

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Erien Lois Frazier Revocable Living Trust, by Trustee
Complainant

v.

FirstEnergy (West Penn Rate District)
Respondent

PUC Docket No. C-2025-3056017

RESPONSE TO INTERIM ORDER AND PETITION FOR RECONSIDERATION WITH LEAVE TO AMEND
CAPTION

Complainant, by and through Trustee Erien Frazier, respectfully submits this consolidated Response and Petition regarding the Interim Order dated August 21, 2025 requiring Claimant to retain counsel, and states as follows:

1. Response to Interim Order

1. On August 14, 2025, Respondent filed a Motion to Dismiss alleging that the Trust could not proceed without attorney representation.
2. On August 19, 2025, Complainant filed an Opposition to Motion to Dismiss and simultaneously requested leave to amend the caption so that the Trustee may proceed in her own name.
3. On August 21, 2025, the Commission issued an Interim Order directing Complainant to retain counsel within 10 days.
4. Complainant respectfully submits that this directive is premature, as the pending Petition to Amend Caption would resolve the representation issue without the need for outside counsel.

2. Petition for Reconsideration

5. Pennsylvania practice strongly favors amendment to cure technical defects in pleadings so that claims may be heard on their merits. *Pa. R. Civ. P. 1033*.

6. Substitution of the Trustee in her individual name as Complainant would cure any representation concern while ensuring the underlying claims are not forfeited on technical grounds.
7. Equity abhors a forfeiture, and the Commission has authority to permit amendment to prevent unjust prejudice.
8. Dismissal or forced retention of counsel at this stage would impose an undue burden and deny Claimant meaningful access to adjudication despite a readily available cure.

3. Request for Relief

WHEREFORE, Complainant respectfully requests that the Commission:

- a. Reconsider and vacate the Interim Order requiring retention of counsel;
- b. Grant leave to amend the caption to substitute Erien Frazier, Trustee, as Complainant;
- c. In the alternative, extend the time for compliance with the Interim Order until the Commission rules on the Petition to Amend Caption.

Respectfully submitted,



Erien Frazier

Trustee, *Erien Lois Frazier Revocable Living Trust*

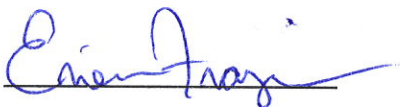
963 Norland Ave., Unit 1025

Chambersburg, PA 17201

August 21, 2025

VERIFICATION

I, Erien Frazier, verify that the statements made in the foregoing are true and correct to the best of my knowledge, information, and belief. I understand that false statements are subject to penalties of 18 Pa. C.S. § 4904.

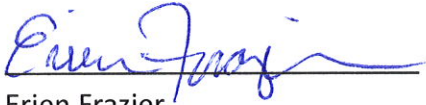


Erien Frazier, Trustee

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Response to Interim Order and Petition for Reconsideration with Leave to Amend Caption upon the following via email:

Margaret A. Morris, Esq.
Reger Rizzo & Darnall LLP
2929 Arch Street, 13th Floor
Philadelphia, PA 19104
mmorris@regerlaw.com



Erien Frazier

Trustee, *Erien Lois Frazier Revocable Living Trust*
963 Norland Ave., Unit 1025
Chambersburg, PA 17201
erienfrazier@gmail.com
August 21, 2025