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File #: 211983

November 4, 2025

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Todd Elliott Koger, Sr. and Elliot-Todd Koger v. Duquesne Light Company
Docket No. C-2024-3049627**

**Todd Elliott Koger, Sr. and Elliot-Todd Parker Koger v. Duquesne Light Company
Docket No. C-2025-3054190**

Dear Secretary Homsher:

Attached please find the Objections of Duquesne Light Company to the Complainants' Application for the Issuance of Subpoenas in the above-referenced proceedings. Copies are being provided per the Certificate of Service.

Respectfully submitted,



Megan E. Rulli
Associate

MER/dmc
Attachment

cc: The Honorable Jeffrey A. Watson (*via email; w/attachment*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA EMAIL AND FIRST-CLASS MAIL

Todd Elliott Koger and Elliott-Todd Parker Koger
515 Kelly Avenue
Pittsburgh, PA 15221
kogerfriend@gmail.com

Dated: November 4, 2025



Megan E. Rulli

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Todd Elliott Koger, Sr. and Elliot-Todd Parker Koger, :
:
:
Complainants, :
: Docket No. C-2024-3049627
v. :
:
Duquesne Light Company, :
:
Respondent. :

Todd Elliott Koger, Sr. and Elliot-Todd Parker Koger, :
:
:
Complainants, :
: Docket No. C-2025-3054190
v. :
:
Duquesne Light Company, :
:
Respondent. :

**OBJECTIONS OF DUQUESNE LIGHT COMPANY TO
THE COMPLAINANTS’ APPLICATION FOR THE ISSUANCE OF SUBPOENAS**

Pursuant to 52 Pa. Code § 5.421(f), Duquesne Light Company (“Duquesne Light” or the “Company”), by and through its attorneys, hereby files these Objections to the Complainant(s)’ First Request for Subpoenas (“Application”)¹ of Todd Elliott Koger, Sr. and Elliot-Todd Parker Koger (“Complainants”). In their Application, the Complainants ask the Pennsylvania Public Utility Commission (“Commission”) “to issue subpoenas compelling the attendance of [certain] witnesses and to produce all tangible things identified during discovery at the evidentiary hearings

¹ Although titled a “Request for Subpoenas,” the filing appears to be an application for the issuance of subpoenas pursuant to 52 Pa. Code § 5.421, and the Company is treating it accordingly.

scheduled for **December 8 and 10, 2025**, in the above-captioned matter.” (Application, p. 1) (emphasis in original).

As explained herein, Administrative Law Judge Jeffrey A. Watson (the “ALJ”) should deny the Complainants’ Application. Initially, Duquesne Light notes that the Company was not served with the Application as required by the Commission’s regulations at 52 Pa. Code § 5.421(c). For this reason alone, the Application should be denied.² Moreover, the Company already notified the Complainants of its intent to call the six fact witnesses identified in the Application, making the request for subpoenas both unnecessary and frivolous. As explained below, the Complainants’ request that counsel for the Company be compelled to testify should be rejected outright, as Duquesne Light’s counsel is not a fact witness in this case and cannot be called to testify. Any testimony provided by counsel regarding the facts in dispute in this case would be protected by attorney-client privilege and/or the attorney work product doctrine. Finally, the Complainants’ blanket request that the Company be required to produce “all tangible things identified during discovery” is unreasonably vague and contrary to the Interim Order Denying Complainants’ Motion to Compel Discovery Responses. For these reasons, and as more fully explained below, the Complainants’ Application for the issuance of subpoenas should be denied.

In support thereof, Duquesne Light states as follows:

I. INTRODUCTION

1. On June 20, 2024, Duquesne Light was served with a Formal Complaint filed by the Complainants, which was docketed at C-2024-3049627 (“First Complaint”).
2. On March 26, 2025, Duquesne Light was served with a second Formal Complaint filed by the Complainants, which was docketed at C-2025-3054190 (“Second Complaint”).

² The Company only became aware of the Application on October 31, 2025, following a routine check of the above-captioned dockets.

3. On April 17, 2025, Duquesne Light filed a Motion to Consolidate the two Complaint proceedings, given the overlapping issues of fact and law in both proceedings. Specifically, both the First and Second Complaint include allegations that a loose neutral discovered at the Complainants' service address on October 11, 2023, continues to pose a safety concern and is preventing the Complainants' enrollment in the Company's Customer Assistance Program ("CAP"). The Complainants did not file a response or objection to the Company's Motion to Consolidate.

