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January 5, 2026

VIA ELECTRONIC FILING

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

RE: Carly Lapiers v. Interstate Gas Supply, LLC; Docket No. C-2025-3059273;
**INTERSTATE GAS SUPPLY, LLC D/B/A IGS ENERGY PRELIMINARY
OBJECTIONS TO FORMAL COMPLAINT OF CARLY LAPIERS**

Dear Secretary Homsher:

Enclosed for filing with the Pennsylvania Public Utility Commission is Interstate Gas Supply, LLC d/b/a IGS Energy Preliminary Objections to Formal Complaint of Carly Lapiers in the above-captioned docket. A copy of the Preliminary Objections has been served as indicated on the attached Certificate of Service.

Thank you for your attention to this matter. If you have any questions related to this filing, please do not hesitate to contact my office.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Todd S. Stewart", is written over a large, stylized blue scribble.

Todd S. Stewart
*Counsel for Interstate Gas Supply, LLC
d/b/a IGS Energy*

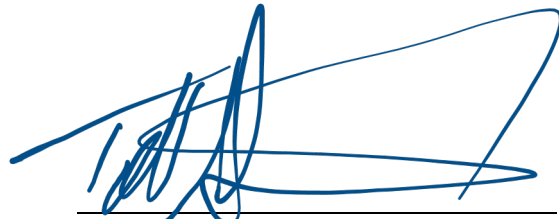
TSS/jld
Enclosure
cc: Per Certificate of Service

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).

VIA ELECTRONIC MAIL

Carly Lapiers
207 Hand Street
Jessup, PA 18434
carlyangeli@gmail.com

A handwritten signature in blue ink, appearing to read 'Todd S. Stewart', is written over a horizontal line.

Todd S. Stewart

DATED: January 5, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

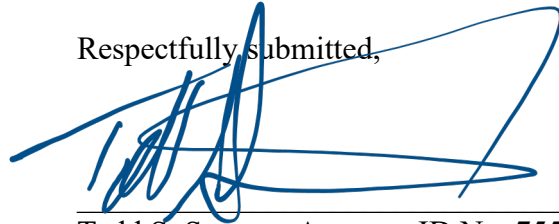
CARLY LAPIERS,	:
Complainant,	:
	: Docket No. C-2025-3059273
v.	:
	:
INTERSTATE GAS SUPPLY, LLC,	:
Respondent.	:

NOTICE TO PLEAD

TO: Carly Lapiers

Pursuant to 52 Pa. Code §§ 5.101, you are hereby notified that an answer to the enclosed Preliminary Objections, must be filed within ten (10) days from service of this notice, with the Secretary of the Pennsylvania Public Utility Commission, with a copy served on the undersigned counsel for Interstate Gas Supply, LLC d/b/a IGS Energy.

Respectfully submitted,



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*Counsel for Interstate Gas Supply, LLC
d/b/a IGS Energy*

DATED: January 5, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CARLY LAPIERS,	:	
Complainant,	:	
	:	Docket No. C-2025-3059273
v.	:	
	:	
INTERSTATE GAS SUPPLY, LLC,	:	
Respondent.	:	

**INTERSTATE GAS SUPPLY, LLC D/B/A IGS ENERGY
PRELIMINARY OBJECTIONS
TO FORMAL COMPLAINT OF CARLY LAPIERS**

Pursuant to 52 Pa. Code § 5.101, Interstate Gas Supply, LLC submits these Preliminary Objections to the Formal Complaint of Carly Lapiers (“Complainant”) in the above captioned proceeding and request that the Complaint or portions thereof be dismissed or stricken.

I. INTRODUCTION

1. The Complaint alleges that IGS’s affiliate IGS Solar and other entities engaged in actions that she contends were inappropriate or illegal, and which negatively impacted.

2. The Complaint here was filed against Interstate Gas Supply, LLC, (IGS) but does not allege that IGS undertook any of the actions that are the substance of the Complaint or the fact that the sale, lease, installation or rental of solar systems are not subject to the jurisdiction of the Commission.

