

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Robert P. Morris	:	
	:	
v.	:	C-2024-3050358
	:	
Verizon North LLC	:	
Metropolitan Edison Company	:	

INITIAL DECISION

Before
John M. Coogan
Administrative Law Judge

INTRODUCTION

This Initial Decision grants Complainant’s unopposed Petition for Leave to Withdraw the Formal Complaint against Verizon North LLC and the Metropolitan Edison Company without prejudice because it is unopposed and in the public interest.

HISTORY OF THE PROCEEDING

On July 1, 2024, Robert P. Morris (Mr. Morris or Complainant) filed a Formal Complaint against Verizon Pennsylvania, Inc. (Verizon) and the Metropolitan Edison Company (Met-Ed). The Formal Complaint was served on Verizon on July 29, 2024. In his Complaint, Mr. Morris indicates he is a Verizon landline service customer, but that he is not a customer of Met-Ed. Mr. Morris alleges service interruptions and failures with his landline service. Specifically, Mr. Morris indicates his Complaint

involves the failures of Met-Ed to maintain and service electrical infrastructure serving the Verizon “central office” and the greater Glen Rock, Pennsylvania area. As relief, Mr. Morris seeks corrective action for both Verizon and Met-Ed to establish regular maintenance and infrastructure improvements.

On August 19, 2024, Verizon¹ filed an answer to Mr. Morris’s Complaint. Verizon averred that, upon visit by a service technician, Mr. Morris’s service was found to be working as expected. Verizon stated that the technician understood that Mr. Morris’s primary complaint is that when commercial power goes out to certain Verizon outside plant equipment, he loses telephone service. Verizon averred that the technician performed an inspection of the serving facilities, and the equipment at the Glen Rock central office is backed up by a generator. However, additional equipment at a remote terminal on Snyder Road also requires commercial power and is backed up with a string of batteries. Verizon stated that, as a result of the technician’s inspection, a work order was submitted to replace two strings of NSB-170 batteries at the remote terminal to ensure that fresh batteries are in place to provide service during unexpected power outages. Verizon requested that the proceeding be referred to mediation to allow Verizon to contact Mr. Morris to explain the preventative measures taken to address his Complaint.

On August 22, 2024, the Commission issued an interim order setting resolution.

¹ In its answer, Verizon averred that, although the Commission served and docketed the Formal Complaint against Verizon Pennsylvania LLC, that the company that serves the area where Mr. Morris lives is Verizon North LLC. Verizon requested that the caption be amended to reflect Verizon North LLC as the respondent, which has been done.

On May 14, 2025, Verizon filed a certificate of satisfaction. On May 22, 2025, the Commission received a letter from Mr. Morris, stating that his Formal Complaint has not been resolved.

On June 25, 2025, the Commission issued a telephonic prehearing conference notice, setting a call-in telephonic prehearing conference for this matter for August 6, 2025 at 10:00 a.m., and assigned me as the presiding officer.

On July 1, 2025, the Commission issued a rescheduled telephonic prehearing conference notice, cancelling the call-in telephonic prehearing conference scheduled for August 6, 2025, at 10:00 a.m. and setting the rescheduled call-in telephonic prehearing conference for August 20, 2025, at 10:00 a.m. On July 2, 2025, I issued a continuance order, rescheduling the August 6, 2025, prehearing conference to August 20, 2025.

The prehearing conference was held as scheduled on August 20, 2025. Counsel for Verizon, Susan D. Paiva, Esquire, appeared. Mr. Morris appeared on his own behalf. During the prehearing conference, Mr. Morris made an oral Petition for Leave to Withdraw his Complaint. Tr. 17.

The record closed on September 9, 2025, the date I received the transcript of the prehearing conference. The Petition for Leave to Withdraw will be granted without prejudice as it is unopposed and in the public interest.

FINDINGS OF FACT

1. The Complainant in this case is Robert P. Morris.

2. The Respondents in this case are Verizon North LLC and the Metropolitan Edison Company.

3. On July 1, 2024, Mr. Morris filed a Formal Complaint against Verizon and the Metropolitan Edison Company.

4. On August 19, 2024, Verizon filed an answer.

5. A prehearing conference was convened on August 20, 2025.

6. During the August 20, 2025, prehearing conference, Mr. Morris requested to withdraw his Complaint against both Verizon and Met-Ed. Tr. 17.

7. Verizon does not object to the withdrawal of Mr. Morris' Complaint without prejudice. Tr. 18.

DISCUSSION

Commission regulations address the withdrawal of pleadings in a contested proceeding in relevant part as follows:

§ 5.94. Withdrawal of pleadings in a contested proceeding.

