

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

Public Meeting held September 11, 2025

Commissioners Present:

Stephen M. DeFrank, Chairman
Kimberly Barrow, Vice Chair
Kathryn L. Zerfuss
John F. Coleman, Jr.
Ralph V. Yanora

Shasta-Patrice Brown

C-2024-3050761

v.

Philadelphia Gas Works

OPINION AND ORDER

BY THE COMMISSION:

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition are the Exceptions of Shasta-Patrice Brown (Ms. Brown or Complainant), received by the Commission on April 2, 2025,¹ to the Initial Decision (I.D.) of Administrative Law Judge (ALJ) Alphonso Arnold III, which was issued on

¹ We note that the Exceptions did not contain a Certificate of Service. Accordingly, by Secretarial Letter dated April 3, 2025, the Commission served a copy of the Exceptions upon Philadelphia Gas Works (PGW or the Company) to constitute service for purposes of 52 Pa. Code § 5.533. The Secretarial Letter noted that PGW “shall have until April 17, 2025 to file Reply Exceptions.”

March 18, 2025, in the above-captioned matter. On April 16, 2025, PGW filed Reply Exceptions in this matter.

For the reasons discussed below, because the Complainant fails to state a claim in her Amended Formal Complaint (Amended Complaint) upon which relief can be granted, we shall deny the Complainant's Exceptions and adopt the Initial Decision, consistent with the discussion in this Opinion and Order.

I. History of Proceeding

On July 30, 2024, Ms. Brown filed a Formal Complaint (Complaint) against PGW. On the Complaint form, the Complainant checked the box for "Other" and alleged the following:

There are errors and admissions contained in the application for service pertaining to the address and the endorsement. We were approached harshly and signed in blank. We have a disability and need the provisions provided under the American Disabilities Act as our disabilities pertain to law and payments. We are unable to pay according to Public Law 73-10 and HJR 192.

Complaint at ¶ 4. As for relief, the Complainant stated as follows:

The resolution require [sic] is that the address be updated to the assignee of PECO. Our delegation needs to be updated as creditors. We desire access to the custodial account and want to surrender the account for performance and have all dividends, proceeds, and interest returned. We have NOT abandoned our interest in the account and operate under the maxims of equity as we are all created equal by Elohim God. We wish to receive a return on our interest in the contract. We know the application has declared value upon signing and wish to have that value returned. We request a setoff, and settlement, and monthly allowance for the open account and

setoff, settlement, and closure of the “closed” account ending in 8000.

Complaint at ¶ 5.

On September 9, 2024, PGW filed Preliminary Objections (POs) to the Complaint. In its Preliminary Objections, PGW asserted that the Complaint is insufficiently specific, pursuant to 52 Pa. Code § 5.101(a)(3), in that the Complaint does not contain information specific enough to allow PGW to understand the allegations against it to conduct a meaningful investigation of the allegations and to prepare a coherent response or defense. PGW additionally asserted that the Complaint is legally insufficient, pursuant to 52 Pa. Code § 5.101(a)(4), arguing that the Complaint failed to set forth any facts that could be construed as a violation of a Commission regulation, statute, or order by PGW. PGW further noted that there is no record of the Complainant as a customer at the address in question or the mailing address of the Complaint, and that there are no accounts that correspond to the account number listed on the Complaint. As such, PGW requested that the Complaint be dismissed.² POs at 1, 3.

On September 26, 2024, Ms. Brown filed an Answer to PGW’s Preliminary Objections. In the Answer, Ms. Brown stated that while the account is in her daughter’s name, Ms. Brown’s name was added to the account and her daughter requested Ms. Brown speak on her behalf. In addition, Ms. Brown asserted that PGW is guilty of fraud in factum, deceptive business practices, deprivation of rights, theft by deception, and unjust enrichment, and requested that the Commission deny the Preliminary Objections. Answer to POs at 3.

² PGW did not file an Answer to the Complaint, as the Company raised a Preliminary Objection regarding insufficient specificity and therefore was not required to file an Answer. *See* 52 Pa. Code § 5.101(e)(1).

By Motion Judge Assignment Notice dated October 18, 2024, the Complainant and PGW were informed that ALJ Arnold was assigned to this matter for a ruling on the Preliminary Objections.

By Order dated October 31, 2024, the ALJ granted PGW's Preliminary Objection regarding insufficient specificity, filed pursuant to 52 Pa. Code § 5.101(a)(3), directed Ms. Brown to file an Amended Complaint, and held PGW's Preliminary Objection regarding legal insufficiency, filed pursuant to 52 Pa. Code § 5.101(a)(4), in abeyance pending the filing of an Amended Complaint by the Complainant. ALJ Order at 6.