4. On April 25, 2025, Duquesne Light was served with an Amended Complaint at Docket No. C-2025-3054190.³ The Amended Complaint raised additional allegations regarding the alleged electrical issue(s) at the service address and the Complainants' CAP enrollment.

5. On July 10, 2025, the ALJ granted the Company's Motion to Consolidate the proceedings.

6. On July 11, 2025, the ALJ issued an Interim Order Establishing Initial Litigation Schedule ("Scheduling Order"), which, among other things: (1) required the parties to provide each other notice of, identify, and summarize the testimony of any fact witnesses on or before September 1, 2025; (2) required the parties to provide each other notice of, identify, and summarize the testimony of any expert witnesses on or before September 5, 2025; and (3) established October 31, 2025, as the deadline for discovery in these proceedings.

7. Also on July 11, 2025,⁴ the Complainants served Complainants' First Set of Requests for Production of Documents and Things and First Set of Interrogatories ("Complainants

³ It is unclear whether the Complainants ever filed the Amended Complaint at the docket or served the Amended Complaint on the ALJ.

⁴ The Complainants served their discovery via email received at 6:26 PM on Thursday, July 10, 2025. Because the discovery responses were served after 4:30 PM, they are deemed to have been served on July 11, 2025. *See* 52 Pa. Code § 1.56(a)(5).

Set I”) on Duquesne Light via email. Responses to Complainants Set I were due to be served by August 1, 2025.

8. On July 21, 2025, Duquesne Light timely served its Objections to Complainants Set I. Specifically, Duquesne Light objected to Requests for Production Nos. 3, 4, and 5 and Interrogatories Nos. 2 and 10.

9. On July 28, 2025, the Complainants served their Motion to Compel Production of Discovery (“Motion to Compel”), arguing that the Company’s Objections should be overruled.

10. On August 1, 2025, Duquesne Light timely served its Answers to all but one of the requests contained in Complainants Set I.

11. On August 4, 2025, timely Duquesne Light served its Answer to the Complainants’ Motion to Compel.

12. On September 2, 2025, Duquesne Light provided the Complainants with a list of the fact witnesses it plans to call at the hearings and summaries of the anticipated testimony of those fact witnesses. A true and correct copy of this correspondence, including the summaries of witness testimony provided, is attached as **Appendix A**. To date, the Complainants have not provided notice to Duquesne Light of any fact witnesses they plan to call at the evidentiary hearings.

13. On September 5, 2025, Duquesne Light provided notice to the Complainants that the Company does not intend to call any expert witnesses at the hearings for these matters. To date, the Complainants have not provided notice to Duquesne Light of any expert witnesses they plan to call at the evidentiary hearings.

14. On September 25, 2025, the ALJ issued an Interim Order denying the Complainants’ Motion to Compel in full (“Order Denying Motion to Compel”).

15. On October 16, 2025, the Commission issued an Initial In-Person Hearing Notice, scheduling the in-person hearings for the above-captioned Complaints for December 8 and 10, 2025, at the Commission's Pittsburgh headquarters.

16. Also on October 16, 2025, the ALJ issued a Prehearing Order Requiring Distribution of Proposed Exhibits and Other Requirements for the Evidentiary Hearings, which, among other things, requires each party to serve copies of all proposed evidence on the opposing party and the ALJ on or before 4:00 PM on December 3, 2025.

17. On or about October 25, 2025, the Complainants filed their Application with the Commission. A true and correct copy of Complainants' Application is attached as **Appendix B**. Despite attaching a Certificate of Service to the Application, the Complainants failed to effectuate any service of the Application on either the Company or the witnesses identified therein.

18. For the reasons stated in more detail below, Duquesne Light respectfully requests that the ALJ deny the Complainants' Application for the issuance of subpoenas.

II. LEGAL STANDARD

19. Section 5.421(a)(2) of the Commission's regulations states that a "subpoena will issue only upon application in writing to the presiding officer, except that during a hearing in a proceeding, the application may be made orally on the record before the presiding officer, who will determine the necessity of issuing the subpoena." 52 Pa. Code § 5.421(a)(2).

