

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Katie Paulison	:	
	:	
v.	:	F-2025-3055494
	:	
PECO Energy Company-Gas Division	:	

**INITIAL DECISION**

Before  
Marta Guhl  
Administrative Law Judge

**INTRODUCTION**

This Initial Decision denies the Complainant’s Formal Complaint because the Complainant has not established that there were incorrect charges on her bills.

**HISTORY OF THE PROCEEDING**

On May 23, 2025, Katie Paulison (Complainant or Ms. Paulison) filed a Formal Complaint (Complaint) against PECO Energy Company-Gas Division (PECO or Respondent or Company) with the Pennsylvania Public Utility Commission (Commission). In the Complaint, the Complainant contends that there were incorrect charges on her bills.

On June 19, 2025<sup>1</sup>, the Respondent filed an Answer denying the material allegations of the Complaint.

By Telephonic Hearing Notice dated July 2, 2025, an initial hearing was scheduled for September 2, 2025, at 1:00 p.m., and the matter was assigned to me.

On July 2, 2025, I issued a Prehearing Order which advised the parties of procedural matters and hearing procedures.

The hearing proceeded as scheduled on September 2, 2025. The Complainant participated *pro se* and testified. The Respondent appeared and was represented by Khadijah Scott, Esquire, who presented the testimony of Ramona Milburn, a Regulatory Assessor. The Respondent offered six exhibits, which were all entered into the record.

The record closed on October 3, 2025, when I received the transcript of the hearing.

#### FINDINGS OF FACT

1. The Complainant in this case is Katie Paulison, who resides at 149 North 4<sup>th</sup> Street, Apartment 20, Telford, Pennsylvania 18969 (Service Address). Tr. 9.

2. The Respondent is PECO Energy Company-Gas Division.

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<sup>1</sup> The Formal Complaint was served on the Respondent by the Secretary's Bureau on June 2, 2025.

3. The Service Address is a rental property located in a two-story building with eight apartments. Tr. 19.

4. The Complainant's apartment is on the second floor and has two bedrooms and one bathroom. Tr. 19.

5. The apartment has a gas house heater and gas water heater. Tr. 13

6. In December 2024, the Complainant was without heat for 10 days. Tr. 10.

7. The Complainant did not contact PECO about the heating issue but dealt with on-site maintenance. Tr. 11.

8. In January 2025, the Complainant noticed that her bills were higher than anticipated and contacted PECO about the issue. Tr. 11-12.

9. On February 25, 2025, PECO sent a technician to the Service Address to conduct a high bill investigation. Tr. 33; PECO Exh. 1.

10. During the course of the investigation, the technician found that there was a meter mix-up, where the Complainant was being billed for another apartment. Tr. 33; PECO Exh. 1.

11. PECO did a billing review of the Complainant's account and found that the Complainant was underbilled as a result of the meter mix-up. Tr. 33-34; PECO Exh. 3.

12. On March 14, 2025, the Company provided a utility report to the Complainant regarding the results of their investigation into the Complainant's high bill allegations. Tr. 42; PECO Exh. 2.

13. The Complainant's account balance at the time of the hearing was \$473.36. Tr. 43; PECO Exh. 4.

### DISCUSSION

The Public Utility Code, 66 Pa.C.S. § 332(a), places the burden of proof upon the proponent of a rule or order. As the proponent of a rule or order, Complainant has the burden of proof in this matter pursuant to 66 Pa.C.S. § 332(a).

To establish a sufficient case and satisfy the burden of proof, Complainant must show that the respondent public utility is responsible or accountable for the problem described in the Complaint. *Patterson v. Bell Tele. Co. of Pa.*, 72 Pa. P.U.C. 196 (1990), *Feinstein v. Phila. Suburban Water Co.*, 50 Pa. P.U.C. 300 (1976). Such a showing must be by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600, 602 (Pa. Cmwlth. 1990). That is, by presenting evidence more convincing, by even the smallest amount, than that presented by the other party. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950). Additionally, any finding of fact necessary to support the Commission's adjudication must be based upon substantial evidence. *Mill v. Pa. Pub. Util. Comm'n*, 447 A.2d 1100 (Pa. Cmwlth. 1982); *Edan Transp. Corp. v. Pa. Pub. Util. Comm'n*, 623 A.2d 6 (Pa. Cmwlth. 1993); 2 Pa.C.S. § 704. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk and Western Ry. v. Pa. Pub. Util. Comm'n*, 413 A.2d 1037 (Pa. 1980); *Erie Resistor Corp. v. Unempl. Comp. Bd. of Rev.*, 166 A.2d 96 (Pa. Super. 1960); *Murphy v. Pa. Dep't of Pub. Welfare, White Haven Center*, 480 A.2d 382 (Pa. Cmwlth. 1984).

Upon the presentation by the Complainant of evidence sufficient to initially satisfy the burden of proof, the burden of going forward with the evidence to rebut the evidence of the Complainant shifts to the Respondent. If the evidence presented by the Respondent is of co-equal weight, the Complainant has not satisfied her burden of proof. The Complainant would be required to provide additional evidence to rebut the evidence of the Respondent. *Burleson v. Pa. Pub. Util. Comm'n*, 443 A.2d 1373 (Pa. Cmwlth. 1982).

While the burden of persuasion may shift back and forth during a proceeding, the burden of proof never shifts. The burden of proof always remains on the party seeking affirmative relief from the Commission. *Milkie v. Pa. Pub. Util. Comm'n*, 768 A.2d 1217 (Pa. Cmwlth. 2001).

#### Dispute of Outstanding Balance

The Complainant disputes her bills starting in January 2025. She alleges that her bills are too high and not in line with prior bills. Tr. 11-12.