On November 13, 2024, Ms. Brown filed her Amended Complaint. In the Amended Complaint form, Ms. Brown checked the box for "Other" and alleged the following:

The account contains errors and omissions as the application was endorsed in blank. The assignee needs to be updated to the assignee bank. Our interest in the note was assumed/presumed abandoned. There is not a contract between Ariana Martin/Shasta Brown with PGW. The contract is between PGW and the GSA with the contract #47PA0420D0009. The Principal parties are not citizens, human beings, slaves, residents, or employees. These are all presumptions. The account needs to be liquidated as we have an interest in the note (account). We were approached harshly, and the application was signed in blank. We request the original receipt and acknowledgment letter from PGW that was taken to the federal reserve window and exchanged on our behalf. We required the original book entries, and the entire portfolio exchanged @ the TT&L window of the federal reserve. The general ledger should be correct to show

us as creditors. As stakeholders we have the right to our interest in the original application which is a promissory note.

Amended Complaint at 2-3. For relief, Ms. Brown stated the following:

Prove a contract. We require the accounting including the general ledger and original portfolio exchanged on our behalf. We require a return on our interest. Correct the billing errors and note the true creditors and true parties of interest of the original note (application). We are acting in equity. Prove that we are citizens, human beings, slaves, residents, and employees. Full disclosure was not given. Leading to deceptive business practices, fraud in factum, deprivation of rights, and unjust enrichment. Order PGW to return the credits.

Amended Complaint at 4. The Amended Complaint contained numerous attachments in support of the Amended Complaint.³

On November 14, 2024, Ms. Brown filed a document entitled “Additional Info to Amended Complaint.” This document does not appear to contain any information additional to what was included in the Amended Complaint.

On December 6, 2024, PGW filed Preliminary Objections to the Amended Complaint (2nd POs). In its Preliminary Objections, PGW asserted that the Amended Complaint again lacks specificity, pursuant to 52 Pa. Code § 5.101(a)(3), and is again

³ We note that Ms. Brown’s Amended Complaint contained an additional page for requested relief where she stated, in pertinent part, “[d]ue to the deception in regards of the lack of contract, we request the PUC to order the utility company to prove a contract...PUC must prove their jurisdiction. PGW needs to prove a contract and prove that we are citizens, human beings, employees, and slaves. There is [sic] deceptive business practices, frad [sic] in factum, and deprivation of rights given by Almighty Elohim God. PGW gained from unjust enrichment.” Amended Complaint at 10.

legally insufficient, pursuant to 52 Pa. Code § 5.101(a)(4). Therefore, PGW requested dismissal of the Amended Complaint.⁴ 2nd POs at 3-4.

On December 19, 2024, Ms. Brown filed an Answer to PGW's Preliminary Objections to the Amended Complaint asserting that PGW's denial of the account was unfounded and deceptive and that PGW's actions demonstrated a clear attempt to conceal the truth and avoid their obligations. Additionally, Ms. Brown demanded a hearing and requested for relief, *inter alia*, denial of the Preliminary Objections. Answer to 2nd POs at 1-2.

The record in this proceeding closed on December 19, 2024. I.D. at 5.

On March 18, 2025, the Commission issued the Initial Decision of ALJ Arnold, wherein the ALJ granted PGW's Preliminary Objections to the Amended Complaint and dismissed the Amended Complaint. I.D. at 13.

As noted above, by Secretarial Letter dated April 3, 2025, the Commission served PGW with the Complainant's Exceptions⁵ to the Initial Decision.

On April 16, 2025, PGW filed Replies to Exceptions.

⁴ PGW did not file an Answer to the Amended Complaint. *See* 52 Pa. Code § 5.101(e)(1).

⁵ We acknowledge that the format of the Complainant's Exceptions does not strictly comply with Section 5.533(b) of our Regulations, 52 Pa. Code § 5.533(b), which requires that exceptions be numbered, identify the finding of fact and conclusions of law to which exception is taken, and cite to the relevant pages of the Initial Decision. Nevertheless, particularly because the Complainant is appearing *pro se*, we will accept the Exceptions as filed pursuant to Section 1.2(a) of our Regulations, 52 Pa. Code § 1.2(a), in order to secure a just, speedy, and inexpensive determination.