20. Such an application: (1) must specify as nearly as possible the general relevance, materiality and scope of the testimony or documentary evidence sought, including, as to documentary evidence, specification as nearly as possible of the documents desired; (2) must list the facts to be proved by the documents in sufficient detail to indicate the necessity of the documents; (3) must contain a notice that a response or objection to the application shall be filed with the Commission and presiding officer within 10 days of service of the application; (4) must

include a certificate of service; and (5) may attach the proposed subpoena to the application. *Id.* § 5.421(b)(1)-(5).

21. When the person for whom the subpoena is sought is a non-party, the application must provide the names and addresses of the persons, including the Secretary of the Commission and the presiding officer, to whom the answer or objection to the application shall be sent. *Id.* § 5.421(c)(5).

III. THE COMPLAINANTS' APPLICATION SHOULD BE DENIED

A. THE COMPANY'S ATTORNEY CANNOT BE CALLED AS A WITNESS IN THE ABOVE-CAPTIONED PROCEEDINGS

22. In their Application, the Complainants ask the Commission to issue a subpoena compelling Duquesne Light's attorney in this matter to testify. The Complainants claim that they need to call counsel for Duquesne Light to testify regarding "representations made in discovery, correspondence, and procedural matters relevant to the Complainants' claims." (Application, p. 3.)

23. Counsel for the Company is not a fact witness in this proceeding and cannot be called to testify on behalf of Duquesne Light. Counsel for the Company did not sponsor any discovery responses in this proceeding. To the extent the Complainants have questions regarding discovery responses served, those questions should be directed to the appropriate witnesses who sponsored the requests. To the extent the Complainants have questions regarding procedural matters or correspondence, the Complainants have ample opportunity to contact counsel for Duquesne Light to discuss and resolve these non-substantive issues prior to the hearing or to raise these issues at the hearing in the presence of the ALJ. However, counsel for the Company cannot

be compelled to testify about the facts in dispute in these Complaints, as such testimony would be protected by attorney-client privilege and/or the attorney work product doctrine.

24. Moreover, Pennsylvania's Rules of Professional Conduct prohibit lawyers from acting as a witness on behalf of their clients, except in limited circumstances. *See* Pa. Rule of Professional Conduct Rule 3.7 (providing exceptions for testimony related to an uncontested issue or the nature and value of legal services rendered in the case, or if disqualification would cause substantial hardship to the client). None of the exceptions contained in Rule 3.7 apply to the instant proceedings or are identified by the Complainants in their Application.

25. For these reasons, the Complainants' request for a subpoena to compel counsel for the Company to testify at the hearings should be denied.

B. THE COMPLAINANTS FAILED TO SERVE THEIR APPLICATION

26. The Complainants' Application should be denied because the Complainants failed to effectuate any service of their requests for subpoenas on the Company.

27. The Commission's regulations at 52 Pa. Code § 5.421 identify the form and service requirements for a written application for the issuance of a subpoena. *See* 52 Pa. Code §§ 5.421(b)-(c). The Complainants, who are self-represented, disregarded the basic service requirements contained in these regulations by failing to effectuate any service of their Application on the Company or the witnesses identified therein. Although the Complainants attached a Certificate of Service to their Application, the Company was not served and only became aware of the Application on October 31, 2025, through a routine check of the Commission's dockets for the above-captioned Complaints.

28. In addition, the Complainants failed to include the requisite notice on their Application "that a response or objection to the application shall be filed with the Commission and presiding officer within 10 days of service of the application." 52 Pa. Code § 5.421(b)(3).

29. The Commission has previously recognized that pro se litigants are not excused from complying with the Commission's procedural rules. *See Lewis v. PECO Energy Company*, Docket No. C-2010-2189187 (Order entered July 15, 2011) (dismissing a pro se complainant's formal complaint for failing to comply with a Presiding Officer's Order). The right of self-representation is not a license to "not comply with relevant rules of procedure and substantive law." *See Faretta v. California*, 422 U.S. 806, 834 n.46 (1975); *see also Vann v. Unemployment Compensation Board of Review*, 494 A.2d 1081, 1086 (Pa. 1985) (warning that pro se litigants must to some extent assume the risk that their lack of legal training will prove their undoing). In the instant case, the Complainants initiated and are engaged in formal contested proceedings and the fact that the Complainants are unrepresented is no excuse for failing to follow the Commission's regulations governing the issuance of subpoenas.

