



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

December 5, 2025

Via Electronic Filing

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
FirstEnergy Pennsylvania Electric Company
Docket No. C-2025-
I&E Formal Complaint

Dear Secretary Homsher:

Enclosed for electronic filing is the **Non-Proprietary** version of the Formal Complaint of the Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission in the above-referenced matter. The **Proprietary** version has been submitted to the Secretary’s Bureau via their ShareFile.

Copies are being served on the parties of record in accordance with the attached Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', is written over a light blue horizontal line.

Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

GR/ac
Enclosures

cc: Allison C. Kaster, Director, I&E (*via email* – akaster@pa.gov)
Carrie B. Wright, Deputy Chief Prosecutor, I&E (*via email* – carwright@pa.gov)
As per Certificate of Service

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the date as indicated at the top of the Secretarial Letter. *See* 52 Pa. Code § 1.56(a). The Answer must raise all factual and legal arguments that you wish to claim in your defense, include the docket number of this Complaint, and be verified.

Additionally, please electronically serve a copy on:

Grant Rosul, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
grosul@pa.gov

B. If you fail to answer this Complaint within twenty (20) days, the Bureau of Investigation and Enforcement will request that the Commission issue an Order imposing the civil penalty and other requested relief.

C. You may elect not to contest this Complaint by paying the civil penalty within twenty (20) days and performing the corrective actions set forth in the requested relief. A certified check, cashier's check or money order should be payable to the "Commonwealth of Pennsylvania" and mailed to:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Your payment is an admission that you committed the alleged violations and an agreement to cease and desist from committing further violations. Upon receipt of your payment, the Complaint proceeding shall be closed.

D. If you file an Answer, which either admits or fails to deny the allegations of the Complaint, the Bureau of Investigation and Enforcement will request the Commission to issue an Order imposing the civil penalty and granting the requested relief as set forth in the Complaint.

E. If you file an Answer which contests the Complaint, the matter will proceed before the assigned presiding Administrative Law Judge for hearing and decision. The Judge is not bound by the penalty set forth in the Complaint, and may impose additional and/or alternative penalties as appropriate.

F. If you are a corporation, you must be represented by legal counsel. 52 Pa. Code § 1.21.

G. Alternative formats of this material are available for persons with disabilities by contacting the Commission's ADA Coordinator at (717) 787-8714.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-
	:	
FirstEnergy Pennsylvania Electric Company	:	
Respondent	:	

FORMAL COMPLAINT

NON-PROPRIETARY VERSION

NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”), Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorneys, pursuant to Section 2804(1)(ii) of the Pennsylvania Public Utility Code (“Code”), 66 Pa.C.S. § 2804(1)(ii), and files this Formal Complaint against FirstEnergy Pennsylvania Electric Company (“FirstEnergy” or “Met-Ed”)¹ alleging violations of 66 Pa.C.S. § 2804(1)(ii) requiring the “maintenance of transmission and distribution facilities in conformity with established industry standards and practices, including the standards set forth in the National Electric Safety Code (“NESC”)” and the attendant regulations at 52 Pa. Code §§ 57.194(a)-(b) in relation to a December 12, 2022, incident in which a Met-Ed line fell onto a roadway

¹ Pursuant to Commission Order at A-2023-3038771, FirstEnergy Corp.’s constituent Pennsylvania subsidiaries merged into one company, the FirstEnergy Pennsylvania Electric Company. When the incident that is the subject of this Complaint occurred, the merger had not yet taken place and Metropolitan Edison, or “Met-Ed,” was the responsible utility. Accordingly, FirstEnergy Pennsylvania Electric Company may be referred to herein as “Met-Ed.”

and was subsequently struck by a member of the public driving on that road. In support of its Complaint, I&E respectfully represents the following:

I. PARTIES AND JURISDICTION

1. The Pennsylvania Public Utility Commission (“Commission”), with a mailing address of 400 North Street, Harrisburg, PA 17120, is a duly constituted agency of the Commonwealth of Pennsylvania authorized and obligated by Section 501(a) of the Code, 66 Pa.C.S. § 501(a), to execute and enforce the provisions of the Code.