On May 14, 2025, Ms. Brown filed a document self-styled, “Reply Exception and Demand for Judgment Based on Fraud, Bad Faith, and Material Representation,” which references the Reply Exceptions of PGW. This document is identified as “Reply Exception – Shasta-Patrice Brown” in the Commission's case management system. That same day, Ms. Brown filed an updated version of the document, which is identified as “Updated Reply Exception – Shasta-Patrice Brown” in the Commission's case management system.⁶

On May 15, 2025, Ms. Brown filed another document self-styled, “Motion for Issuance of Subpoena Duces Tecum,” requesting the production of a large number of documents from PGW (request for the issuance of subpoenas or request). That same day, Ms. Brown filed three (3) supplements to her request. No Answer or response to the Complainant’s request was filed.⁷

⁶ While our Regulations at 52 Pa. Code §§ 5.533 and 5.535 set forth the procedure to file Exceptions and Reply Exceptions, such Regulations do not contemplate or permit the filing of a reply or response to Reply Exceptions, in order to establish a sense of finality to a proceeding. As a result, the document filed in response to PGW’s Reply Exceptions are in violation of the Commission’s Rules of Practice, and therefore, are immaterial to our disposition, and will not be considered. *See* 52 Pa. Code § 1.4(e).

⁷ Pursuant to the Commission’s regulations governing post-order filings, governed under Subchapters H and I, a party may file exceptions, replies to exceptions, and/or seek post-order relief to reopen, seek reconsiderations, and rehearing. *See* 52 Pa. Code §§5.531-539 and 5.571-572. In the present case, the Complainant’s post-order filing does not comport with the Commission’s Regulations governing permissible post-order filings, and therefore, will be disregarded as irrelevant to this proceeding. As the Complainant's filing is irrelevant to our disposition of this matter, we will decline to consider it in our disposition. *See* 52 Pa. Code § 1.4(e), *Stephen and Pamela Goforth v. Pennsylvania Electric Company*, Docket No. F-2019-3013482 (Opinion and Order entered December 3, 2020) (citing 52 Pa. Code § 1.4(e) discussing the Commission’s treatment of irrelevant material in submittals to the Commission and 52 Pa. Code § 5.431 discussing the introduction of matters that should have been pursued during the hearing, prior to the record being closed).

In addition, on June 1, 2025, Ms. Brown filed a letter addressed to PGW and entitled, “Notice of Acknowledgment and Demand for Full Compliance,” wherein she alleges that PGW failed to acknowledge her request for the issuance of subpoenas and the supplements to such request.⁸

On July 11, 2025, the Complainant filed a document self-styled, “Motion for Declaratory, Statutory, Injunctive, and Compensatory Relief,” wherein she requests that the Commission grant her declaratory, statutory, injunctive, and compensatory relief.⁹

On August 5, 2025, Ms. Brown filed another document self-styled, “Motion to Compel Disclosure of Public Deposit, SBLC, Performance Bond, and Associated Ledger Value,” requesting that the Commission “disclose all public, commercial, and financial instruments generated, held, or monetized in relation to the [instant proceeding].”¹⁰

Most recently, on August 22, 2025, the Complainant filed a document self-styled, “Motion to Compel Arbitration Under Common Law,” wherein she states that she has “exhausted administrative remedies and elects arbitration under common law.” That same day, Ms. Brown filed a supplement to such document.¹¹

⁸ As this filing is improper, we will not consider it as part of our disposition of this matter. *See note 7, supra.*

⁹ As this filing is improper, we will not consider it as part of our disposition of this matter. *See note 7, supra.*

¹⁰ As this filing is improper, we will not consider it as part of our disposition of this matter. *See note 7, supra.*

¹¹ As this filing is improper, we will not consider it as part of our disposition of this matter. *See note 7, supra.*

II. Discussion

A. Legal Standards

1. Preliminary Objections

This case is before us on preliminary objections. Section 5.101 of the Commission's Regulations, 52 Pa. Code § 5.101, sets forth the grounds for granting preliminary objections. That section provides as follows:

- (1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.
- (2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.
- (3) Insufficient specificity of a pleading.
- (4) Legal insufficiency of a pleading.
- (5) Lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action.
- (6) Pendency of a prior proceeding or agreement for alternative dispute resolution.
- (7) Standing of a party to participate in the proceeding.

52 Pa. Code § 5.101(a).

Commission preliminary objection practice is comparable to Pennsylvania civil practice regarding preliminary objections. *Equitable Small Transportation Interveners v. Equitable Gas Co.*, Docket No. C-00935435 (Opinion and Order entered July 18, 1994) (*Equitable*); *Montague v. Phila. Elec. Co.*, 66 Pa. P.U.C. 24 (1988). Preliminary objections seeking dismissal of a pleading for legal sufficiency will be granted only in cases where dismissal is clearly warranted by the record and free and clear of doubt. *Interstate Traveller Servs., Inc. v. Pa. Dep't of Env't Res.*, 406 A.2d 1020 (Pa. 1979) (*Interstate*); *Rivera v. Phila. Theological Seminary of St. Charles*

Borromeo, Inc., 595 A.2d 172 (Pa. Super. 1991). Any doubt must be resolved in favor of the non-moving party by refusing to sustain the preliminary objection. *Id.*; *Boyd v. Ward*, 802 A.2d 705 (Pa. Cmwlth. 2002).

