

**PENNSYLVANIA  
PUBLIC UTILITY COMMISSION  
Harrisburg, PA 17120**

Public Meeting held January 15, 2026

Commissioners Present:

Stephen M. DeFrank, Chairman  
Kimberly Barrow, Vice Chair  
Kathryn L. Zerfuss  
John F. Coleman, Jr.  
Ralph V. Yanora

Jeniqua Bradley

F-2024-3052211

v.

UGI Utilities, Inc. – Gas Division

**OPINION AND ORDER**

**BY THE COMMISSION:**

Before the Pennsylvania Public Utility Commission (Commission) for consideration and disposition is the Petition for Reconsideration and Stay (Petition), filed by Jeniqua Bradley (Complainant, Petitioner, or Ms. Bradley) on October 9, 2025, seeking reconsideration of the Commission’s Opinion and Order at Docket No.

F-2024-3052211, entered on September 25, 2025 (*September 2025 Order*).<sup>1</sup> On October 24, 2025, UGI Utilities, Inc.—Gas Division (UGI Gas or the Company) filed a Letter in Lieu of an Answer *Nunc Pro Tunc* (*Nunc Pro Tunc Letter*).<sup>2</sup> For the reasons discussed below, we shall deny Ms. Bradley’s Petition in its entirety.

### I. History of the Proceeding<sup>3</sup>

On November 14, 2024, Ms. Bradley filed a Formal Complaint (Complaint) against the Company alleging, *inter alia*, that there were incorrect charges on her

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<sup>1</sup> Given the nature of the filing before us, and in view of the fact that the Petitioner appears *pro se*, as a matter within our discretion under Section 1.2 of the Commission's Regulations, 52 Pa. Code § 1.2, we shall construe the filing as a Petition for Reconsideration and Stay, pursuant to 52 Pa. Code § 5.572. Although Ms. Bradley’s filing is titled “Motion for Reconsideration and Response to Final Order” the relief she seeks involves, *inter alia*, reconsideration of the Commission’s *September 2025 Order* and a stay “of all collection, reporting or enforcement actions during the pendency of this proceeding in compliance with 52 Pa. Code § 56.94.” Petition at ¶¶ 34, 37.

<sup>2</sup> Pursuant to our Regulations, UGI Gas’ response to the Petition was due within 10 days of the date that the Petition was served (October 9, 2025), with an additional 3 days added to the prescribed period to account for the Petitioner’s service by first-class mail by the United States Postal Service. 52 Pa. Code § 1.56(b); 52 Pa. Code § 5.572(e). Accordingly, UGI Gas’ response to the Petition was due on October 22, 2025, rendering the Company’s *Nunc Pro Tunc Letter*, filed on October 24, 2025, untimely by two days. UGI Gas indicates that its two-day delay was caused by an administrative oversight with the mail, and the Company avers that Ms. Bradley would not be prejudiced by its request that the Commission accept the *Nunc Pro Tunc Letter*, as her Petition was granted on October 23, 2025, pending a review on the merits. Given that UGI Gas’ filing was only two days late, due to a mail-related oversight, and given the fact that, as noted below, we granted Ms. Bradley’s Petition pending review of and consideration on the merits, we will exercise our discretion to consider the *Nunc Pro Tunc Letter*, pursuant to our Regulation at 52 Pa. Code § 1.2(a), which permits us to disregard an error or defect of procedure which does not affect the substantive rights of the parties. 52 Pa. Code § 1.2(a).

<sup>3</sup> See *September 2025 Order* at 2-6 for a comprehensive summary describing the procedural history of this proceeding, which is incorporated herein by reference.

UGI Gas bills and that the Company violated her consumer rights pursuant to 15 U.S.C. § 1666, *et seq.*<sup>4</sup> As relief, Ms. Bradley requested that UGI Gas be required to credit her account “nunc pro tunc.” Complaint at 3.

On December 10, 2024, UGI Gas filed an Answer to the Complaint (Answer) and Preliminary Objections (Preliminary Objections or POs).