30. Notwithstanding and without waiving these objections, Duquesne Light notes that it already plans to call Darryl Honick, Thomas Johnson, Carolyn Cingel, Roxanne Morris, Diane Lloyd, and Stephanie Gillespie as fact witnesses at the upcoming evidentiary hearings. As such, the Complainants will have the opportunity to cross-examine each of these witnesses at the hearings and to ask relevant and non-objectionable questions to these witnesses.

31. Duquesne Light notified the Complainants of its intent to call each of these witnesses in email correspondence dated September 2, 2025. That correspondence included summaries of the witnesses' proposed testimony in accordance with the Scheduling Order. *See Appendix A*. Thus, the Complainants' request for the Commission to issue subpoenas compelling these witnesses to testify, despite the notice already provided, is both unnecessary and frivolous.⁵

⁵ The Company also notes that if the Complainants' Application is granted, the Complainants, who are proceeding *pro se* in these matters, could be responsible for paying fees and mileage related to the Company's witnesses' travel and appearance at two days of in-person hearings. *See* 52 Pa. Code § 5.421(e).

32. For these reasons, the request to issue subpoenas compelling the Company's previously identified fact witnesses to testify should be denied.

C. THE COMPLAINANTS' REQUEST TO REQUIRE PRODUCTION OF "ALL TANGIBLE THINGS IDENTIFIED DURING DISCOVERY" IS UNREASONABLY VAGUE AND CONTRARY TO THE ORDER DENYING THE COMPLAINANTS' MOTION TO COMPEL

33. The Complainants' request for the production of "all tangible things identified in discovery" should be denied because it is unreasonably vague and runs contrary to the Interim Order denying the Complainants' Motion to Compel.

34. The Commission's regulations at Section 5.421(b)(1) require that written applications for subpoenas "[m]ust specify as nearly as possible the general relevance, materiality and scope of the testimony or documentary evidence sought, including, as to documentary evidence, specification as nearly as possible of the documents desired." 52 Pa. Code 5.421(b)(1).

35. Here, the Complainants ask the Commission to issue a subpoena requiring the Company "to produce all tangible things identified during discovery at the evidentiary hearings." (Application, p. 1.)

36. This request should be rejected for several reasons. First, the request is unreasonably vague because it is entirely unclear which "tangible things" the Complainants are referring to or the "general relevance, materiality and scope of the . . . documentary evidence sought." *See* 52 Pa. Code 5.421(b)(1). Far from "specific[ying] as nearly as possible . . . the documents desired," the Complainants merely ask the Commission to require the Company to produce "all tangible things identified during discovery." *See id.* Without further information

regarding the requested items, the Company cannot reasonably comply with this request. As such, the request is unreasonably vague and should be denied.

37. Second, the Company has already produced numerous documents in response to the Complainants' discovery requests, in both hard copy and electronic forms, all of which the Complainants have or should continue to have access to. The Complainants have provided no explanation as to why the Company should be compelled to produce again the items already provided in discovery.

38. Third, the issue of whether the Company should be required to produce additional tangible items in response to the Complainants' discovery requests was fully resolved when the ALJ denied the Complainants' Motion to Compel. (*See* Order Denying Motion to Compel.) As more fully explained in the Company's Answer to the Motion to Compel, the relevant requests for production of tangible items were vague, overly broad, and not reasonably calculated to lead to the discovery of admissible evidence, to the extent that production would include information related to customers and facilities that are irrelevant to the instant Complaints, and because the Company does not maintain the requested items in the format requested in the normal course of business. The ALJ agreed with the Company and correctly found that the "Complainants have simply failed to establish that the information sought, as stated, is relevant or reasonably calculated to lead to the discovery of admissible evidence related to the claims asserted . . . in these proceedings." (Order Denying Motion to Compel, p. 12.) As such, this production issue was fully resolved by the Order Denying Motion to Compel and the Complainants' renewed attempts to acquire these items by subpoena should be rejected.

39. Based on the foregoing, the Complainants' request for a subpoena requiring the production of "all tangible things identified in discovery" should be denied.

