

BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Erien Frazier, Trustee of the Erien Lois Frazier Revocable Living Trust,  
Complainant,

v.

West Penn Power Company d/b/a FirstEnergy,  
Respondent.

PUC Docket No. C-2025-3056017

REPLY TO RESPONDENT'S ANSWER TO AMENDED COMPLAINT

Complainant, by and through Trustee Erien Frazier, files this Reply to Respondent's Answer to the Amended Formal Complaint, and in support states as follows:

I. Preliminary Statement

1. On September 5, 2025, Complainant filed a Proposed Amended Complaint pursuant to 52 Pa. Code § 5.91, expressly curing the caption to proceed in the name of the Trustee in her fiduciary capacity. This filing was made in direct response to the Interim Order of August 21, 2025.
2. Respondent's Answer does not address the substance of the Amended Complaint but instead reiterates arguments already raised in its Motion to Dismiss.
3. The Commission's regulations and long-standing practice allow amendment "at any time" to correct a defect in form or caption, provided the amendment does not prejudice the opposing party. See 52 Pa. Code § 5.91.

II. Response to Procedural Objection

4. Respondent asserts that the Amended Complaint remains defective and that the Trustee cannot represent the Complainant. This position ignores that:
  - a. The caption has been amended so that the Complainant is now the Trustee in her fiduciary capacity, not the Trust entity itself;
  - b. The Commission has clear authority to accept amendments that cure caption or representation defects; and

c. The Petition for Reconsideration of the Interim Order is still pending, and Complainant has acted diligently to comply.

5. To dismiss at this stage would unfairly prejudice Complainant, who has properly invoked Commission jurisdiction to challenge Respondent's billing, accounting, and termination practices.

### III. Substantive Issues Remain Unaddressed

6. Respondent's Answer does not address the underlying issues raised in the Amended Complaint, including:
  - o Failure to provide a full and certified accounting of related accounts;
  - o Improper issuance of termination notices on disputed accounts in violation of tariff obligations; and
  - o Potential unjust enrichment and securitization of receivables without disclosure to the customer.
7. These matters fall squarely within the Commission's jurisdiction and warrant adjudication on the merits.

### IV. Conclusion

For the foregoing reasons, Complainant respectfully requests that:

1. Respondent's objections to the Amended Complaint be denied;
2. The Commission accept the Amended Complaint as properly filed under § 5.91; and
3. This proceeding move forward to a hearing on the merits.

Respectfully submitted,



Erien Frazier, Trustee

*Erien Lois Frazier Revocable Living Trust*

963 Norland Ave., Unit 1025

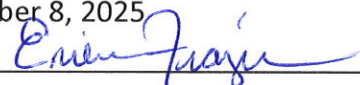
Chambersburg, PA 17201

Date: October 8, 2025

VERIFICATION

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

Date: October 8, 2025

Signature: 

Erien Frazier, Trustee

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the foregoing Reply to Respondent's Answer to Amended Complaint upon the following, in accordance with the Commission's Rules of Practice and Procedure, by email:

Margaret A. Morris, Esq.  
Reger Rizzo & Darnall LLP  
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mmorris@regerlaw.com

Courtesy Copy to Presiding Officer:

Hon. Chad L. Allensworth, ALJ  
callenswor@pa.gov

Date: October 8, 2025

Erien Frazier, Trustee