In its Answer, UGI Gas, *inter alia*: (1) specifically denied that it billed Ms. Bradley incorrectly; (2) averred that the disputed charges were properly billed; and (3) indicated that although Ms. Bradley provided the Company with letters purporting to be payment of an existing arrearage balance in February of 2024, the letters were not legitimate forms of payment. Answer at 1-3.

In its Preliminary Objections, UGI Gas argued that the Complaint should be dismissed pursuant to 52 Pa. Code § 5.101(a)(1) because, *inter alia*, the Commission lacked subject matter jurisdiction over the federal claims asserted in the Complaint. POs at 2-6.

On December 16, 2024, Ms. Bradley filed her Answer to the Preliminary Objections (Answer to POs) requesting that the Preliminary Objections be dismissed.<sup>5</sup>

An Initial Hearing was held on March 27, 2025, and Administrative Law Judge (ALJ) Katrina L. Dunderdale presided. Ms. Bradley appeared *pro se* and testified

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<sup>4</sup> 15 U.S.C. § 1666, *et seq.*, are federal statutes related to Consumer Credit Protection. Specifically, 15 U.S.C. § 1666, *Correction of billing errors*, establishes, *inter alia*, a definition of “billing error” and the process, notice obligations, and timelines governing billing disputes between obligors and creditors. *See* 15 U.S.C. § 1666.

<sup>5</sup> Because of the Complainant’s status as a *pro se* party and the complexity of the Complainant’s assertions, the ALJ held the Preliminary Objections in abeyance, to be resolved in a decision on the merits. I.D. at 2.

on her own behalf. Alice Wade, Esquire, appeared on behalf of the Company. UGI Gas presented Ms. Amy Wynn, a Senior Compliance Representative as the Company's witness. During the hearing, ALJ Dunderdale admitted six exhibits into the record, consisting of UGI Gas Exhibits 1 through 6.<sup>6</sup> At the conclusion of the Initial Hearing, the Parties provided closing statements in lieu of submitting briefs. *See* I.D. at 3; Tr. at 61, 67.

On April 3, 2025, the Complainant filed a document with the Commission's Secretary's Bureau entitled "Exceptions or Proposed Findings and Conclusions" (April 2025 Exceptions). The April 2025 Exceptions were not served upon ALJ Dunderdale. *See* April 2025 Exceptions at 3.

By an emailed Letter dated April 17, 2025, UGI Gas notified ALJ Dunderdale of the Complainant's April 2025 Exceptions (UGI Gas Letter). UGI Gas asked the ALJ to deny the April 2025 Exceptions because the Company alleged that they were premature, given that no decision had yet been issued. UGI Gas Letter at 1 (citing 52 Pa. Code § 5.533(a)).

Also on April 17, 2025, Ms. Bradley sent an email message to ALJ Dunderdale and UGI Gas' counsel asserting, *inter alia*, that: (1) "Title 66 Pa. Code § 335(b)" permits the filing of an Exception before a decision is issued; and (2) the Initial Hearing transcript would reflect that the ALJ allowed irrelevant testimony and prevented proper cross-examination. *See* I.D. at 4 (summarizing email).

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<sup>6</sup> The six admitted UGI Gas exhibits include the following: (1) Exhibit 1: Statement of Account; (2) Exhibit 2: Listing of Account Note; (3) Exhibit 3: Copy of Informal Report; (4) Exhibit 4: Final Decision; (5) Exhibit 5: Letter from Ms. Bradley to UGI Gas; and (6) Exhibit 6: UGI Gas Response. Tr. at 45, 47-48.

By Post Hearing Order issued on April 28, 2025, the ALJ denied the Complainant's request to revise the evidentiary rulings made during the Initial Hearing. Post Hearing Order at 9-10.

By Interim Order Closing the Hearing Record, issued on April 29, 2025, the ALJ closed the record of this case. Interim Order Closing the Hearing Record at 1.

On July 17, 2025, the Commission issued ALJ Dunderdale's Initial Decision, wherein she, *inter alia*: (1) determined that Ms. Bradley failed to carry the burden of proving that UGI Gas failed to provide reasonable and adequate customer service; (2) determined that Ms. Bradley failed to carry the burden of proving that UGI Gas failed to comply with the Commission's orders, regulations, or the Company's tariff; and (3) dismissed Ms. Bradley's Complaint for failure to carry the burden of proof. I.D. at 13-14.