IV. CONCLUSION

For the reasons set forth above, Duquesne Light Company respectfully requests that Administrative Law Judge Jeffrey A. Watson deny the Application for the Issuance of Subpoenas of Todd Elliott Koger, Sr. and Elliot-Todd Koger, as set forth above.

Respectfully submitted,



Megan E. Rulli (ID # 331981)
Post & Schell, P.C.

17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601

Phone: 717-731-1970

Fax: 717-731-1985

mrulli@postschell.com

Date: November 4, 2025

Attorney for Duquesne Light Company

APPENDIX A

Rulli, Megan

From: Rulli, Megan
Sent: Tuesday, September 2, 2025 10:30 AM
To: kogerfriend@gmail.com
Cc: Morris, Roxanne D.; Al Rasheed, Sophia; Brechlin, Michael; Kennedy, Courtney
Subject: Todd Elliot Koger, Sr. and Elliot-Todd Parker Koger v. Duquesne Light Company, Docket Nos. C-2025-3054190, et al. - List of Witnesses
Attachments: DLC - Koger Complaints - Summary of Witness Testimony.pdf

Good morning,

Pursuant to the Interim Order Establishing Initial Litigation Schedule issued on July 11, 2025, in the above referenced proceedings, attached is a list of the witnesses that Duquesne Light Company (“Duquesne Light”) or (“Company”) intends to call in the evidentiary hearings for the above referenced proceedings. Duquesne Light reserves the right to call additional witnesses and present additional testimony, as may be needed, regarding additional issues and subject matters that may arise during the course of the proceeding.

Thank you,

Megan E. Rulli
Associate
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101

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Duquesne Light Company
Summary of Fact Witness Testimony
Docket Nos. C-2024-3049627 and C-2025-3054190

Pursuant to the Interim Order Establishing Initial Litigation Schedule issued on July 11, 2025, below is a list of the witnesses that Duquesne Light Company (“Duquesne Light”) or (“Company”) intends to call in the evidentiary hearings for the above referenced proceedings. Duquesne Light reserves the right to call additional witnesses and present additional testimony, as may be needed, regarding additional issues and subject matters that may arise during the course of the proceeding.

Witness	Summary of Testimony
<p>Darryl Honick Senior Operator Duquesne Light Company 469 Hershey Road Penn Hills, PA 15235</p>	<p>Mr. Honick will testify regarding his service visit to the Complainants’ Service Address on October 11, 2023 to investigate a call reporting flickering lights and a hot cable wire at the Service Address. Mr. Honick will testify that on arrival he observed that there was a newer entrance cable and a newer meter outlet at the Service Address, that he removed the meter cover and tested the voltage levels at the meter and observed nominal voltage on both sides of the meter. Mr. Honick then measured the amperage on the third-party ground (i.e., a communications/cable wire) and 0.2 amps were recorded on the ground. Through further visual inspection, Mr. Honick observed that the customer-side (load-side) neutral connection in the meter base was loose. Mr. Honick tightened this customer-side neutral with an Allen wrench and then retested the third-party ground. After tightening the loose customer-side neutral, 0.0 amps of current were measured. At that point, Mr. Honick spoke to customer and reported that he had resolved the issue. Mr. Honick also told the customer that if any other problems were observed, he should call Duquesne Light to come back to reassess. Mr. Honick will also testify regarding the division of ownership between customer and Company facilities.</p>
<p>Thomas Johnson Distribution Regulation Technician Duquesne Light Company 469 Hershey Road Penn Hills, PA 15235</p>	<p>Mr. Johnson will testify regarding his investigation at the Complainants’ Service Address carried out in April 2025. Mr. Johnson will testify that he monitored the voltage at the Service Address between April 9 and April 17, 2025, in response to the Complainants’ allegations in the Complaints. He will testify that no abnormal voltage was recorded while the voltage monitor was installed at the Service Address and that he did not observe any issues with the Company’s facilities, or the electric service being provided by Duquesne Light, during his investigation.</p>