For the purpose of disposing of preliminary objections, the Commission may not rely upon the factual assertions of the moving party but must accept as true all well-pleaded, material facts of the non-moving party, as well as every reasonable inference from those facts. *Cnty. of Allegheny v. Commonwealth*, 490 A.2d 402 (Pa. 1985); *Commonwealth of Pa. v. Bell Tel. Co. of Pa.*, 551 A.2d 602 (Pa. Cmwlth. 1988). In ruling on a preliminary objection, the Commission must assume the factual allegations included in the Complaint are true and resolve any doubt in favor of the non-moving party by rejecting the preliminary objections. The Commission must view the Complaint in this case in the light most favorable to the Complainant and should dismiss the Complaint only if it appears that the Complainant would not be entitled to relief under any circumstances as a matter of law. *Equitable*; *see also, Interstate*.

2. Burden of Proof

Pursuant to Section 332(a) of the Public Utility Code (Code), the proponent of a rule or order, bears the burden of proof. 66 Pa.C.S. §332(a). To satisfy the burden of proof, the Complainant, as the party seeking relief, must establish a sufficient case that PGW is responsible for the problem described in the Complaint. *Patterson v. The Bell Telephone Company of Pennsylvania*, 72 Pa. P.U.C. 196 (1990). This showing must be by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. PUC*, 578 A.2d 600 (Pa. Cmwlth. 1990), *alloc. denied*, 602 A.2d 863 (Pa. 1992). This standard requires the Complainant's evidence be more convincing, by even the smallest amount, than the evidence presented by PGW. *Se-Ling Hosiery, Inc. v. Margulies*, 70 A.2d 854 (Pa. 1950).

This Commission’s decisions must be supported by substantial evidence in the record; more is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk & West Ry. Co. v. Pa. PUC*, 413 A.2d 1037 (Pa. 1980). “Opinions and conclusions cannot be relied upon as substantial evidence in a decision by the Commission.” *Norman v. Phila. Gas Works*, Docket No. C-2018-2640719 (Opinion and Order entered October 7, 2021) (*Norman*).

Upon presentation by the Complainant of evidence sufficient to initially satisfy the burden of proof, the evidentiary burden shifts to PGW to present persuasive evidence rebutting that of the Complainant. If PGW’s evidence is of co-equal weight, the Complainant has not satisfied their burden of proof, and must provide additional evidence to rebut that of PGW. *Burleson v. Pa. PUC*, 443 A.2d 1373 (Pa. Cmwlth. 1982), *aff’d*, 461 A.2d 1234 (Pa. 1983) (*Burleson*). While the evidentiary burden of persuasion may shift back and forth during a proceeding, the burden of proof never shifts. The burden of proof always remains on the party seeking affirmative relief from the Commission to prove their case by a preponderance of the evidence. *Milkie v. Pa. PUC*, 768 A.2d 1217 (Pa. Cmwlth. 2001).

B. Initial Decision

In the Initial Decision, ALJ Arnold made six (6) Findings of Fact and reached ten (10) Conclusions of Law. I.D. at 5-6, 12-13. The Findings of Fact and Conclusions of Law are incorporated herein by reference and adopted without comment unless they are either expressly or by necessary implication rejected or modified by this Opinion and Order.

The ALJ granted PGW’s Preliminary Objections and dismissed the Amended Complaint. I.D. at 1. Specifically, the ALJ found the Amended Complaint to be legally insufficient, noting that such pleading does not set forth any violation of any

law which the Commission has jurisdiction to administer, or of any regulation or order of the Commission. The ALJ further concluded that the Amended Complaint contained allegations of violations of laws by PGW over which the Commission lacks jurisdiction, such as fraud in factum, deceptive business practices, deprivation of rights, theft by deception, and unjust enrichment. *Id.* at 8. In addition, the ALJ noted that there were claims of sovereign citizenship in the Amended Complaint and attachments thereto that are also outside of the Commission’s jurisdiction. *Id.* at 8-9.

Next, the ALJ concluded that the Amended Complaint lacks factual specificity. *I.D.* at 11. The ALJ explained that the Commission’s Regulations at 52 Pa. Code § 5.22(a)(5)-(6) state that a formal complaint must set forth “a clear and concise statement of the act or omission being complained of including the result of any informal complaint or informal investigation” as well as “a clear and concise statement of the relief sought.” The ALJ found that while the Amended Complaint does make some reference to billing and account errors, such pleading does not provide facts specific enough to explain which bills are disputed or what is allegedly wrong with her PGW account. *Id.* at 10.