Ms. Bradley filed Exceptions to the Initial Decision on August 14, 2025<sup>7</sup> and UGI Gas filed Reply Exceptions on August 25, 2025.

As previously noted, on September 25, 2025, the Commission issued its *September 2025 Order* that, *inter alia*, denied Ms. Bradley's Exceptions and adopted the ALJ's Initial Decision, as modified, to remove any reliance upon the Company's

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<sup>7</sup> Consistent with our regulation at 52 Pa. Code § 1.11, *Date of filing*, the filing dates for each document referenced in this Opinion and Order are the dates that the Commission's Secretary's Bureau received the document. 52 Pa. Code § 1.11(a)(1). Consequently, while the Complainant's Exceptions were dated for July 28, 2025, they: (1) were not filed with the Commission's Secretary's Bureau; and (2) did not contain a Certificate of Service or any other indication that the parties of record to the case were served. On August 14, 2025, after becoming aware of the Exceptions, the Commission's Secretary's Bureau served a copy of the Exceptions on UGI Utilities, Inc. – Gas Division and granted UGI Gas ten days, or until August 24, 2025, to file Reply Exceptions. We note that because August 24, 2025 was a Sunday, the actual due date for UGI Gas to file Reply Exceptions was on Monday August 25, 2025.

Commission-approved tariff, UGI Gas – Pa. P.U.C. No. 7 (Tariff No. 7), with respect to the Company’s accepted methods of payment.<sup>8</sup>

Ms. Bradley filed her Petition on October 9, 2025.

On October 23, 2025, the Commission issued an Opinion and Order granting the Petition, pending review of and consideration on the merits.

On October 24, 2025, UGI Gas filed its *Nunc Pro Tunc Letter*, in response to the Petition. On November 5, 2025, the Petitioner filed a Response to UGI Gas’ *Nunc Pro Tunc Letter*.<sup>9</sup>

## II. Discussion

### A. Legal Standards

#### 1. Petition for Rehearing, Reconsideration, Rescission and Amendment of Commission Orders<sup>10</sup>

With respect to petitions for rehearing, reconsideration, clarification, rescission, and amendment of Commission orders, the Public Utility Code (Code)

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<sup>8</sup> The modification is further explained, *infra*, in Section B, of the *September 2025 Order*.

<sup>9</sup> While our Regulations at 52 Pa. Code § 5.572 set forth the procedure to file petitions for relief and answers thereto, such Regulations do not contemplate or permit the filing of a reply or response to answers to petitions for relief. As a result, the Petitioner’s Response to UGI Gas’ *Nunc Pro Tunc Letter* is in violation of the Commission’s Rules of Practice; therefore, it is immaterial to our disposition, and it will not be considered. *See*, 52 Pa. Code § 1.4(e).

<sup>10</sup> Pursuant to our Regulations, Petitions for relief requesting, *inter alia*, reconsideration or a stay, must be filed within 15 days after the Commission order

establishes a party's right to seek relief within fifteen days following the service of a Commission order pursuant to Subsection 703(f). 66 Pa.C.S. § 703(f) (relating to rehearing).<sup>11</sup> Upon the filing of a petition for relief pursuant to Section 703(f), the Commission may affirm, rescind, clarify or modify its original order. 66 Pa.C.S. § 703(f). The Code further provides that the Commission may, at any time, after notice and opportunity to be heard by all affected parties, rescind, or amend any order made by the Commission, pursuant to Section 703(g). 66 Pa.C.S. § 703(g) (relating to rescission and amendment of orders). A request for relief pursuant to § 703(f) or § 703(g) must be brought as a petition for relief consistent with Section 5.572 of Commission Regulations. 52 Pa. Code § 5.572 (relating to petitions for relief).