<p>Carolyn Cingel Claims Specialist Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219</p>	<p>Ms. Cingel will testify that customer damage claims can be submitted to the Company’s Claims Department by phone or through the Company’s website. She will testify that the Duquesne Light Claims Department has no records of having received a damage claim from the Complainants through those two channels prior to April 2025. She will testify that she processed a damage claim from the Complainants in April 2025, that the Company sent a letter acknowledging receipt of the damage claim on April 3, 2025, and that the Company denied the damage claim because the loose neutral tightened at the Service Address on October 11, 2023, was connected to the meter base, which is owned and maintained by the customer.</p>
<p>Roxanne Morris Supervisor, Regulatory Consumer Relations Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219</p>	<p>Ms. Morris will testify regarding the billing and payment history on the Complainants’ electric service account with Duquesne Light, including energy assistance grants received, energy assistance referrals, CAP enrollment, termination notices and other collections activity, and the history of payment agreements on the account.</p>
<p>Diane Lloyd Supervisor, AMI Field Services Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219</p>	<p>Ms. Lloyd will testify regarding the Company’s visits to the Service Address on July 29 and August 14, 2024. Ms. Lloyd will testify that these visits were initiated to investigate the condition of a meter connected to the electric service account for the park across the street from the Service Address but that the trouble tickets were inadvertently assigned to the Complainants’ Service Address. Due to this error, a shut-off notice was left at the Service Address on July 29, 2024. The Company discovered the error during an August 14, 2024, visit after speaking to Mr. Koger Sr. Ms. Lloyd will testify that the Company did not perform any electrical inspections or repairs at the Service Address on July 29 or August 14, 2024, and that the work order related to the shut-off notices were canceled.</p>
<p>Stephanie Gillespie Customer Programs Associate Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219</p>	<p>Ms. Gillespie will testify regarding the Complainants’ CAP enrollment and the Smart Comfort Visit requirement to remain enrolled in CAP, as well as other CAP program requirements. Ms. Gillespie will testify regarding the purpose of the Smart Comfort Visit and the importance of having access to the full residence in order to complete it. Ms. Gillespie will testify that the Smart Comfort Visit was not performed at the Complainants’ Service Address because the Complainants refused to allow Duquesne Light contractor CLEAResult to have full access to the Service Address. Ms. Gillespie will also testify regarding the attempts made to contact the Complainants to schedule a Smart Comfort Visit before they defaulted from CAP.</p>

APPENDIX B

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

**TODD ELLIOTT KOGER, SR., AND
ELLIOTT-TODD PARKER KOGER
COMPLAINANT(S)**

V.

**C-2024-3049627 and
C-2025-3054190**

**DUQUESNE LIGHT COMPANY
RESPONDENT**

COMPLAINANT(S)' FIRST REQUEST FOR SUBPOENAS

Both Elliott-Todd Parker Koger and Todd Elliott Koger, Sr., Complainants, pursuant to 66 Pa.C.S. § 331(d) and 52 Pa. Code §§ 5.421–5.423, and respectfully moves this Honorable Commission to issue subpoenas compelling the attendance of the following witnesses and to produce all tangible things identified during discovery at the evidentiary hearings scheduled for **December 8 and 10, 2025**, in the above-captioned matter:

1. Darryl Honick

Senior Operator Duquesne Light Company 469 Hershey Road Penn Hills, PA 15235

Mr. Honick will testify regarding his service visit to the Complainants' Service Address on October 11, 2023, including his observations of the entrance cable, meter outlet, voltage testing, amperage readings on a third-party ground, and corrective action taken to tighten the customer-side neutral connection. He will also testify regarding the division of ownership between customer and Company facilities.

2. Thomas Johnson

Distribution Regulation Technician Duquesne Light Company 469 Hershey Road Penn Hills, PA 15235

Mr. Johnson will testify regarding his April 2025 investigation at the Service Address, including voltage monitoring between April 9 and April 17, 2025, and his findings that no abnormal voltage or Company facility issues were observed.

3. Carolyn Cingel

Claims Specialist Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219

Ms. Cingel will testify regarding the Company's claims process, the absence of any damage claim submissions prior to April 2025, and her handling of the Complainants' April 2025 claim, including the denial based on ownership of the meter base neutral connection.

4. Roxanne Morris

Supervisor, Regulatory Consumer Relations Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219

Ms. Morris will testify regarding the billing and payment history on the Complainants' account, including energy assistance grants, referrals, CAP enrollment, termination notices, collections activity, and payment agreements.

5. Diane Lloyd

Supervisor, AMI Field Services Duquesne Light Company 411 Seventh Avenue Pittsburgh, PA 15219

Ms. Lloyd will testify regarding Company visits to the Service Address on July 29 and August 14, 2024, including the erroneous assignment of trouble tickets, the issuance of a shut-off notice in error, and the subsequent cancellation of related work orders.