The ALJ further noted that in PGW’s Preliminary Objections to the Complaint, the Company indicated that it has no record of Ms. Brown being a PGW customer at the address indicated in the Complaint or at the address listed in the Complaint as Ms. Brown’s mailing address. *I.D.* at 10-11. Therefore, the ALJ concluded that the Amended Complaint is not specific enough to allow PGW to investigate the allegations against it. *Id.* at 11.

Lastly, the ALJ acknowledged Commission precedent allowing unrepresented complainants an opportunity to be heard orally and not have their case dismissed on the basis of a preliminary pleading. *I.D.* at 11 (citing *Carlock v. The United Telephone Company of Pennsylvania*, Docket No. F-00163617 (Opinion and Order

entered July 14, 1993)) (*Carlock*). According to the ALJ, the Commission’s decision in *Carlock* was subsequently clarified to allow ALJs the discretion to dispose of the pleadings in a proceeding, provided that the action is neither arbitrary nor capricious, and that it is in accordance with the law. I.D. at 11 (citing *Graham v. Phila. Suburban Water Co.*, Docket No. C-00957557 (Opinion and Order entered June 12, 1996)). The ALJ further noted that Section 703(b) of the Code provides that “the Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary in the public interest.” I.D. at 11 (citing 66 Pa.C.S. § 703(b)). The ALJ determined that a hearing on Ms. Brown’s Amended Complaint is not necessary in the public interest and that dismissing Ms. Brown’s Amended Complaint is neither arbitrary nor capricious, but is in accordance with the law. Accordingly, the ALJ dismissed the Amended Complaint, concluding that the Amended Complaint is both legally insufficient and lacks factual specificity. I.D. at 11.

C. Exceptions and Replies to Exceptions

1. Exceptions

As previously noted, Ms. Brown filed timely Exceptions on April 3, 2025, which consist of four (4) pages. In her first Exception, the Complainant alleges that the ALJ mischaracterized her claims as sovereign citizen arguments. Exc. at 2. In her second Exception, Ms. Brown argues that PGW’s billing system reflects positive balances, which suggests that her account is classified as an asset rather than a liability under the Generally Accepted Accounting Principles (GAAP) and Federal Energy Regulatory Commission (FERC) public utility accounting standards. *Id.* Lastly, in her third Exception, the Complainant contends that the Amended Complaint contained sufficient specificity in that it outlined billing errors and requested a financial reconciliation. *Id.* at 3. In addition, Ms. Brown claims that Commission precedent supports providing *pro se* complainants an opportunity to be heard rather than dismissing

the Complaint on Preliminary Objections. *Id.* (citing *Carlock*). We will address these arguments in turn, below.

2. Replies to Exceptions

In its Reply to Ms. Brown's first Exception, that the claims in the Amended Complaint were mischaracterized as sovereign citizen arguments, PGW argues that the Initial Decision is clear that the Amended Complaint was dismissed because it was legally insufficient, not due to the arguments made within it being characterized in a certain way. R. Exc. at 4.

In response to Ms. Brown's second Exception, the Company asserts that such Exception is improper, as nothing in the Complainant's filings or Exceptions support the demand she is making regarding her request for a full review of PGW's billing and accounting methods under Commission and FERC regulations. According to PGW, the Amended Complaint was dismissed because Ms. Brown failed to specify anything that PGW did or failed to do that would require such a review. R. Exc. at 4.

In Reply to the Complainant's third Exception regarding her argument that the Amended Complaint contained sufficient specificity, PGW contends that in the Amended Complaint, the Complainant did not allege any errors other than just generally stating "billing errors." R. Exc. at 5. PGW notes that the Complainant "has still not provided even that much information" or addressed the fact that she is not and has never been the customer of record at either of the Philadelphia service addresses outlined in her Complaint and her Amended Complaint. In response to the Complainant's request for a hearing (citing due process and the public interest), the Company argues that respondent utilities are also entitled to due process. *Id.* PGW further asserts that a formal complaint must set forth 'the act or thing done or omitted to be done' by a public utility 'in violation, or claimed violation, of any law which the commission has jurisdiction to

administer, or of any regulation or order of the commission.’ *Id.* at 5 (citing 66 Pa.C.S. § 701; 52 Pa. Code § 5.22(a)(4)).