The burden of proof for “high bill” complaints has been explained in *Waldron v. Philadelphia Electric Co.*, 54 Pa.P.U.C. 98 (1980) (*Waldron*), and its progeny. In *Waldron*, the Commission adopted the Michigan Public Service Commission’s (PSC’s) policy announced in *Hallifax v. O & A Electric Co-Op*, Case No. U-5825, May 1979, which stated that, while the accuracy of the meter is an important factor in resolving billing disputes, it is not the sole criterion. The Commission stated that it will also consider the following factors: the billing history of the Complainant; any change in the number of occupants residing at the household; the potential for energy utilization; and any other relevant facts or circumstances that are brought to light during the complaint proceeding. *Waldron* at 100.

Consistent with the Commission's holding in *Bennett v. Peoples Natural Gas Co.*, Docket No. C-2009-2122979 (Opinion and Order entered Oct. 13, 2010) (*Bennet*), the *Waldron* Rule allows a Complainant to establish a *prima facie* case in a “high bill” complaint by showing that the disputed bill is abnormally high when compared to prior usage patterns and his or her pattern of usage has not changed or by providing other relevant evidence showing that the disputed bill is unreasonably high. In evaluating a “high bill” complaint, the Commission may consider such evidence as “the billing history of the account, any change in usage patterns (such as a change in the number of occupants residing in the household or potential energy utilization), and any other relevant facts or circumstances that come to light during the proceeding.” *Bennet*, at 6; *see also Thomas v. PECO Energy Co.*, Docket No. C-2010-2187197 (Opinion and Order entered Nov. 15, 2011).

The Complainant testified that the Service Address is a rental property located in a two-story building with eight apartments. Tr. 19. The Complainant’s apartment is on the second floor and has two bedrooms and one bathroom. Tr. 19. The apartment has a gas house heater and gas water heater. Tr. 13. In December 2024, the Complainant was without heat for 10 days. Tr. 10. The Complainant did not contact PECO about the heating issue but dealt with on-site maintenance. Tr. 11.

PECO’s witness, Ms. Milburn, testified that on February 25, 2025, PECO sent a technician to the Service Address to conduct a high bill investigation. Tr. 33; PECO Exh. 1. She indicated that during the course of the investigation, the technician found that there was a meter mix-up, where the Complainant was being billed for another apartment and vice versa. Tr. 33; PECO Exh. 1. Ms. Milburn noted that PECO did a billing review of the Complainant’s account and found that the Complainant was underbilled as a result of the meter mix-up. Tr. 33-34; PECO Exh. 3. She also stated the Company provided a utility report to the Complainant regarding the results of their investigation into the Complainant’s high bill allegations on March 14, 2025. Tr. 42;

PECO Exh. 2. Ms. Milburn asserts that the Complainant's current account balance at the time of the hearing was \$473.36. Tr. 43; PECO Exh. 4.

The Complainant has asserted that her bills are higher than normal. The Complainant did not provide any evidence to support this claim. "Mere bald assertions, personal opinions or perceptions do not constitute evidence. *MidAtlantic Power Supply Assoc. of Pa. v. Pa. Pub. Util. Comm'n*, 746 A.2d 1196, 1200 (Pa. Cmwlth. 2000)(citing *Pa. Bureau of Corrections v. City of Pittsburgh*, 532 A.2d 12, 14 (Pa. 1987)).

Based on the information presented by PECO's witness, it is clear that there was a meter mix-up that was discovered on February 25, 2025. As a result of the mix-up, the Complainant was underbilled for her gas service. The Complainant's bills are now based on the correct meter readings and are based on actual usage. There is nothing to indicate that the bills are too high. Thus, the Complainant has not met her burden of demonstrating that her bills are too high and as such the Complaint should be denied.

#### CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties to and subject matter of this proceeding. 66 Pa.C.S. § 701.
2. Pursuant to 66 Pa.C.S. § 332(a), the burden of proof in this proceeding is upon the complainant. 66 Pa.C.S. § 332(a).
3. Any finding of fact necessary to support the Commission's adjudication must be based upon substantial evidence. *Mill v. Pa. Pub. Util. Comm'n*, 447 A.2d 1100 (Pa.Cmwlth. 1982); *Edan Transportation Corp. v. Pa. Pub. Util. Comm'n*, 623 A.2d 6 (Pa.Cmwlth. 1993); 2 Pa.C.S. § 704.

4. The Commission stated that it will consider the following factors: the billing history of the complainant; any change in the number of occupants residing at the household; the potential for energy utilization; and any other relevant facts or circumstances that are brought to light during the complaint proceeding. *Waldron v. Phila. Elec. Co.*, 54 Pa. P.U.C. 98 (1980).

5. “[T]he Commission may consider such evidence as the billing history of the account, any change in usage patterns (such as a change in the number of occupants residing in the household or potential energy utilization), and any other relevant facts or circumstances that come to light during the proceeding.” *Thomas v. PECO Energy Co.*, Docket No. C-2010-2187197, at 5 (Order entered Nov. 15, 2011).

6. "Mere bald assertions, personal opinions or perceptions do not constitute evidence. *MidAtlantic Power Supply Assoc. of Pa. v. Pa. Pub. Util. Comm'n*, 746 A.2d 1196, 1200 (Pa. Cmwlth. 2000) (citing *Pa. Bureau of Corrections v. City of Pittsburgh*, 532 A.2d 12, 14 (Pa. 1987)).

7. The Complainant did not meet her burden of proving that there were incorrect charges on her bills. 66 Pa.C.S. § 332(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Complaint of Katie Paulison against PECO Energy Company at *Katie Paulison v. PECO Energy Company* at Docket No. F-2025-3055494 is denied and;
2. That Docket No. F-2025-3055494 be marked closed.

Date: December 19, 2025

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/s/  
Marta Guhl  
Administrative Law Judge