Petitions for relief predicated upon Sections 703(f) and 703(g) of the Code, whether brought under Section 5.572(c) of Commission Regulations as a petition for reconsideration, rehearing, reargument, clarification, supersedeas or others within fifteen days of the service of a Commission order, or under Section 5.572(d) as a petition for rescission or amendment filed at any time following service of a Commission order, are reviewed by the Commission under the same standard. *See, e.g., Judith Hendin v. Metropolitan Edison Company*, Docket No. C-2018-3003324 (Opinion and Order entered April 18, 2024).

In exercising Commission authority to amend or rescind an order pursuant to Section 703(g) of the Code, the Supreme Court of Pennsylvania has stated: “Because

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involved is entered or otherwise becomes final. 52 Pa. Code § 5.572(c). As Ms. Bradley's Petition was filed on October 9, 2025, or 14 days after we entered the September 2025 Order, it is timely filed.

<sup>11</sup> Petitions under this section which do not allege new evidence are typically treated as petitions for reconsideration. Petitions for rehearing pursuant to Section 703(f) of the Code typically include an allegation of new evidence. 66 Pa.C.S. § 703(f); *see West Penn Power Co. v. Pa. PUC*, 659 A. 2d 1055 (Pa. Cmwlth. 1995) (*West Penn Power*).

such relief may result in disturbance of final orders, it must be granted judiciously and only under appropriate circumstances.” See *City of Pittsburgh v. Pennsylvania Department of Transportation*, 490 Pa. 264, 416 A.2d 461 (1980); see also *West Penn Power Co. v. Pa. PUC*, 659 A.2d 1055, 1056 (Pa. Cmwlth. 1995) (*West Penn Power*); see also *Richard Feleccia v. PPL Electric Utilities Corporation, d/b/a PPL Utilities and Barbara A. Lima*, Docket No. C-20016210 (Opinion and Order entered March 7, 2003) (*Feleccia*).

The Commission’s application of the standard for granting a petition for amendment, reconsideration, or rescission is set forth in *Philip Duick, et al. v. Pennsylvania Gas and Water Company*, 56 Pa. P.U.C. 553 (Order entered December 17, 1982) (*Duick*) as follows:

A petition for reconsideration, under the provisions of 66 Pa.C.S. § 703(g), may properly raise any matters designed to convince the Commission that it should exercise its discretion under this code section to rescind or amend a prior order in whole or in part on the grounds that the decision or ruling of the Commission on a matter or issue was either unwise or in error.

In this regard we agree with the Court in the *Pennsylvania Railroad Company* case, wherein the Court said,

[b]ut the grounds for reconsideration should be restricted to the new matters and new or changed conditions set up in the joint petition, which had arisen since and were not presented in the several petitions of these appellants ... and dismissed by the Commission ... and not appealed from. Parties, ..., cannot be permitted, by a second motion to review and reconsider, to raise the same questions which were specifically considered and decided against them and not appealed from. ...

*Pennsylvania Railroad Co. v. Public Service Commission*, [179 A. 850, 854 (Pa. Super. 1935)].

What we expect to see raised in such petitions are new and novel arguments, not previously heard, or considerations which appear to have been overlooked or not addressed by the Commission. Absent such matters being presented, we consider it unlikely that a party will succeed in persuading us that our initial decision on a matter or issue was either unwise or in error.

*Duick* at 559; see also *AT&T v. Pa. PUC*, 568 A.2d 1362 (Pa. Cmwlth. 1990).

The Commission utilizes a two-step analysis in determining whether to exercise its discretion to grant relief under *Duick*. See, e.g., *SBG Management Services, Inc./Colonial Garden Realty Co., L.P. v. Philadelphia Gas Works*, Docket No. C-2012-2304183 (Opinion and Order entered May 9, 2019)<sup>12</sup> (discussing *Application of La Mexicana Express Service, LLC, to transport persons in paratransit service, between points within Berks County*, Docket No. A-2012-2329717; A-6415209 (Opinion and Order entered September 11, 2014)). The first step is to determine whether a party has offered any basis to persuade the Commission to exercise its discretion, including but not limited to, new and novel arguments or identified considerations that appear to have been overlooked or not addressed by the Commission in its previous order. This initial step examines whether a party raises the same questions which were specifically considered and decided against them by a prior Order of the Commission. If so, it is unlikely that the Commission will be persuaded to exercise its discretion to grant relief. *Duick* at 559 (citing *Pennsylvania Railroad Co. v. Public Service Commission*, 179 A. 850 (Pa. Super. 1935)). The second step of the *Duick* analysis is to evaluate any matter the Commission has deemed worthy of consideration, to determine whether to grant any relief.

