

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Robert Green, Sr.	:	
	:	
v.	:	C-2025-3055736
	:	
Peoples Natural Gas Company, LLC	:	

**INTERIM ORDER
HOLDING PRELIMINARY OBJECTIONS IN ABEYANCE AND DIRECTING MR.
GREEN TO CAUSE COUNSEL TO ENTER AN APPEARANCE OR SHOW CAUSE
WHY COMPLAINANT IS NOT REQUIRED TO BE REPRESENTED BY COUNSEL**

Procedural History

On June 2, 2025, Robert Green, Sr. (Mr. Green) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Peoples Natural Gas Company, LLC (Peoples, Company, or Respondent). In the section of the Complaint which prompts complainants to “[p]rovide the full name of the utility or company about which you are complaining,” Mr. Green also listed “Equitable-Equitrans-EQT” in addition to Peoples. Complaint ¶ 2. Mr. Green checked the “other” box and alleged the Commission’s decision “involving Agenda No. 3019782-OSA, Docket No. M-2023-3019782” was “made without all the facts being presented by investigation and enforcement.” Complaint ¶ 4.

He further alleged: (1) there were sales of natural gas to residential customers directly out of gathering and transmission lines, specifically, pipelines M-30, WM-367, H-109, etc.; (2) the natural gas being sold to residential customers via pipelines M-30, WM-367, H-109, etc., as “standard grade pipeline gas” does not meet the quality set by the tariff; (3) producer members of the Pennsylvania Independent Oil and Gas Association (PIOGA) involved in the Peoples Producers Cooperative Committee (PPCC) are aware of the fact that “gas [is] being put into gathering lines [and] that retail gas is directly sold out that doesn’t meet the state quality tariff;” (4) Peoples management is “aware of the same quality issues and gas los[s] due to

metering issues,” constituting “consumer fraud;” (5) there is “deliberate gathering [of] line abandonment to cut off production from small producers to create a monopoly for large producers,” which constitutes a “federal anti-trust violation;” (6) there is “false representation of residential service lines out of gathering lines and representing them as farm taps to avoid consumer fraud;” (7) residential gas consumers are losing access to natural gas due to mismanagement of utilities. Complaint ¶ 9.

Regarding requested relief, Mr. Green requested that: (1) the Commission “reopen the investigation and look at all the facts involved,” including “all the conditions that led up to the explosion in the Mifflin Energy Corp. case, as well as Plum and Crescent TWP cases” as “they all have similarities that were never addressed.” Complaint ¶ 5. He averred, “there has been a long term defrauding of the state and federal taxpayers,” involving “other state agencies, including the Consumer Advocate’s Office, Attorney General’s Office, and the Department of Environmental Resources.” Complaint ¶ 5. He further wrote, “all instalation [sic] and safety issues can be addressed by small companies with 50 employees or less” and “all of the solutions are based on the right regulations, not no regulations.” *Id.*

Mr. Green signed the Complaint as “President – Mifflin Energy Resources / President – Emerald Energy Services.” Complaint ¶ 11. Regarding Service by the Commission, Mr. Green elected to be served by eService, checking the box next to this option. Complaint ¶ 9.

On July 3, 2025, Respondent filed an Answer, New Matter, and Preliminary Objection to the Complaint. In its Answer, Peoples explains it was not a party to the proceeding at M-2023-3019782 and is unclear to what Mr. Green refers to as “misinformed decisions” and “missing facts.” Answer ¶ 4. Peoples admits that it owns pipeline M-30 and WM-367, but denies owning pipeline H-109. It admits, however, it has farm tap customers along pipeline H-109. Answer ¶ 4(2). Peoples argues that the gas it delivers meets all applicable Commission regulations and requirements and denies all other material averments made in the Complaint.

In its New Matter, Peoples argues it appears Mr. Green is bringing the Complaint on behalf of two corporate entities, Mifflin Energy Resources and Emerald Energy Services.

Peoples argues that Commission regulations require corporate entities to be represented by an attorney in an adversarial proceeding.

In its Preliminary Objection, Peoples first argues the Commission lacks subject matter jurisdiction over matters arising under federal antitrust laws. Second, Peoples argues the Complaint fails to provide reasonable or adequate specificity, particularly with regards to Mr. Green's allegations with regards to Complaint Paragraph No. 4, Items No. 2, 3, 6, 7. Peoples submits that, given Mr. Green named Equitrans, EQT, the PPCC, and PIOGA in the Complaint, it is impossible to discern where an averment concerns Peoples and where it concerns one of the other named parties. Preliminary Objection ¶ 27. Additionally, regarding Mr. Green's requested relief, Peoples maintains that Mr. Green does not detail his interest in the broad subject matter of the Complaint, nor does he provide a clear statement of the relief he is seeking. Preliminary Objection ¶ 27. Peoples argues that the Complaint lacks sufficient specificity for it to properly determine its involvement with the events averred in the Complaint, to determine whether the Company is the subject of such averments, and to determine the Complainant's requested relief. *Id.* at ¶ 31.

Peoples further argues the Complaint is legally insufficient because Peoples cannot be held liable for adhering to a Commission-approved tariff, the Complaint fails to join necessary parties, and Mr. Green lacks standing to pursue the Complaint. Preliminary Objection ¶¶ 33-68.

Both the New Matter and Preliminary Objection were accompanied by a Notice to Plead, directing Complainant to file responses within 20 days and 10 days of service, respectively.