6. Stephanie Gillespie

Customer Programs Associate Duquesne Light Company 411 Seventh Avenue
Pittsburgh, PA 15219

Ms. Gillespie will testify regarding the Complainants' CAP enrollment, the Smart Comfort Visit requirement, the refusal of access to the Service Address, and the Company's attempts to schedule the visit prior to CAP default.

7. Megan E. Rulli, Esq.

Associate, Post & Schell, P.C. 17 North Second Street, 12th Floor Harrisburg, PA 17101

Attorney Rulli is counsel of record for Duquesne Light Company and may be called to testify regarding representations made in discovery, correspondence, and procedural matters relevant to the Complainants' claims.

LEGAL BASIS

1. Under **66 Pa.C.S. § 331(d)** and **52 Pa. Code § 5.421**, the Commission or presiding officer may issue subpoenas to compel the attendance of witnesses and the production of documents.
2. Service of subpoenas shall be made in accordance with **52 Pa. Code § 5.422**, including tender of witness fees and mileage.

3. Enforcement of subpoenas, if necessary, may be sought through the **Commonwealth Court of Pennsylvania** pursuant to **52 Pa. Code § 5.423**.

RELIEF REQUESTED

WHEREFORE, Complainant respectfully requests that this Honorable Commission issue subpoenas compelling the attendance of the above-listed witnesses at the evidentiary hearings scheduled for **December 8 and 10, 2025**, and grant such other relief as may be just and proper.

Respectfully submitted,

/s/ Todd Elliott Koger, Sr., Complainant, Pro Se

/s Elliott-Todd Parker Koger, Complainant, Pro Se

Dated: October 25, 2025

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

TODD ELLIOTT KOGER, SR., AND
ELLIOTT-TODD PARKER KOGER
COMPLAINANT(S)

V.

C-2024-3049627 and
C-2025-3054190

DUQUESNE LIGHT COMPANY
RESPONDENT

PROPOSED ORDER

AND NOW, on this the _____ day of _____, 2025, this matter, upon consideration of Complainant's Motion to Compel Witnesses, and pursuant to the authority granted under 66 Pa.C.S. § 331(d) and 52 Pa. Code §§ 5.421–5.423, it is hereby **ORDERED** as follows:

1. The Motion to Compel Witnesses is **GRANTED**.
2. The Secretary of the Commission, or the Presiding Administrative Law Judge, shall issue subpoenas compelling the attendance and testimony of the following witnesses at the evidentiary hearings scheduled for **December 8 and 10, 2025** in the above-captioned matter:
 - **Darryl Honick**, Senior Operator, Duquesne Light Company, 469 Hershey Road, Penn Hills, PA 15235.
 - **Thomas Johnson**, Distribution Regulation Technician, Duquesne Light Company, 469 Hershey Road, Penn Hills, PA 15235.
 - **Carolyn Cingel**, Claims Specialist, Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, PA 15219.

- **Roxanne Morris**, Supervisor, Regulatory Consumer Relations, Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, PA 15219.
 - **Diane Lloyd**, Supervisor, AMI Field Services, Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, PA 15219.
 - **Stephanie Gillespie**, Customer Programs Associate, Duquesne Light Company, 411 Seventh Avenue, Pittsburgh, PA 15219.
 - **Megan E. Rulli, Esq.**, Associate, Post & Schell, P.C., 17 North Second Street, 12th Floor, Harrisburg, PA 17101.
3. Failure of any witness to comply with the subpoena may result in enforcement proceedings before the **Commonwealth Court of Pennsylvania** pursuant to **52 Pa. Code § 5.423**.

BY THE COMMISSION:

Administrative Law Judge

_____ J.

Dated: _____

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

/s/ Elliott-Todd Parker Koger

/s/ Todd Elliott Koger

(412) 758-4510

PROOF OF SERVICE

Both Elliott-Todd Parker Koger and Todd Elliott Koger, Sr., certify that on this the 25th day of October 2025, served the following on:

Megan E. Rulli, 17th North Second Street 12th Floor, Harrisburg, PA 17101

/s/ Elliott-Todd Parker Koger

/s/ Todd Elliott Koger

(412) 758-4510