In addition, PGW points to 52 Pa. Code § 5.21(d), which authorizes the Commission to dismiss a complaint if a hearing is not necessary and specifically references the filing of preliminary objections to be filed in response to a complaint. R. Exc. at 5. According to PGW, there is no feature of due process or the public interest that necessitates that a hearing be convened “just to see what happens,” even when the complainant is *pro se*. *Id.* at 5-6.

D. Disposition

At the outset, we note that any issue or Exception that we do not specifically address shall be deemed to have been duly considered and denied without further discussion. The Commission is not required to consider expressly or at length each contention or argument raised by the parties. *Consolidated Rail Corp. v. Pa. PUC*, 625 A.2d 741 (Pa. Cmwlth. 1993); *see also, generally, University of Pennsylvania v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984).¹²

Upon review, we agree with the ALJ’s decision to dismiss the Amended Complaint on Preliminary Objection grounds. We disagree with the Complainant’s

¹² As a preliminary matter, we note PGW’s argument throughout its pleadings and in Reply Exceptions that Ms. Brown “is not and has never been the customer of record” at either of the Philadelphia service addresses outlined in either her Complaint or her Amended Complaint. R. Exc. at 5. In turn, we also acknowledge Ms. Brown’s argument that the account in question was in her daughter’s name (Ariana Martin) and in Ms. Brown’s name. *See Answer to POs at 3; Answer to 2nd POs at 1.* Because PGW did not raise standing as a basis of its Preliminary Objections to the Amended Complaint and given that we are dismissing the Complaint and Amended Complaint as factually and legally insufficient, we do not find it necessary to resolve the apparent factual dispute whether Ms. Brown is or is not a customer of record at the relevant service addresses.

argument in her Exceptions that the Amended Complaint contains sufficient specificity by outlining billing errors and requesting a financial reconciliation.¹³ Furthermore, we find that the Commission does not have jurisdiction over the subject matter raised in the Complaint and does not have statutory authority to grant the relief requested.¹⁴

The Commission's Regulations provide that the content of a formal complaint must include “[a] clear and concise statement of the act or omission being complained of including the result of any informal complaint or informal investigation” and “[a] clear and concise statement of the relief sought.” 52 Pa. Code §§ 5.22(a)(5) and (6). The Commission’s rule is based on Pennsylvania Rule of Civil Procedure (Pa.R.C.P.) 1019, which requires a plaintiff to plead all facts that he or she must prove in order to achieve recovery on the alleged cause of action. The purpose of 52 Pa. Code § 5.101(a)(3), authorizing a party to file preliminary objections on the grounds of

¹³ We acknowledge Ms. Brown’s second Exception where she argues that PGW’s billing system reflects positive balances, which suggests that her account is classified as an asset rather than a liability under GAAP and FERC public utility accounting standards. *See* Exc. at 2. We note that there is no regulation or statute that requires a utility bill to be presented to a ratepayer in a GAAP format. Similarly, it is the Code which governs billing for utility service. As such, Ms. Brown’s second Exception is denied.

¹⁴ We note Ms. Brown’s first Exception, alleging that the ALJ’s mischaracterization of her claims as sovereign citizen arguments unfairly prejudiced her case and led to the dismissal of her Amended Complaint on improper grounds. *See* Exc. at 2. We disagree. Upon review of the Initial Decision, we note that the ALJ’s basis for dismissing the Amended Complaint was due to his determination that the Amended Complaint lacked factual specificity and was legally insufficient. *I.D.* at 1, 11. We further note that in the ALJ’s analysis, after concluding that the Amended Complaint was legally insufficient, the ALJ stated that the Amended Complaint contained allegations of violations of laws by PGW over which the Commission lacks jurisdiction. *Id.* at 8. The ALJ further stated in dicta that certain claims of the Complainant are “reminiscent of those frequently raised by ‘sovereign citizens.’” *Id.* at 9. As such, we do not find the ALJ’s characterization of such claims to be prejudicial, nor do we find that such characterization resulted in the improper dismissal of the Amended Complaint. Therefore, Ms. Brown’s first Exception is denied.

insufficient specificity, is to ensure that an adverse party's right and ability to answer and defend will not be unduly impaired by a pleader's vagueness in stating the grounds of the complaint. *Local No. 163, International Union of United Brewery, Flour, Cereal, Soft Drink and Distillery Workers of America v. Watkins*, 207 A.2d 776 (Pa. 1965).

Here, Ms. Brown checked the “Other” box on the Amended Complaint form;¹⁵ and in its description, the Complainant alleged “[t]he account contains errors and omissions as the application was endorsed in blank.” Amended Complaint at 2. The “errors and omissions,” alleged by the Complainant, appear to stem from her belief that “there is not a contract between Ariana Martin/Shasta Brown with PGW, [but rather] between PGW and the GSA [General Services Administration].” *Id.*¹⁶ Further, Ms. Brown raised claims such as deceptive business practices, fraud in factum, deprivation of rights, theft by deception, and unjust enrichment against PGW and requested a return on interest, and that the Commission order PGW to “return the credits.” *Id.* at 4, 10. The remaining allegations of the Amended Complaint are incomprehensible.