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<sup>12</sup> *Affirmed, Phila. Gas Works v. Pa. PUC*, 249 A.3d 963 (Pa. 2021); *remand granted, in part*, 256 A.3d 1092 (Pa. 2021) (Table).

With respect to petitions for rescission, specifically, we have stated that in order “[t]o establish a proper basis for rescission, a petitioner must first establish the existence of newly discovered evidence, a substantial change in circumstances, or an error of fact or law.” *Feleccia* at 3 (citing *Duick* at 559).

A Commission decision to deny a petition for rescission or amendment is a matter squarely within its discretion, subject to being overturned only where a reviewing court finds “the agency’s decision demonstrates evidence of bad faith, fraud, capricious action or abuse of power.” *West Penn Power*, 659 A.2d at 1065.

Lastly, we note that any issue not specifically addressed herein has been duly considered and will be denied without further discussion. It is well settled that we are not required to consider expressly or at length each contention or argument raised by the parties. *Consolidated Rail Corporation v. Pa. PUC*, 625 A.2d 741 (Pa. Cmwlth. 1993); *see also, generally, University of Pennsylvania v. Pa. PUC*, 485 A.2d 1217 (Pa. Cmwlth. 1984).

## **2. Petition for Stay**

It is well-settled that the propriety of issuing a stay or supersedeas of a final order of the Commission will be governed by the standards outlined in *Pa. PUC v. Process Gas Consumers Group*, 467 A.2d 805 (1983) (*Process Gas*).<sup>13</sup> Pursuant to the

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<sup>13</sup> Similarly, 52 Pa. Code § 3.2, outlining the requirements for emergency orders seeking injunctive relief, includes that the Petitioner establish the need to preclude an immediate, irreparable injury that is not against the public interest. Here, the Complainant’s request to stay enforcement of our *September 2025 Order* will be examined under the *Process Gas* standard.

standards of *Process Gas*, for issuance of a stay and/or supersedeas, a petitioner must establish the following:

1. Make a strong showing of likelihood to prevail on the merits;
2. Show that denial of relief will cause irreparable injury;
3. Show that the issuance of a stay will not substantially harm other interested parties in the proceedings; and
4. Show that the issuance of a stay will not adversely affect the public interest.

*Process Gas*, 467 A.2d at 808-09. The Supreme Court further clarified the following in *Process Gas*: “[I]t is essential that the unsuccessful party, who seeks a stay of a final order pending appellate review, make a strong showing under the[se] criteria in order to justify the issuance of a stay.” *Id.*

#### **B. The *September 2025 Order***

In the *September 2025 Order*, we denied Ms. Bradley’s Exceptions, adopted ALJ Dunderdale’s Initial Decision, with a modification, and dismissed the Complaint. Specifically, we concluded that the ALJ correctly determined that: (1) Ms. Bradley did not meet her burden of proving that UGI Gas failed to provide her with reasonable and adequate customer service; (2) UGI Gas did not incorrectly bill Ms. Bradley; and (3) Ms. Bradley failed to pay her UGI Gas bill using a reasonable and therefore, acceptable form of payment. *September 2025 Order* at 20-27.

We note that our modification of the Initial Decision, which was not determinative of the outcome of this matter, resulted from our independent review of UGI Gas’ Tariff No. 7. We concluded that it was unclear where, in UGI Gas’ tariff, the

Company's acceptable methods of payment were outlined. As a result of our review, the *September 2025 Order* modified the ALJ's Initial Decision, including Finding of Fact No. 16,<sup>14</sup> to remove any reliance upon the Company's Tariff No. 7 with respect to the Company's accepted methods of payment. *September 2025 Order* at 26-27.