On July 23, 2025, Mr. Green filed a response to the Preliminary Objections. In his response, Mr. Green admits he is the sole owner of Mifflin Energy Resources, LLC, Natural Gas Producer, LLC, and Emerald Energy Services, LLC. Response to Preliminary Objection, p. 1, ¶ 4. He further explains, *inter alia*, "this is not tied to a residential service where I receive gas," and relates to "the most recent interconnects where Mifflin Energy Resources, LLC, sold

gas to Peoples Natural [sic] gas through a purchasing pool as well as “a tap request into the H109 pipeline owned by Equitable to Equitrans now EQT.” *Id* at p. 1, ¶ 6. He further clarifies, “I am not making a claim on behalf of gas consumers,” but as a “producer.” *Id* at p. 2, ¶ 2.

Mr. Green did not file a response to the New Matter.

On July 30, 2025, the Commission issued a Motion Judge Assignment Notice, assigning this matter to me.

Discussion

The Commission’s regulations provide that “[i]n adversarial proceedings, partnerships, corporations, trusts, associations, agencies, political subdivisions and government entities shall be represented only by . . . an attorney.” 52 Pa. Code § 1.21. An adversarial proceeding is defined as “a proceeding initiated by a person to seek authority, approvals, tariff changes, enforcement, fines, remedies or other relief from the Commission which is contested by one or more other persons and which will be decided on the basis of a formal record.” 52 Pa. Code § 1.8.

A non-attorney owner/operator of a limited liability corporation may file a complaint, but, once an answer is filed, the limited liability corporation must thereafter be represented by counsel. *Cars R Us c/o Holman Copeland v. PGW*, Docket No. C-2008-2033437 (Order entered February 4, 2010). The absence of an attorney where one is required deprives the Commission of jurisdiction to adjudicate the matter. *Scheaffer v PPL Electric Utilities Corp.*, Docket No. F-2016-2577647 (Opinion and Order entered April 3, 2018).

The Commission’s obligation to require attorneys in adversarial proceedings for parties other than individual *pro se* proceedings is well-settled:

In Pennsylvania, the Supreme Court is responsible for regulating the practice of law, and this Commission is bound by the Supreme Court’s rules. The only persons authorized to practice

law in Pennsylvania are as follows: (1) persons fully admitted to the Pennsylvania Bar; (2) persons admitted pro hac vice under Rule 301; and (3) persons qualified as certified legal interns under Rule 321. The Pennsylvania Supreme Court in *Shorz v. Farrell*, 327 Pa. 81, 193 A.20 (1937), held that if the nature of an administrative hearing is to determine questions of fact or interpretation of administrative law, then the hearing is of a judicial character. Any participation in such a hearing constitutes the practice of law. Accordingly, it would be unlawful to allow non attorney representation in adversarial proceedings before the Commission.

James and Judith Simon v. Franklin Water Company, Docket No. C-00956589 (Order entered January 29, 1996).

Mr. Green listed himself in Section 1 of the Complaint, but signed the Complaint as “President – Mifflin Energy Resources / President – Emerald Energy Services.” Complaint ¶ 11. Further, in his response to the Preliminary Objection, he explains that the Complaint relates to “the most recent interconnects where Mifflin Energy Resources, LLC, sold gas to Peoples Nateral [sic] gas through a purchasing pool.” Response to Preliminary Objection, p. 1, ¶ 6. He further clarified, “I am not making a claim on behalf of gas consumers,” but as a “producer.” *Id* at p. 2, ¶ 2.

These averments, in conjunction with his signature on the Complaint in Paragraph 11, suggest that Mr. Green is not bringing the Complaint on behalf of himself as an individual, but on behalf of Mifflin Energy Resources, LLC, Natural Gas Producer, LLC, and Emerald Energy Services, LLC. To the extent *some*, but not *all* claims, are brought on behalf of Mifflin Energy Resources, LLC, Natural Gas Producer, LLC, and Emerald Energy Services, Mr. Green would be required to obtain counsel for the claims brought on behalf of Mifflin Energy Resources, LLC, Natural Gas Producer, LLC, and Emerald Energy Services, but could represent himself on the claims he is bringing as an individual. Mr. Green would need to clarify, however, which claims he is bringing on behalf of himself as an individual and which ones he is bringing on behalf of Mifflin Energy Resources, LLC, Natural Gas Producer, LLC, and Emerald Energy Services.

Since Peoples has now filed an Answer to the Complaint, this proceeding is considered adversarial. Therefore, Mr. Green must (1) cause counsel to enter an appearance on behalf of Mifflin Energy Resources, LLC, Natural Gas Producer, LLC, and Emerald Energy Services, LLC or (2) show cause as to why he is not required to be represented by counsel.

THEREFORE,

IT IS ORDERED:

1. That the Preliminary Objections filed by Peoples Natural Gas Company, LLC in the matter of Robert Green v. Peoples Natural Gas Company, LLC docketed at C-2025-3055736 are held in abeyance.

2. That, by **4:00 p.m. on September 19, 2025**, Robert Green shall (1) cause counsel to enter an appearance on behalf Mifflin Energy Resources, LLC, Natural Gas Producer, LLC, and Emerald Energy Services, LLC or (2) show cause as to why he is not required by the Commission's regulations to be represented by counsel in this matter.

3. That if Mr. Green does not comply with Ordering Paragraph 2, the Complaint may be dismissed.

Date: September 3, 2025

/s/
Emily I. DeVoe
Administrative Law Judge

**C-2025-3055736 - ROBERT T. GREEN, SR. v. PEOPLES NATURAL GAS COMPANY
LLC**

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