It is not the responsibility of the Company to speculate as to the nature of Ms. Brown’s Complaint. This is why the appropriate remedy for a complaint which is

¹⁵ We note that Ms. Brown did not check the box alleging that there are incorrect charges on her bill nor did she request a payment arrangement. *See* Amended Complaint at 2.

¹⁶ *See* Amended Complaint at 4, 10 (where the Complainant repeatedly requested that PGW prove that there is a contract between the Complainant and the Company). We note that PGW’s contract for service is set forth in the Company’s applicable tariffs that are currently in effect. *See* PGW Gas Service Tariff – Pa. P.U.C. No. 2; PGW Supplier Tariff – Pa. P.U.C. No. 1. Public utility tariffs have the force and effect of law and are binding on the customer as well as the utility. *PPL Electric Utilities Corp. v. Pa. PUC*, 912 A.2d 386, 402 (Pa. Cmwlth. 2006) (citing *Pennsylvania Electric Co. v. Pa. PUC*, 663 A.2d 281, 284 (Pa. Cmwlth. 1995)); *see Brockway Glass Co. v. Pa. PUC*, 437 A.2d 1067 (Pa. Cmwlth. 1981). The Complainant has provided no record evidence that PGW’s tariffs are applied unreasonably in the instant proceeding.

insufficient on its face is to allow the complainant an opportunity to remedy the deficiency by filing an amended complaint with the necessary facts properly pleaded.¹⁷ This was explained to Ms. Brown in ALJ Arnold's Order, wherein, rather than dismissing the Complaint, ALJ Arnold directed the Complainant to file an amended complaint. *See* ALJ Order at 5, 6.¹⁸

In the Amended Complaint, the Complainant could have removed any doubt as to the nature of her Complaint. Instead, in the Amended Complaint, the Complainant, again, made allegations and requests that are, for the most part, incomprehensible. Additionally, the Complainant alleged violations of laws and regulations over which the Commission lacks jurisdiction.¹⁹ As a result, PGW is still unable to formulate a meaningful response, and the Commission is left unable to

¹⁷ Pennsylvania is a fact pleading, rather than a notice pleading state. As such, the pleadings should conform to the elements necessary to state a cause of action. *See* Pa.R.C.P. 1019; *Commonwealth ex rel. Pappert v. TAP Pharm. Products, Inc.*, 868 A.2d 624, 636 (Pa. Cmwlth. 2005). "Legal conclusions and general allegations of wrongdoing, without the requisite specific factual averments or support, fail to meet the pleading standard." *McCulligan v. Pennsylvania State Police*, 123 A.3d 1136, 1141 (Pa. Cmwlth. 2015).

¹⁸ "I agree with PGW that it has not been provided with the opportunity to provide an Answer or prepare a defense to the Complaint because the Complaint is unclear and verbose...[B]ased on a reading of the Complaint, I am unable to understand the material facts of the Complaint or the allegations against PGW. Given the unclear nature of the Complaint, Ms. Brown will be directed to file an Amended Complaint in this proceeding." ALJ Order at 5.

¹⁹ *See* Amended Complaint at 4, 10 (where the Complainant alleged that PGW engaged in deceptive business practices, fraud in factum, deprivation of rights, theft by deception, and unjust enrichment and requested that the Commission order PGW to "return the credits").

determine the nature of the Complaint. As such, the Amended Complaint lacks sufficient specificity.²⁰

Furthermore, we find that the ALJ's dismissal of the Amended Complaint on Preliminary Objections was correct even though Ms. Brown is a *pro se* Complainant. We preface our discussion of *Carlock* with the basic statutory principle that "[t]he Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary in the public interest." 66 Pa.C.S. § 703(b).

In *Carlock*,²¹ the Commission held that in the normal course, the Commission would not dismiss a *pro se* complaint without first providing a hearing during which the *pro se* complainant could further explain his or her position and the factual basis for the complaint. The Commission's concern was that, in general, *pro se* complainants may find it difficult to navigate through pre-hearing motions and should be given the chance to orally describe their basic issue and supporting facts.