3. The Complaint also attributes conduct to other entities but does not address or account for the fact that neither said other entities nor IGS are subject to the jurisdiction of the Commission.

4. The Complaint seeks relief (an investigation of the allegations of the Complaint) that is unavailable as a matter of law because this relief would violate due process and is moot. The relief would violate due process because it seeks the Commission to intermingle its adjudicatory and investigatory functions.

5. The Complaint fails to allege IGS violated the Public Utility Code, a Commission regulation, or a Commission Order and thus is legally insufficient for failure to state a claim and should be dismissed on this basis.

II. LEGAL STANDARD FOR PRELIMINARY INJUNCTIONS

6. The Commission's regulations allow a respondent to file preliminary objections to a complaint. 52 Pa. Code § 5.101. Preliminary motion practice before the Commission is similar to that utilized in Pennsylvania civil practice. *Equitable Small Transportation Interveners v. Equitable Gas Company*, 1994 Pa. PUC LEXIS 69, PUC Docket No. C-00935435 (July 18, 1994) (citing Pa. R.C.P 1017). A preliminary objection in civil practice seeking dismissal of a pleading will be granted where relief is clearly warranted and free from doubt. *Interstate Traveller Services, Inc. v. Pa. Dept. of Environmental Resources*, 406 A.2d 1020 (Pa. 1979).

7. In determining whether to sustain preliminary objections, all well-pleaded material, factual averments and all inferences fairly deducible therefrom are presumed to be true. *Marks v. Nationwide Ins. Co.*, 762 A.2d 1098, 1099 (Pa. Super. Ct. 2000), *appeal denied*, 788 A.2d 381 (Pa. 2001). The pleaders' conclusions of law, unwarranted inferences from facts, argumentative allegations or expressions of opinion should not be considered to be admitted as true. *Id.* The preliminary objections should be sustained if, based on the facts averred by the plaintiff, the law says with certainty that no recovery is possible. *Soto v. Nabisco, Inc.*, 32 A.3d 787, 790 (Pa. Super. Ct. 2011), *appeal denied*, 50 A.3d 126 (Pa. 2012).

III. PRELIMINARY OBJECTIONS

A. PRELIMINARY OBJECTION 1: LACK OF JURISDICTION

8. The Pennsylvania Public Utility Code (“Code”), 66 Pa. C.S. §§ 101, et seq, and the Alternative Energy Portfolio Standards Act (AEPS Act”), 73 P.S. § 1648.1, define the Commissions jurisdiction with regards to public utility functions generally, with regard to the Code, and AEPS Act, with regard to solar energy.¹ There is no allegation in the Complaint of any act or action by any party subject to the Commission’s jurisdiction. There is no allegation that any of the parties that are the subject of the Complaint are subject to the regulation of the Commission for any of the alleged acts. Simply put, there is nothing in the Code that authorizes the Commission to adjudicate a complaint such as the one at issue here.

9. The law is clear that without jurisdiction, the PUC is not authorized to act, which is the case here and the Complaint must accordingly be dismissed. The Code grants the Commission the jurisdiction necessary for the Commission to fulfill its statutory obligations. *South River Power v. Pa P.U.C.*, 673 A.2d 422 (Pa. Cmwlth. 1996). In this case there is no statutory obligation or authority for the Commission to regulate the sale, design, installation or leasing of residential solar systems, thus no jurisdiction for the Commission nor rules to enforce.

10. Accordingly, the Complaint must be dismissed for lack of jurisdiction.

¹ There may be other statutes that address the sale, installation and leasing of solar energy facilities that are enforced by other agencies, but none are listed in the Complaint.

B. PRELIMINARY OBJECTION 2: LEGAL INSUFFICIENCY (RELIEF UNAVAILABLE AS A MATTER OF LAW)

11. The Complaint only seeks one form of relief for the Commission to conduct an investigation within the scope of this adjudication. Complainant also requests that IGS be required to retain an “independent engineer” to investigate the system installed at her home. Because as a matter of law the Commission cannot commingle these functions, the relief requested is unavailable as a matter of law and the Complaint should be dismissed.

