only act through its agents and an agent representing it in court must be an attorney admitted to practice. *Walacavage v. Excell 2000, Inc.*, 480 A.2d 281 (Pa. Super 1984).

³ *New Fizon Catering, Inc. v. PECO Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered June 24, 2009) (once an answer to a complaint is filed, a proceeding becomes adversarial and a corporation must be represented by an attorney).

⁴ Corporate complainants must be represented by counsel at all stages of Commission proceedings after those proceedings become adversarial. *Cars R Us c/o Holman Copeland v. Philadelphia Gas Works*, Docket No. C-2008-2033437 (Opinion and Order entered Feb. 4, 2010) (*Cars R Us*); *Torino Inc. v. PECO Energy Co.*, Docket No. C-2008-2034595 (Opinion and Order entered Feb. 2, 2010); *Hess Commercial Printing, Inc. v. Pennsylvania Power Co.*, Docket No. C-2014-2454999 (Order entered Jan. 28, 2016). Specifically, the Commission has found that a corporate entity must be represented by counsel to participate in an evidentiary hearing including, without limitation, presenting testimony, introducing exhibits, and cross-examination of witnesses. *Cars R Us; Adams Cnty. Realty v. Metropolitan Edison Co.*, Docket No. C-2015-2473562 (Initial Decision issued Oct. 7, 2015), *adopted without modification* (Final Order entered Dec. 3, 2015).

Prehearing Order ¶ 4 (emphasis in original).

To date, no attorney has entered an appearance on the LLC's behalf.

Granting the requested continuance will provide additional time for the Complainant to secure counsel before the evidentiary hearing. It will also provide time for the parties to discuss possible ways to settle their dispute. Pro Ventures Phila LLC does not need an attorney to participate in settlement discussions. Moreover, if the parties reach an agreement on all issues, a formal hearing will not be necessary.

Accordingly, the Motion to Continue is granted. The hearing scheduled for August 21, 2025 is cancelled. A separate notice rescheduling the hearing to a future date will be issued.

The parties are directed to work together to identify at least three alternative dates for the rescheduled hearing. Given that PGW's investigation is in process, I will set a deadline of September 1, 2025 for the parties to email me the hearing dates they have agreed on. If the parties are unable to come to an agreement on proposed dates, I will have the Office of Administrative Law Judge Scheduling Unit reschedule the hearing for an available date.

THEREFORE,

IT IS ORDERED:

1. That Respondent's motion to continue the scheduled hearing is granted.
2. That the evidentiary hearing scheduled for August 21, 2025, in the matter of *Jay Couzens v. Philadelphia Gas Works* at Docket No. F-2025-3055434 is cancelled.

3. That, on or before September 1, 2025, the parties shall confer and provide at least three alternative hearing dates when both parties and their witnesses are available for a hearing.

4. That the scheduling staff of the Office of Administrative Law Judge shall reschedule this matter for a hearing and notify the parties in writing.

5. That the parties are reminded that Commission policy encourages settlement and that they should continue to communicate with each other in an attempt to resolve their dispute.

6. That all other provisions in my July 1, 2025, Prehearing Order remain in effect.

Date: August 8, 2025

_____/s/
Erin L. Gannon
Administrative Law Judge

F-2025-3055434 - PRO VENTURES PHILA LLC v. PHILADELPHIA GAS WORKS

JAY COUZENS
PRO VENTURES PHILA LLC
PO BOX 1181
BALA CYNWYD PA 19004
215.690.1372
marlanking@msn.com
Served via Email August 8, 2025

GRACIELA CHRISTLIEB ESQUIRE
PHILADELPHIA GAS WORKS
800 WEST MONTGOMERY AVE
PHILADELPHIA PA 19122
215.684.6164
graciela.christlieb@pgworks.com
Served via eService August 8, 2025
(Counsel for Philadelphia Gas Works)