

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tammy’s West Side Deli	:	
	:	
v.	:	C-2025-3053323
	:	
FirstEnergy Pennsylvania Electric Company	:	

**INTERIM ORDER
ATTACHING EMAILS TO AND CLOSING RECORD**

On February 10, 2025, Tammy’s West Side Deli (Complainant) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against FirstEnergy Pennsylvania Electric Company (FE PA, Company, or Respondent), requesting a payment arrangement (PAR). Complainant checked the “other” box, writing,

Nov 1st I talked to Daniel Garcia which was very nice to talk with. We came to an agreement but he said that if we needed anything in the future to get ahold of him. We have been trying the past 3 weeks to contact him at 724-838-6416, but have not heard back from him. We are waiting on a settlement to come [sic] thru[sic] and when that does we can get the back bill taken care of. Until then we would like to pay the current bill plus \$1000.00 a month.

Complaint ¶ 4.

Regarding service by the Commission, Complainant selected to be served by eService. Complaint ¶ 9. The Complaint was signed by Tammy Brest, who identified herself as the “owner.” Complaint ¶ 11.

On March 3, 2025, Respondent filed an Answer to the Complaint. FE PA admits it provides non-residential service to Complainant at 48 West Main Street, Greenville, PA 16125 (service location). It denies Complainant is eligible for a PAR and maintains that at all times

relevant to this proceeding, the Company's actions have been reasonable and performed in accordance with all applicable laws, as well as the Company's Commission-approved tariffs, the Public Utility Code, and Commission regulations and orders. Answer ¶ 4. It further avers that Daniel Garcia has not been employed by the Company since January 2025. *Id.*

Finally, FE PA notes Complainant must be represented by counsel in these proceedings. It notes that Complainant is a limited liability Company (LLC) and the Complaint was signed by Complainant's owner, Tammy Brest, who may not represent Complainant since she is not an attorney.

On March 6, 2025, Chief Administrative Law Judge Charles E. Rainey, Jr. issued an Interim Order Setting Resolution Conference.

The matter did not settle, so on June 30, 2025, the Commission issued an Initial Telephonic Hearing Notice, assigning this matter to me and scheduling an evidentiary hearing for August 14, 2025.

Also on June 30, 2025, I issued a Prehearing Order.

On July 1, 2025, I issued an Interim Order directing Complainant to, by August 6, 2025, either cause counsel to enter an appearance or show cause why it is not required to be represented by counsel in these proceedings.

Complainant did not cause counsel to enter an appearance nor did it file any response to the July 1, 2025 Interim Order.

The hearing convened on August 14, 2025, as scheduled. Complainant did not appear. The Company was represented by Timothy McHugh, Esquire. Mr. McHugh and I discussed email correspondence between himself, Ms. Brest, and myself occurring on August 12, 2025, and August 13, 2025, regarding Ms. Brest's desire to have the complaint withdrawn. Mr.

McHugh had no objection to the admission of these emails, and I admitted them into the record. The emails are marked as ALJ Exhibit 1 and are attached to this Order.

THEREFORE,

IT IS ORDERED:

1. That Exhibit ALJ 1, attached to this Order, is admitted into the record at C-2025-3053323.
2. That the record in this matter is closed.
3. That an Initial Decision be issued forthwith.

Date: August 19, 2025

/s/
Emily I. DeVoe
Administrative Law Judge

DeVoe, Emily

From: DeVoe, Emily
Sent: Wednesday, August 13, 2025 11:55 AM
To: McHugh, Timothy; tammyswestsidedeli@gmail.com
Subject: Re: [EXTERNAL] RE: Tammy's West Side Deli v. FirstEnergy Pennsylvania Electric Company; Dkt. No. C-2025-3053323

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you.

Ms. Brest, if you want to withdraw the Complaint you filed with the Commission at Docket No. C-2025-3053323, you may respond to this email simply stating you wish to withdraw it.

Alternatively, you may call in to the hearing tomorrow morning and make your request to withdraw on the record or you may give the Company permission to file a certificate of satisfaction with the Commission.

Thank you,
Judge DeVoe

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From: McHugh, Timothy <tmchugh@firstenergycorp.com>
Sent: Wednesday, August 13, 2025 11:50:17 AM
To: DeVoe, Emily <edevoe@pa.gov>; tammyswestsidedeli@gmail.com <tammyswestsidedeli@gmail.com>
Subject: FW: [EXTERNAL] RE: Tammy's West Side Deli v. FirstEnergy Pennsylvania Electric Company; Dkt. No. C-2025-3053323

Your Honor,

I received the email below from the Complainant. I requested that she contact you about this, but I still wanted to share it with you.

Thanks,
Tim

From: tammyswestsidedeli <tammyswestsidedeli@gmail.com>
Sent: Wednesday, August 13, 2025 10:37 AM
To: McHugh, Timothy <tmchugh@firstenergycorp.com>
Subject: [EXTERNAL] RE: Tammy's West Side Deli v. FirstEnergy Pennsylvania Electric Company; Dkt. No. C-2025-3053323

External Sender, use caution with links/attachments. Click 'Report Message' in Outlook if suspicious.

We are asking for this case 2 to be dismissed. Because we no longer own the business and sold that location

received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately, and delete the original message.

**C-2025-3053323 - TAMMY'S WEST SIDE DELI v. FIRSTENERGY PENNSYLVANIA
ELECTRIC COMPANY**

Revised June 30, 2025

TAMMY BREST OWNER/OPERATOR
TAMMYS WEST SIDE DELI
48 W MAIN ST
GREENVILLE PA 16125
724.373.8188

tammyswestsidedeli@gmail.com

Served via eService - August 19, 2025

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AKRON OH 44308
610.301.9072

tmchugh@firstenergycorp.com

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(Counsel for FirstEnergy Pennsylvania Electric Company)