²⁰ While not raised in Exceptions, we agree with the ALJ that the Complainant's Amended Complaint is legally insufficient. In order to be legally sufficient, a complaint must set forth "any act or thing done or omitted to be done by any public utility in violation, or claimed violation, of any law which the commission has jurisdiction to administer, or of any regulation or order of the commission." 66 Pa.C.S. § 701. Here, in the Amended Complaint, Ms. Brown did not allege any facts that could be construed as a violation by PGW of any statute, regulation or order which the Commission has jurisdiction to administer. On the other hand, the Complainant did make allegations concerning violations of laws and regulations over which the Commission does not have jurisdiction. *See* Amended Complaint at 4, 10. The Amended Complaint is therefore legally insufficient.

²¹ We note that in *Carlock* the issue before the Commission was whether it was appropriate to grant a motion for summary judgment. *Carlock* does not address preliminary objections raising insufficient specificity or legal insufficiency of a pleading. Nor does *Carlock* address the situation where a *pro se* complainant is provided an opportunity to file an Amended Complaint with sufficiently specific information to the respondent utility to allow it to answer and prepare a defense, as was the case here.

While we are dismissing the Amended Complaint in this case, we recognize that the Complainant is appearing *pro se*, and that we are generally more accommodating to legal insufficiencies in *pro se* complaints and would not generally dismiss a *pro se* complaint without first providing a hearing during which the *pro se* complainant could further explain his or her position and the factual basis for the complaint. *See, e.g., Carlock*. However, we emphasize that such accommodation must be within the bounds of due process. *See MacLuckie v. Palmco Energy, LLC*, Docket No. C-2014-2402558 (Opinion and Order entered December 4, 2014).

We note that *Carlock* neither addresses insufficient specificity of a pleading, nor the impairment of the respondent utility's right and ability to answer and defend where the pleading is insufficiently specific and legally insufficient. As an administrative agency of the Commonwealth, the Commission is required to provide due process to the parties appearing before it. *Schneider v. Pa. PUC*, 479 A.2d 10, 15 (Pa. Cmwlth. 1984) (citing *Fusaro v. Pa. PUC*, 382 A.2d 794 (Pa. Cmwlth. 1978)). Therefore, a *pro se* complainant's opportunity to orally describe the issues set forth in his or her complaint should be balanced against his or her obligation to provide sufficiently specific information to a respondent utility to ensure that the respondent utility can answer and defend against the issues alleged in the complaint. If the complainant cannot provide sufficiently specific information to the respondent utility to allow it to answer and defend, the complainant should not be permitted to further prosecute his or her complaint.

As we previously noted, Ms. Brown was permitted an opportunity to file an amended complaint with the necessary facts properly pleaded. *See* ALJ Order at 7. As explained above, the Amended Complaint lacks sufficient specificity and is legally insufficient, which would deprive PGW of the opportunity to prepare an adequate defense. In her Amended Complaint, Ms. Brown also alleged violations of laws and regulations outside the Commission's jurisdiction. No relief can be granted by this

Commission, and PGW correctly requests that the Commission dismiss the Amended Complaint and that neither the Company nor the Commission be required to dedicate additional resources to this matter. Therefore, it is appropriate and in the public interest to dismiss the Complaint and Amended Complaint without a hearing. *See* 66 Pa.C.S. § 703(b); 52 Pa. Code § 5.21(d).

Accordingly, we shall deny Ms. Brown's Exceptions and adopt the Initial Decision, consistent with the discussion in this Opinion and Order.

IV. Conclusion

Based upon our review of the ALJ's Initial Decision, and the Exceptions and Replies thereto, we shall deny Ms. Brown's Exceptions and adopt the ALJ's Initial Decision, consistent with this Opinion and Order; **THEREFORE,**

IT IS ORDERED:

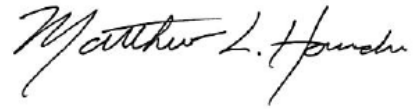
1. That the Exceptions filed by Shasta-Patrice Brown on April 3, 2025, to the Initial Decision of Administrative Law Judge Alphonso Arnold III, issued on March 18, 2025, at Docket No. C-2024-3050761, are denied, consistent with this Opinion and Order.

2. That the Initial Decision of Administrative Law Judge Alphonso Arnold III, issued on March 18, 2025, is adopted, consistent with this Opinion and Order.

3. That the Formal Complaint filed on July 30, 2024, as amended by the Amended Formal Complaint filed on November 13, 2024, by Shasta-Patrice Brown against Philadelphia Gas Works, at Docket No. C-2024-3050761, is dismissed, consistent with this Opinion and Order.

4. That this proceeding be marked closed.

BY THE COMMISSION,

A handwritten signature in cursive script, reading "Matthew L. Homsher".

Matthew L. Homsher
Secretary

(SEAL)

ORDER ADOPTED: September 11, 2025

ORDER ENTERED: September 11, 2025