

**PENNSYLVANIA
PUBLIC UTILITY COMMISSION
Harrisburg, PA 17120**

**Darryl S. Shawfield c/o Donna L.
Shawfield Bennett
v.
Duquesne Light Company**

**Public Meeting held August 28, 2025
3052032-ALJ
Docket No. F-2024-3052032**

STATEMENT OF COMMISSIONER KATHRYN L. ZERFUSS

On November 8, 2024, Donna L. Shawfield Bennett filed a Formal Complaint on behalf of Darryl S. Shawfield, alleging that there were incorrect charges on the electric bills Mr. Shawfield received from Duquesne Light Company (Duquesne). In the Complaint, Ms. Bennett identified herself as the “Trustee for Darryl S. Shawfield.”

By Interim Order #1, issued on February 25, 2025, Administrative Law Judge (ALJ) Alphonso Arnold III, directed Ms. Bennett to have an attorney enter an appearance on behalf of the trust of Darryl Shawfield on or before April 3, 2025. On March 31, 2025, Ms. Bennett filed a request to withdraw the Complaint, in which she stated, “Based on the obvious prejudice and bias the court has exhibited in its Order #1, ... I see it as futile to continue in this course of action.” Ms. Bennett also explained that she is the trustee of the Darryl S. Shawfield Special Needs Trust, who has been paying Mr. Shawfield’s electric bill. She further stated that the requirement for an attorney in this proceeding was questionable and prejudicial and placed Mr. Shawfield at a disadvantage in having his claims resolved. In an Initial Decision issued June 30, 2025, the ALJ dismissed the Complaint, on the basis that Ms. Bennett failed to comply with Interim Order #1 because an attorney did not enter an appearance on Mr. Shawfield’s behalf by the April 3, 2025 deadline.¹

I am concerned that the Commission’s current procedural rules are overly restrictive and can result in negative consequences for vulnerable customers, as occurred in this case. Mr. Shawfield and other customers should have the opportunity to be heard on their claims. This is particularly important when concerns such as proper billing, the ability to pay utility bills, and potential termination of utility service if utility bills are not paid, are at issue. I am hopeful that the inflexibility in the Commission’s current procedural rules will be resolved through the amendments to Chapters 1, 3, and 5.²

¹ Under the circumstances, I cannot conclude that Ms. Bennett failed to comply with Interim Order #1, because she filed to withdraw the Complaint prior to the April 3, 2025 deadline.

² See *Regulations Governing the Public Utility Commission’s General Provisions, 52 Pa. Code Chapters 1, 3, and 5 (relating to Rules of Administrative Practice and Procedure; Special Provisions; and Formal Proceedings)*, Docket No. L-2023-3041347.

As I emphasized in my Statement in the context of the Chapters 1, 3, and 5 rulemaking, the Commission must reform our procedural rules to allow representation by a non-attorney in Commission proceedings by implementing procedures that are similar to those used by other administrative agencies.³ By authorizing additional representation options for individual customers, we will improve the equity in our proceedings while also facilitating the complete development of evidentiary records upon which we base our decisions, thereby increasing the efficiency of Commission proceedings to the benefit of the Commission and all parties.

DATE: August 28, 2025



Kathryn L. Zerfuss, Commissioner

³ For example, an individual claiming unemployment compensation (UC) may be represented by a duly authorized agent before the Pennsylvania Department of Labor and Industry, the Unemployment Compensation Board of Review, and a UC referee; non-attorney representatives are permitted to appear on behalf of individuals appearing before the Pennsylvania Department of Human Services, Office of Hearings and Appeals; and taxpayers filing an appeal may be represented by someone with the required technical knowledge before the Pennsylvania Department of Revenue, Board of Appeals. *See Harkness v. Unemployment Compensation Bd. of Rev.*, 920 A.2d 162 (Pa. 2007); *Nolan v. Department of Public Welfare*, 673 A.2d 414 (Pa. Cmwlth. 1995); and 55 Pa. Code § 275.2, 275.3(a), and 275.4(a)(1)(iv).