

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tanya Mack	:	
	:	
v.	:	C-2025-3055045
	:	
PPL Electric Utilities Corporation	:	

**ORDER REOPENING THE RECORD, SETTING THE CASE FOR A FURTHER
HEARING, AND NOTIFYING THE COMPLAINANT THAT JUDICIAL NOTICE OF
FACTS IS ABOUT TO BE TAKEN**

On May 8, 2025, Tanya Mack (Complainant or Ms. Mack) filed a Formal Complaint (Complaint) against PPL Electric Utilities Corporation (PPL, Respondent or Company) with the Pennsylvania Public Utility Commission (Commission). In her Complaint, Ms. Mack alleged that PPL is threatening to shut off her electric service or has already shut off her service. As relief, the Complainant requests that her “account be adjusted for incorrect billing” and her “payment plan ... be lowered.” Complaint ¶ 5.

On May 28, 2025, the Respondent filed an Answer denying all material allegations of fact and conclusions of law in the Complaint. Along with the Answer, PPL filed a New Matter in which it alleged that the Present Complaint is Mr. Mack’s eighth Complaint against PPL, in which she re-raises the same issues that were resolved in the third, fourth, and fifth Complaint proceedings by the Certificates of Satisfaction, to which the Complainant never filed Objections. New Matter ¶ 2. In addition, PPL stated that as of the date of the Answer and New Matter, the Complainant had a total balance of \$22,838.08 owed to the Company. New Matte ¶ 1. PPL requested that the Complainant be barred from filing further Informal or Formal Complaints against PPL until the entire outstanding account balance has been paid in full. New Matter ¶ 6.

An Initial Call-in Telephonic Hearing Notice dated July 2, 2025, notified the parties that an initial call-in telephone hearing was scheduled for August 29, 2025, at 1:30 p.m.,

and that the matter was assigned to me. The Hearing Notice stated, “You may lose the case if you do not take part in this hearing and present evidence on the issue(s) raised.”

On July 2, 2025, I issued a Prehearing Order. The Prehearing Order directed the parties to comply with various procedural requirements, reminded them of the time and date of the hearing and provided instructions for calling in to the hearing. In addition, the Prehearing Order warned in bold type: “**You may lose the case if you do not take part in this hearing and present evidence on the issues raised.**” (Emphasis in the original).

The Hearing Notice and the Prehearing Order were eServed on the Complainant at the email address registered with the Commission by the Complainant.¹ None of the emails sent by the Commission to the Complainant were returned as undeliverable.

The hearing convened as scheduled on August 29, 2025. Alice Wade, Esq. appeared representing the Respondent. The Complainant failed to call in to the hearing. The Complainant was given an additional 10-15 minutes to call in but failed to do so. Attorney Wade moved that the Complaint be dismissed for lack of prosecution pursuant to 52 Pa. Code § 5.245. In addition, she requested that I take judicial notice of the seven prior Complaints filed by Ms. Mack against PPL, at Docket Nos. C-2012-2624386, C-2018-3002133, C-2019-301047, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622. Tr. 10-11. I granted her request. Attorney Wade also requested that the Complaint be dismissed with prejudice because the Complainant has abused the Commission’s administrative process to avoid termination of service, and that the Complainant be precluded from filing more informal or Formal complaints with the Commission. She presented the testimony of Tami Roland, who is a Senior Customer Representative with PPL. The Respondent sponsored two exhibits (PPL Exhibits 1, and 3) which were admitted into the record.

¹ Both the Complainant and Respondent have elected to enroll in the Commission’s e-Filing Subscription Service (eService) and were served via eService. See Complaint ¶ 9.

The record in this matter closed on September 17, 2025, upon receipt of the hearing transcript. To date, there has been no contact or communication from Ms. Mack with me or anyone else at the Commission regarding her failure to appear at the August 29, 2025 hearing.

On October 20, 2025, Attorney Wade informed me, via email, that a review of the hearing transcript had revealed a discrepancy between Ms. Roland's testimony and one of the exhibits submitted into the record. She requested permission to submit a transcript correction to correct the record. At the time, I denied her request as unnecessary.

