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November 6, 2025

**VIA ELECTRONIC FILING**

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

**Re: Michael Moorefield v. Duquesne Light  
Docket No. C-2025-3057998**

Dear Secretary Homsher:

Attached for filing please find the Answer and Preliminary Objections of Duquesne Light Company in response to the Complaint of Michael Moorefield in the above-referenced proceeding. Copies are being provided as indicated in the Certificate of Service. Should you have any questions please contact me.

Respectfully submitted,

A handwritten signature in black ink that reads "Sophia Al Rasheed". The signature is written in a cursive, flowing style.

Sophia Al Rasheed

PA ID #325196

SAR/sar

Enclosures  
CC: 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 ELECTRONIC MAIL**

Michael Moorefield  
305 San Juan Drive  
McKeesport, Pennsylvania 15133  
mrmfieldz021@gmail.com

Date: November 6, 2025



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Sophia Al Rasheed

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Moorefield,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2025-3057998
	:	
Duquesne Light Company,	:	
	:	
Respondent.	:	

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**NOTICE TO PLEAD**

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YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.101, YOU MAY FILE AN ANSWER TO THE ENCLOSED PRELIMINARY OBJECTIONS WITHIN TEN (10) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PRELIMINARY OBJECTION MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

*Sophia Al Rasheed*

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Sophia Al Rasheed  
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Pittsburgh, PA 15219  
Phone: 412-393-6505  
salrasheed@duqlight.com

Date: November 6, 2025

Attorney for Duquesne Light Company

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Moorefield,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2025-3057998
	:	
Duquesne Light Company,	:	
	:	
Respondent.	:	

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**PRELIMINARY OBJECTIONS OF  
DUQUESNE LIGHT COMPANY TO THE COMPLAINT OF  
MICHAEL MOOREFIELD**

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TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code § 5.101, Duquesne Light Company files the following Preliminary Objections to the Formal Complaint (“Complaint”) of Linda Slick (“Complainant”). Pursuant to §§ 5.61, 5.62, and 5.101(d) of the Pennsylvania Public Utility Commission (“Commission” or “PUC”) regulations, Duquesne Light Company (“Duquesne Light” or the “Company”) filed an Answer and New Matter on this same date. The Company respectfully requests that the Formal Complaint of Michael Moorefield be dismissed.

In support thereof, Duquesne Light states as follows:

**I. BACKGROUND**

1. Duquesne Light is a “public utility,” an “electric distribution company,” and a “default service provider” as defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa. C.S. §§ 102, 2803.

2. On October 17, 2025, Duquesne Light was served with the above-captioned Formal Complaint filed by the Complainant.

3. The issues raised in the Complaint relate, in part, to claims that Duquesne Light is in violation of the United States Code, 15 U.S.C. § 1666. (Complaint ¶ 4).

4. The relief requested, in part, demands to be paid interest through BNY Mellon. (Complaint ¶ 5).

5. Duquesne Light herein files these Preliminary Objections to the Complaint. For the reasons explained below, Duquesne Light respectfully requests that the Commission summarily dismiss the portions of the Complaint that: (1) allege violations of Title 16 of the United States Code because the Commission lacks subject matter jurisdiction over those claims; and (2) demand to be paid interest because the Commission does not have jurisdiction to award damages.

## **II. LEGAL STANDARD.**

6. Pursuant to the Commission's regulations, preliminary objections in response to a pleading may be filed on several grounds, including:

- (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) (emphasis added).

7. In ruling on preliminary objections, the Presiding Officer must accept as true all well-pled allegations of material facts as well as all inferences reasonably deducible therefrom. *Stilp v. Cmwltth.*, 910 A.2d 775, 781 (Pa. Cmwltth. 2006) (citing *Dep't of Gen. Servs. v. Bd. of Claims*, 881 A.2d 14 (Pa. Cmwltth. 2005)). However, the Presiding Officer need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. *Stanton-Negley Drug Co. v. Dep't of Pub. Welfare*, 927 A.2d 671, 673 (Pa. Cmwltth. 2007). For preliminary objections to be sustained, it must appear with certainty that the law will permit no recovery, and any doubt must be resolved in favor of the non-moving party. *Stilp*, 910 A.2d at 779 (Pa. Commw. Ct. 2006).

### III. PRELIMINARY OBJECTIONS

#### A. Lack of Commission Jurisdiction. The Commission Does Not Have Jurisdiction Over Title 15 of the United States Code.

8. Duquesne Light incorporates by reference Paragraphs 1 through 7 as though fully set forth herein.

9. The Commission lacks subject matter jurisdiction over the alleged violations of 15 U.S.C. § 1666. (Complaint ¶ 4.)

10. As a creature of statute, the PUC has only those powers which are expressly conferred upon it by the Legislature and those powers which arise by necessary implication. *Feingold v. Bell of Pennsylvania.*, 477 Pa. 1, 383 A.2d 791, 794 (1977) (internal citations omitted).

11. The Commission does not have jurisdiction over claims arising under the United States Code.

12. Therefore, the Commission should dismiss the portions of the Complaint alleging a violation of Title 15 of the United States Code, pursuant to Section 101(a)(1) of the

Commission's regulations, because the Commission lacks subject matter jurisdiction over those claims. 52 Pa. Code § 5.101(a)(1).

**B. Lack of Commission Jurisdiction. The Commission Does Not Have Jurisdiction Over Complainant's Request for Interest Payments Because the Commission Cannot Award Damages.**

13. Duquesne Light incorporates by reference Paragraphs 1 through [13] as if fully set forth herein.

14. As relief, the Complainant demands, in part, "all interest.. returned to principal account monthly to extinguish [sic] debt." (Complaint ¶ 5).

15. Complainant's request for interest payments is a request for damages.

16. It is well established that the Commission does not have jurisdiction over actions for damages. *Horowitz v. PECO*, Docket No. C-2013-2382740, 2013 WL 7019109, at \*3 (Dec. 30, 2013).

17. Therefore, the Commission should dismiss the portions of the Complaint requesting interest payments, pursuant to Section 101(a)(1) of the Commission's regulations, because the Commission lacks subject matter jurisdiction over those claims.

[continued on next page]

**IV. CONCLUSION**

WHEREFORE, Duquesne Light Company respectfully requests that the Pennsylvania Public Utility Commission grant these Preliminary Objections.

Respectfully submitted,



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