2. Complainant’s prosecuting attorneys are as follows:

Grant Rosul, Prosecutor
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
grosul@pa.gov
(717) 783-5243

3. Section 701 of the Code, 66 Pa.C.S. § 701, authorizes the Commission to, *inter alia*, hear and determine complaints alleging a violation of any law or regulation that the Commission has jurisdiction to administer.

4. Section 3301 of the Code, 66 Pa.C.S. § 3301, authorizes the Commission to impose civil penalties on any public utility or on any other person or corporation subject to the Commission’s authority for violations of the Code, the Commission’s regulations, or both. Section 3301 allows for the imposition of a fine for each violation and each day’s continuance of such violation(s). 66 Pa.C.S. § 3301.

5. Respondent is a “public utility” as that term is defined at 66 Pa.C.S. § 102 as it is engaged in providing public utility service as an electric distribution company (“EDC”) in

the Commonwealth of Pennsylvania to the public for compensation, with a main mailing address of 2800 Pottsville Pike, Reading, PA 16001.

6. Respondent, as an EDC, is subject to the power and authority of the Commission pursuant to Section 501(c) of the Code, 66 Pa.C.S. § 501(c), which requires a public utility to comply with Commission regulations and orders.

7. Pursuant to the provisions of the applicable Commonwealth statutes and regulations, the Commission has jurisdiction over the subject matter of this Complaint and the actions of Respondent related thereto.

8. Pursuant to Sections 331(a) and 506 of the Code, 66 Pa.C.S. §§ 331(a) and 506, and Section 3.113 of the Commission's regulations, 52 Pa. Code § 3.113, Commission staff has the authority to conduct informal investigations or informal proceedings in order to gather data or to substantiate allegations of potential violations of the Commission's regulations.

II. BACKGROUND

9. On the evening of December 12, 2022, Mrs. Hartman, a member of the public, was driving on PA-934 in Lebanon County when she turned onto Oak Street and struck an electric line belonging to FirstEnergy Pennsylvania Electric Company, then known as Metropolitan Edison ("Met-Ed"), that had fallen into the roadway.

10. On February 23, 2023, a formal complaint was filed by Mr. and Mrs. Hartman ("the Hartmans"), members of the public, against Met-Ed related to the incident.

11. On September 8, 2023, a hearing was held on the complaint before Administrative Law Judge John Coogan ("ALJ Coogan") in which testimony was taken.

12. On December 18, 2023, ALJ Coogan made findings of fact and conclusions of law, and rendered a decision in favor of Met-Ed.

13. In a February 22, 2024, Opinion and Order, the Commission reversed the decision of ALJ Coogan and found Met-Ed to be in violation of the Public Utility Code, as described *infra* in Paragraphs 14 and 15.

14. In its February 22, 2024, Opinion and Order in *Keith Hartman and Rebecca Hartman v. Metropolitan Edison Company*, Docket No. C-2023-3038465 (“February 2024 Order”),² the Commission adopted the findings of fact made by ALJ Coogan in his December 18, 2023, Initial Decision, including:

- a. Mrs. Hartman was driving home at approximately 6:45 p.m. on December 12, 2022, when her vehicle encountered a loose electric line.
- b. Mrs. Hartman encountered the loose electric line when she turned right onto Oak Street from PA-934 in Lebanon, PA.
- c. Mrs. Hartman believes that the line that struck her vehicle was originally crossing the road overhead on Oak Street.
- d. The encounter caused damage to the Hartman’s vehicle.
- e. On December 12, 2022, Met-Ed witness Brian Monk (“Mr. Monk”) responded to a reported outage for the line coming off circuit 715-2.
- f. Mr. Monk arrived at the fuse switch at 6:31 p.m. on December 12, 2022.
- g. Mr. Monk found no cause for the line fuse to be blown after patrolling the line along Oak Street.
- h. Mr. Monk did not identify any hazard that would require blocking off any road or intersections.
- i. After finding no cause for the outage, Mr. Monk requested permission to reenergize the fuse at pole number 35169-35169, which was granted.

² Commission Opinion and Order, *Keith Hartman and Rebecca Hartman*, Docket No. C-2023-3038465, p. 10.