Upon careful consideration of the record created in this matter, I find that I am unable to take judicial notice of Ms. Mack's previous Complaints against PPL because she did not appear at the August 29, 2025 hearing and was not provided with notice and an opportunity to agree or object to the information offered by Attorney Wade. Pursuant to Commission regulation on official and judicial notice of fact,

- (a) Official notice or judicial notice of facts may be taken by the Commission or the presiding officer.
- (b) When the decision of the Commission or the presiding officer rests on official notice or judicial notice of a material fact not appearing in the evidence in the record, the parties will be so notified.
- (c) Upon notification that facts are about to be or have been noticed, a party adversely affected shall have the opportunity upon timely request to show that the facts are not properly noticed or that alternative facts should be noticed.
- (d) The Commission or the presiding officer in its discretion will determine whether written presentations suffice, or whether oral argument, oral evidence or cross-examination is appropriate in the circumstances.
- (e) The Commission or presiding officer may also give official notice as the term is defined in section 331(g) of the act (relating to powers of commission and administrative law judges).
- (f) Subsections (a)--(e) supersede 1 Pa. Code § 35.173 (relating to official notice of facts).

52 Pa. Code § 5.408. In this case, PPL's claim of abuse of process by Ms. Mack relies in large part on the fact that Ms. Mack has filed multiple complaints with the Commission in an effort to

avoid payments of her outstanding balance and termination of service. My decision in this case rests substantially on the judicial notice of a material fact not appearing in the evidence in the record. Therefore, not only does Ms. Mack need to be notified that the dockets of her seven prior Complaints against PPL, at Docket Nos. C-2012-2624386, C-2018-3002133, C-2019-301047, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622 are about to be or have been noticed, but as the party adversely affected she must be given the opportunity upon timely request to show that the facts are not properly noticed or that alternative facts should be noticed. As mentioned above, her absence from the August 29, 2025 hearing made this impossible.

Second, I find that PPL's request to submit transcript corrections was improper. Pursuant to Commission regulation at 52 Pa. Code § 5.253:

(a) A correction in the official transcript may be made only to make it accurately reflect the evidence presented at the hearing and to speak the truth.

(b) Proposed corrections of a transcript may be submitted by either of the following means:

(1) By written stipulation by the parties of record who were present when the transcription was taken.

(2) Upon written request of one or more parties of record present when the transcription was taken.

(c) Proposed corrections shall be filed as follows:

(1) Within 10 days after the transcript has been filed with the Commission.

(2) Within 10 days after the electronically recorded testimony has been reviewed.

(3) Upon permission of the presiding officer granted prior to the closing of the record.

(d) Objections or other comments to the proposed corrections shall be filed within 10 days of service of the proposed corrections.

(e) Proposed corrections and objections or other comments shall be served upon the parties of record present when the original transcription was taken.

(f) The presiding officer will rule upon a proposed correction of a transcript within 20 days of its receipt. A request for corrections not acted upon within 20 days is deemed to be:

(1) Denied if opposed in a timely manner.

(2) Granted if unopposed.

(g) Subsections (a)--(f) supersede 1 Pa. Code § 35.132 (relating to transcript corrections).

52 Pa. Code § 5.253. (Emphasis added). The record in this matter closed on September 17, 2025, the day the transcript of the hearing was filed with the Commission. The email from Attorney Wade requesting permission to submit transcript corrections was received on October 20, 2025, well after the close of the record and the ten-day deadline provided by Commission regulation. Additionally, the corrections proposed by PPL's counsel are substantial and substantive. In her email dated October 20, 2025, Attorney Wade indicated that the payment arrangements reflected in PPL's Exhibit 3 are only a portion of the payment arrangements Ms. Wade indicated in her testimony. However, the number of payment arrangements and their origin (whether issued by the Commission or the Company) are important factors in establishing abuse of process claims.

It is my duty as presiding officer to prepare a clear and complete record in this case. Upon careful consideration, I find that the best way to correct the discrepancies of the record in this matter is to reopen the record to accomplish the following: 1) notify Ms. Mack that the dockets of her seven prior Complaints against PPL, at Docket Nos. C-2012-2624386, C-2018-3002133, C-2019-301047, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622 are about to be noticed; 2) give Ms. Mack the opportunity to show that the facts are not properly noticed or that alternative facts should be noticed; and 3) allow PPL to correct the record through supplemental testimony and exhibits.

In order to accomplish the above, the matter shall be set for further hearing. Because this Order notifies Ms. Mack that judicial notice is about to be taken of her seven prior Complaints against PPL, at Docket Nos. C-2012-2624386, C-2018-3002133, C-2019-301047, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622, if Ms. Mack fails to appear at the further hearing, she will waive the opportunity to show that the facts are not properly noticed or that alternative facts should be noticed.

C-2025-3055045 - TANYA MACK v. PPL ELECTRIC UTILITIES CORPORATION

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