(a) [A] party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon the other parties. The petition must set forth the reasons for the withdrawal. A party may object to the petition within 10 days of service. After considering the petition, an objection thereto and the public interest, the

presiding officer or the Commission will determine whether the withdrawal will be permitted.

52 Pa. Code § 5.94(a).

A “pleading” is defined as “[a]n application, complaint, petition, answer, motion, preliminary objection, protest, reply, order to show cause, new matter and reply to new matter or other similar document filed in a formal proceeding.” 52 Pa. Code § 1.8. This matter became a contested proceeding once Verizon filed an answer to the Formal Complaint. *Pa. Pub. Util. Comm’n v. West Penn Utils.*, Docket No. C-2022-3031862 (Opinion and Order entered May 18, 2023); *New Fizon Catering, Inc. v. PECO Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered Jun. 24, 2009).

The Commission’s regulations provide that the Commission or presiding officer at any stage of an action or proceeding may disregard an error or defect of procedure which does not affect the substantive rights of the parties. 52 Pa. Code § 1.2(a).

Mr. Morris’s Formal Complaint named both Verizon and Met-Ed as respondents. Complaint, ¶ 2. However, Commission records indicate that Met-Ed was never served the Complaint. Therefore, at the August 20, 2025, prehearing conference, I first inquired with Mr. Morris as to the status of Met-Ed’s participation in this proceeding and whether Mr. Morris wished to formally join Met-Ed to this proceeding. Tr. 3-5. Mr. Morris indicated that the issues related to his specific Complaint had been addressed, but he also raised legislative and compliance issues that he averred affected many people. Tr. 5-7. After further discussion with the parties at the prehearing conference regarding the status and scope of Mr. Morris’s specific Complaint, Mr. Morris requested to withdraw his Complaint against both Verizon and Met-Ed. Tr. 17. I informed Mr. Morris that I would treat his request as an oral Petition for Leave to Withdraw his Complaint without

prejudice (Petition). Tr. 17-18. Counsel for Verizon stated that Verizon did not object to the Petition. Tr. 18.

Although the Petition was not made in writing or filed with the Commission pursuant to 52 Pa. Code § 5.94(a), I will exercise my discretion and treat the Petition as though it was filed pursuant to Commission regulations. See 52 Pa. Code § 1.2(a) (providing that a presiding officer may waive any requirement if the waiver does not adversely affect a substantive right of a party). Verizon's substantive rights were not affected because Verizon was provided an opportunity to respond at the August 20, 2025, prehearing conference, and Verizon did not object to the Petition.² Also pursuant to Section 5.94(a) of the Commission's regulations, I must consider any objection to the Petition, and the public interest, when determining whether the Petition will be granted. Mr. Morris indicated that the issues related to his specific Complaint had been addressed and Verizon did not object to the Petition. It would not be in the public interest to have the parties in this matter further litigate this proceeding when Complainant indicates the issues related to his specific Complaint have been addressed and he no longer wishes to pursue the Complaint. Granting the Petition will save the parties and the Commission additional costs in time and money they would otherwise incur in further litigating this case. Furthermore, the Complaint is being dismissed without prejudice, and therefore the Complainant may file a new Complaint, if necessary. Therefore, the Petition will be granted in the ordering paragraphs below.

² Although Met-Ed (now operating as FirstEnergy Pennsylvania Electric Company (FE PA)) was not served the Formal Complaint, I contacted counsel for FE PA informally by e-mail on September 26, 2025, and asked if FE PA had any objections to the withdrawal. To date, counsel for FE PA has not responded.

CONCLUSIONS OF LAW

1. A party desiring to withdraw a pleading in a contested proceeding may file a petition for leave to withdraw the appropriate document with the Commission and serve it upon other parties. 52 Pa. Code § 5.94(a).

2. A petition to withdraw a pleading in a contested proceeding must set forth the reasons for the withdrawal and that a party may object to the petition within ten days. 52 Pa. Code § 5.94(a).

3. After considering a petition to withdraw a pleading in a contested proceeding, any objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted. 52 Pa. Code § 5.94(a).

4. The Commission or presiding officer at any stage of an action or proceeding may disregard an error or defect of procedure which does not affect the substantive rights of the parties. 52 Pa. Code § 1.2(a).

5. It is in the public interest to allow Complainant to withdraw his Formal Complaint. 52 Pa. Code § 5.94.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Petition for Leave to Withdraw the Formal Complaint without prejudice made by Robert P. Morris at Docket No. C-2024-3050358 is granted;
2. That the Formal Complaint filed in the matter of Robert P. Morris v. Verizon North LLC and the Metropolitan Edison Company at Docket No. C-2024-3050358 is withdrawn without prejudice; and
3. That the Secretary's Bureau shall mark Docket No. C-2024-3050358 as closed.

Dated: November 10, 2025

/s/
John M. Coogan
Administrative Law Judge