

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Sonja Brett	:	
	:	
v.	:	C-2025-3055488
	:	
Duquesne Light Company	:	

INITIAL DECISION

Before
Ann Quimby
Administrative Law Judge

INTRODUCTION

This Initial Decision grants Complainant’s request to withdraw the Formal Complaint against Duquesne Light Company because it is unopposed and in the public interest.

HISTORY OF THE PROCEEDING

On May 30, 2025, Sonja Brett (Complainant) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Duquesne Light Company (Respondent or DLC). Complainant indicated her power was out for 117 hours, a “high-power surge” occurred, and the surge caused damage amounting to more than \$12,000. Complaint ¶ 4. Complainant requested that the Commission order DLC to “cover the cost of all damages caused by the surge.” Complaint ¶ 5.

On June 23, 2025, Respondent filed an Answer and New Matter. Respondent acknowledged Complainant's power was out for approximately 117 hours but denied that DLC caused any power surge. Answer ¶ 4. Respondent denied that Complainant was entitled to the relief requested. Answer ¶ 5. Respondent asserted the Commission does not have authority to award monetary damages and requested that the Complaint be dismissed. New Matter ¶¶ 3, 5, 8.

On July 30, 2025, a Call-In Telephonic Hearing Notice was served on the parties scheduling an initial telephonic hearing for September 29, 2025, at 10:00 a.m. and the case was assigned to me. On August 1, 2025, a Prehearing Order was served on the parties which reminded the parties of the date and time of the hearing and informed the parties about the applicable procedural rules.¹

On September 29, 2025, I convened the hearing as scheduled. Michael Brechlin, Esquire, appeared on behalf of Respondent along with two witnesses. Complainant was present and represented herself. The court reporter was also present.

Prior to taking testimony at the hearing, the parties discussed the possibility of settlement and engaged in related discussion on the record. Respondent made a Motion to Dismiss the Complaint. Tr. 14. Complainant's response to the Motion indicated she did not want to move forward with the instant proceeding, and Respondent reported Respondent had no objection to a withdrawal of the Complaint. Complainant confirmed she wanted to withdraw her Complaint. Tr. 18-19.

The transcript was received on October 16, 2025, and the record closed on October 20, 2025. For the reasons discussed below, Complainant's oral statements will

¹ A Corrected Prehearing Order was served on the parties on the same day. The Corrected Order was issued solely to reflect a corrected date of the issuance of the Order.

be treated as a Petition for Leave to Withdraw the Formal Complaint, and the Petition will be granted.

FINDINGS OF FACT

1. Complainant is Sonja Brett.
2. Respondent is Duquesne Light Company.
3. On May 30, 2025, Complainant filed a Formal Complaint against Respondent.
4. On June 23, 2025, Respondent filed an Answer to the Complaint.
5. On July 30, 2025, an Initial Call-In Telephonic Hearing Notice was served on the parties scheduling an initial telephonic hearing on September 29, 2025, at 10:00 a.m.
6. On September 19, 2025, the hearing was convened with Complainant and Respondent present.
7. Prior to the taking of testimony, the undersigned and the parties discussed the possibility of settlement and the Commission's lack of authority to award monetary damages.
8. Complainant filed the Complaint solely to obtain monetary damages.
Tr. 14-15, 19.

9. Complainant no longer wants to pursue her Complaint and wants to withdraw the Complaint. Tr. 16, 18-19.

10. Respondent does not object to Complainant withdrawing her Complaint. Tr. 17, 19.

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) Except as provided in subsection (b), 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).

At any stage of proceeding, the Commission or a presiding officer may disregard an error or defect of procedure or waive a requirement that does not adversely affect a substantive right of a party, particularly in proceedings involving pro se litigants. 52 Pa. Code § 1.2(a), (c), (d). Thus, Complainant's oral statements indicating that she no

longer wants to move forward with her Complaint will be treated as a Petition for Leave to Withdraw the Complaint.

In this case, Complainant filed the Complaint for the sole purpose of recovering monetary damages. After settlement discussions prior to the hearing, Complainant decided she no longer wanted to pursue her Complaint, as she could not obtain monetary damages through the instant proceeding. Complainant effectively indicated she wanted to withdraw her Complaint. Respondent did not object to a withdrawal of the Complaint.

Under these circumstances, granting Complainant's withdrawal request is in the public interest. Litigation is not wanted by either party. Granting the request will save the parties and the Commission additional time and money they would otherwise spend in further litigating this case. Accordingly, Complainant's request to withdraw the Complaint shall be granted.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter of and the parties to this proceeding. 66 Pa.C.S. § 701.
2. The Commission's Rules of Practice and Procedure permit parties to withdraw pleadings in a contested proceeding by permission of the presiding officer or Commission. 52 Pa. Code § 5.94.
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 can 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 her Complaint against Respondent. 52 Pa. Code § 5.94.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Sonja Brett's unopposed Petition for Leave to Withdraw her Formal Complaint at Docket No. C-2025-3055488 is granted.

2. That the Formal Complaint filed in the matter of Sonja Brett v. Duquesne Light Company at Docket Number C-2025-3055488, is hereby withdrawn without prejudice.

3. That Docket No. C-2025-3055488 shall be marked closed.

Date: November 18, 2025

/s/
Ann Quimby
Administrative Law Judge