- j. When Mr. Monk went to replace the fuse at pole number 35169-35169, the fuse blew back, and then Mr. Monk noticed that the line on Oak Street had come loose.
- k. Met-Ed determined that the cause of the line falling into the road was that, first, the line had become loose and was lying against a steel pin. Then, when the line was reenergized, the line became loose, and the line fell down onto the road.
- l. The line fell from pole number 35194-35189 along Oak Street.
- m. The line lying against the steel pin was not visible to Mr. Monk.
- n. Mr. Monk removed the loose line from lying in the street.
- o. When Mr. Monk drove his truck to remove the loose line lying in the street, he notice the Hartman's truck parked approximately 100 yards ahead on the road.
- p. Mr. Monk did not see the Harman's vehicle encounter a loose line and only knew the vehicle had been hit by the line when a police officer informed him.
- q. It was dark outside when Mrs. Hartman encountered the loose electric line.³

15. In its February 2024 Order, the Commission found that Met-Ed had violated Section 1501 of the Public Utility Code, 66 Pa.C.S. § 1501, and failed to render safe and reasonable service to the public by failing to observe a loose wire after responding to a report of an outage. After failing to observe the loose wire, which had been resting against a steel pin, the Met-Ed worker re-energized the line, causing it to fall onto the roadway below, where it was subsequently struck by a passing vehicle being driven by Mrs. Hartman. The Commission imposed a \$750 civil penalty for this violation.

³ Initial Decision of ALJ Coogan, *Keith Hartman and Rebecca Hartman*, Docket No. C-2023-3038465, December 18, 2023, pp. 3-6.

16. In its February 2024 Order, in addition to finding Met-Ed to have been in violation of the Public Utility Code and levying a civil penalty, the Commission referred this incident to I&E to review for any further violations of the Public Utility Code, the Commission’s regulations, and the NESC.⁴

17. Specifically, the February 2024 Order requested that I&E’s Electric Safety Division investigate:

- a. The alleged unsafe and unreasonable service issues raised by the Complainants besides the singular violation of 66 Pa.C.S. § 1501 on December 12, 2022;
- b. Met-Ed’s practices and procedures as they relate to operating and maintaining unsecured wires or lines resting loose; and
- c. Met-Ed’s practices and procedures for re-energizing lines, and to take whatever further action may be deemed warranted.

18. Pursuant to the referral from the Commission in its February 2024 Order, I&E’s Electric Safety Division (“ESD”) initiated an informal investigation of FirstEnergy.

19. On April 11, 2024, pursuant to that investigation, ESD served FirstEnergy with its Data Request – Set I, seeking responses to ten (10) data requests.

20. On May 16, 2024, FirstEnergy submitted its Response to ESD’s Data Request — Set I.

21. Additionally, as part of this investigation, ESD conducted an on-site safety inspection of the subject poles and lines.

22. Based on the February 24 Order and FirstEnergy’s Response to ESD’s Data Request — Set I, the following consists of a summary of the findings of ESD’s investigation:

⁴ Commission Opinion and Order, *Keith Hartman and Rebecca Hartman*, Docket No. C-2023-3038465, February 22, 2024, Ordering ¶ 5.

- a. On December 12, 2022, Distribution Control Center (“DCC”) was notified of a power outage along Oak Street in Lebanon, PA, at approximately 1723 hours.
- b. DCC assigned one serviceman to patrol the site, gather information, and identify the cause of the outage at 1729 hours.
- c. The serviceman patrolled the line for several spans but did not find cause for the line fuse to be blown.
- d. The serviceman requested permission to reenergize the fuse at pole 35169-35169, which was granted.
- e. After reenergizing the line, the serviceman attempted to replace the fuse, which immediately blew open.
- f. The serviceman patrolled the line for a second time and discovered that the line attached to pole number 35194-35189 had fallen onto the road.
- g. The serviceman did not see the fallen line on the road during the first patrol.
- h. At 1845 hours Mrs. Hartman’s vehicle was travelling on Oak Street and struck an electrical line hanging diagonally across from the road from pole number 35194-35189 to pole number 35197-35185.