12. The law is clear that an agency with both adjudicatory and investigative/prosecutory functions cannot commingle those functions. *See, e.g., Lyness v. Com. Bd. Of Medicine*, 605 A.2d 1204, (Pa. 1992). *See also Snyder Brothers, Inc. v. Pa. Pub. Util. Comm’n*, 198 A.3d 1056, 1062 n.8 (Pa. 2018) (“As the [Public Utility Commission(PUC)] is statutorily structured, its investigative and enforcement bureau and its adjudicative division perform separate functions: I&E is tasked with conducting investigations into alleged violations of laws within its jurisdictional purview, and whenever it determines that a violation has occurred, it files a formal complaint, which is heard by an [Administrative Law Judge (ALJ)] from the PUC’s adjudicative division. If the ALJ finds that a violation has occurred, he or she then determines an appropriate penalty. A party aggrieved by the ALJ’s decision may appeal it to the PUC Commissioners [the Commission], who then collectively sit as an administrative tribunal to decide such challenges.”).

13. The Commission has put up walls of separation to avoid the improper commingling of functions. *Implementation of Act 129 of 2008*; Docket No. M-2008-2071852 (Order entered Aug. 11, 2011).

14. The Commission has expressly assigned adjudication of complaints to the Office of Administrative Law Judge. *Id.* at 8 (citing 66 Pa. C.S. § 304).

15. The Commission has expressly assigned investigative and prosecutorial functions to the Bureau of Investigation and Enforcement (“BI&E”). *Id.* at 4-5.

16. The Commission cannot through its adjudicatory function prosecute or investigate matters on behalf of Complainants. *See, e.g., Sunoco Pipeline L.P. v. PUC*, --- A.3d ---, 2023 WL 3262649 at *12 (“It is beyond peradventure that an administrative hearing is limited to the legal questions raised by the parties. The hearing tribunal may not, *sua sponte*, augment the subject matter of a proceeding.”)

17. Accordingly, the Commission cannot order an investigation within this proceeding that is being adjudicated by the Office of Administrative Law Judge.

C. PRELIMINARY OBJECTION 3: LEGAL INSUFFICIENCY (FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED)

18. The Complaint is legally insufficient because it fails to state a claim that IGS violated the Public Utility Code, the Commission’s regulations, or a Commission Order.

19. Complainant must allege and prove that IGS violated the Public Utility Code, a Commission regulation or order, or a Commission-approved tariff to obtain *any* relief.

We hold that in order for the PUC to sustain a complaint brought under this section [66 Pa. C.S. § 1501], the utility must be in violation of its duty under this section. Without such a violation by the utility, the PUC does not have the authority, when acting on a customer’s complaint, to require *any* action by the utility.

West Penn Power Co. v. Pa. PUC, 478 A.2d 947, 949 (Pa. Cmwlth. 1984) (emphasis added).

20. General allegations of lack of safety are insufficient to sustain and Complaint and ordering relief where a Complaint fails to allege a specific violation of the Public Utility Code, Commission regulation, or Commission order violates IGS’s due process rights. *See, e.g., Sunoco Pipeline L.P. v. PUC*, --- A.3d ---, 2023 WL 3262649 at *12-13 (overturning Commission’s decision penalizing IGS for violation of specific regulation where regulation was not included in

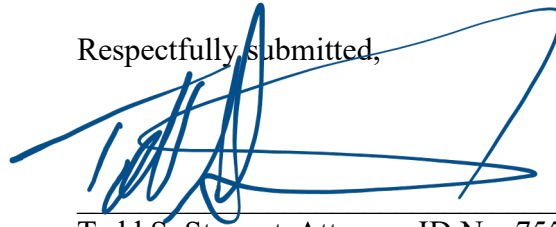
Complaint and holding general safety allegations were insufficient to give Sunoco notice of allegation of violation of more specific regulations).

21. The Complaint fails to refer to any specific part of the Public Utility Code, Commission regulation, or Commission order that IGS is alleged to have violated and, therefore, the Complaint should be dismissed.

IV. CONCLUSION

WHEREFORE, IGS respectfully requests the Complaint be dismissed.

Respectfully submitted,



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