23. As part of its Data Request — Set I, ESD received a copy of the FirstEnergy Workforce Development manual.

BEGIN CONFIDENTIAL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

END CONFIDENTIAL

III. ALLEGED VIOLATIONS

27. All allegations in paragraphs 1-26 are incorporated as if fully set forth herein.

28. Respondent violated Sections 57.194(a) and (b) of the Commission’s regulations, 52 Pa. Code § 57.194(a)-(b), the NESC, and the Code in that Met-Ed failed to furnish and maintain adequate, efficient, safe and reasonable service and facilities for the accommodation, convenience and safety of the public and failed to maintain its distribution system in conformity with the applicable requirements of the NESC.

Count 1

29. Respondent failed to observe the loose line lying against the steel pin on pole number 35169-35169 while patrolling circuit 715-2 and failed to discover the cause of the reported outage before reenergizing the wire.

If proven, by failing to observe the loose line lying against the steel pin on pole number 35169-35169, Respondent violated NESC § 214.A.5, which requires that conditions or defects be designated for correction. In so doing, Respondent violated 52 Pa. Code § 57.194(b), which requires an EDC to “install, maintain and operate its distribution system in conformity with the applicable requirements of the [NESC]”), as well as Section 2804(1)(ii) of the Code, 66 Pa.C.S. § 2804(1)(ii), which also requires the “maintenance of transmission

and distribution facilities in conformity with established industry standards and practices, including the standards set forth in the [NESC].”

The civil penalty requested by I&E for this violation is \$750.

Count 2

30. Respondent failed to observe the loose line lying against the steel pin on pole number 35169-35169 while patrolling circuit 715-2 and failed to discover the cause of the reported outage before reenergizing the wire.

If proven, by failing to observe the loose line lying against the steel pin on pole number 35169-35169 and failing to discover the cause of the reported outage prior to reenergizing the wire, Respondent violated Section 57.194(a) of the Commission’s regulations, 52 Pa. Code § 57.194(a), which requires that and EDC such as FirstEnergy “furnish and maintain adequate, efficient, safe and reasonable service and facilities ... for the accommodation, convenience and safety of ... the public....”

The civil penalty requested by I&E for this violation is \$750.

IV. RELIEF REQUESTED:

31. Based on the foregoing allegations, the Bureau of Investigation and Enforcement hereby requests that:

- a. Respondent be ordered to adhere to Section 2804(1)(ii) of the Code, 66 Pa.C.S. § 2804(1)(ii), as well as the Commission’s regulations at 52 Pa. Code §§ 57.194(a)-(b), and the standards required by the NESC on a going-forward basis.

- b. ***BEGIN CONFIDENTIAL*** [REDACTED] ***END**
CONFIDENTIAL*

- c. Respondent be ordered to pay a cumulative civil penalty in the amount of One Thousand Five Hundred Dollars (\$1,500). Said payment shall be made within thirty (30) days of the date of entry of the Commission's Final Order in this case.
- d. The Commission grant such other relief as the Commission deems appropriate.

WHEREFORE, for all the foregoing reasons, the Bureau of Investigation and Enforcement of the Pennsylvania Public Utility Commission respectfully requests that, after consideration of the record, the Office of Administrative Law Judge and the Commission find FirstEnergy Pennsylvania Electric Company in violation of each and every count as set forth herein and grant the relief specified above.

Respectfully submitted,



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
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Date: December 5, 2025

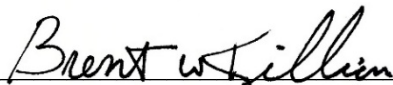
**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
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Complainant	:	
	:	
v.	:	Docket No. C-2025-
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FirstEnergy Pennsylvania Electric Company	:	
Respondent	:	

VERIFICATION

I, Brent Killian, Electric Safety Division Supervisor of the Pennsylvania Public Utility Commission's Bureau of Investigation and Enforcement, Electric Safety Division, hereby state that the facts above set forth are true and correct to the best of my knowledge, information, and belief and that I expect that the Bureau of Investigation and Enforcement will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: December 5, 2025



Brent Killian
Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Electric Safety Division
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
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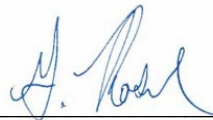
CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Service by Electronic Mail

Proprietary and Non-Proprietary Versions

Tori L. Giesler
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Dated: December 5, 2025