Notwithstanding our modification of the Initial Decision, we concluded that the ALJ correctly determined that Ms. Bradley failed to pay her UGI Gas bill using a reasonable form of payment and therefore, the form of payment was unacceptable. *Id.* at 27.

Our determination that Ms. Bradley failed to pay her UGI Gas bill using a reasonable and acceptable form of payment was independently supported by the facts of this case, as well as by precedent and regulatory guidance. First, by letter dated March 12, 2024, UGI Gas directly notified Ms. Bradley that it could not accept the type of payment she purported to offer, and the Company identified the type of payments that UGI Gas would accept. *September 2025 Order* at 27 (citing Tr. at 39-41; UGI Gas Exh. 6). UGI Gas' letter to Ms. Bradley expressly identified the acceptable forms of payment as cash, certified check, money order, a validated check, or payment by credit card. *Id.* Additionally, from a precedential standpoint, we indicated that the Commission has previously determined that jurisdictional utilities are permitted to limit the forms of

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<sup>14</sup> Finding of Fact No. 16, on page 7 of the Initial Decision read, as follows:

Respondent notified Complainant its Commission-approved tariff dictates the only form of payment it can accept are cash, certified check money order, validated check or payment by credit card. (Tr. 40-43; UGI Exhibits 3, 6).

The *September 2025 Order* modified Finding of Fact No. 16 to read:

Respondent notified Complainant that the only form of payment it can accept are cash, certified check, money order, validated check or payment by credit card. (Tr. 40-43; UGI Exhibits 3, 6).

*September 2025 Order* at 26-27.

payment they will accept. *September 2025 Order* at 27 (citing *Alkhatib v. PECO Energy Co.*, Docket No. C-2011-2242125 (Opinion and Order entered January 12, 2012) (*Alkhatib*); *Coppedge v. PECO Energy Co.*, Docket No. F-2009-2135893 (Opinion and Order entered August 3, 2010)).

Additionally, our conclusion that Ms. Bradley failed to pay her UGI Gas bill using a reasonable and acceptable form of payment was also guided by the “methods of payment” provision of the Commission’s Regulation at 52 Pa. Code § 56.94, *Procedures immediately prior to termination. September 2025 Order* at 27 (citing 52 Pa. Code § 56.94). Specifically, we explained that although 52 Pa. Code § 56.94 does not specifically address the forms of payment which a utility is required to accept from a customer as payment for services rendered, as it relates to termination of service, the Regulation does provide that a customer may avoid termination if payment in full is tendered in any “reasonable manner.” *Id.* (citing 52 Pa. Code § 56.94(2)). Accordingly, we determined that the decision as to the reasonableness of Ms. Bradley’s method of payment is within the Commission’s authority, and that UGI Gas’ determination to limit forms of payment to cash, certified check, money order, a validated check, or payment by credit card was reasonable. *September 2025 Order* at 26-27.

Importantly, in our *September 2025 Order*, we expressly indicated our agreement with the ALJ that the Commission does not have the authority to resolve disputes concerning the Uniform Commercial Code (UCC),<sup>15</sup> federal statutes, or federal regulations. *September 2025 Order* at 22 (citing I.D. at 12). We explained that the Commission must act within its jurisdiction and may only hear complaints regarding the Code, Commission regulations, or Commission orders. *September 2025 Order* at 22 (citing 66 Pa.C.S. § 701; R. Exc. at 4; *Alkhatib*). We also indicated that consistent with our jurisdictional authority, where Ms. Bradley’s Complaint, testimony, and Exceptions

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<sup>15</sup> 13 Pa.C.S. §§ 1101-91136.

relied upon the Commission's interpretation and enforcement of provisions of the UCC and federal statutes, they would not be considered in our disposition. *September 2025 Order* at 22 (internal citations omitted). Consequently, we rejected Ms. Bradley's claims predicated upon the Commission's application of the UCC, Title 15 of the United States Code, Commerce and Trade, and Title 18 of the United States Code, Crimes and Criminal Procedure, because resolving the Complainant's dispute based upon these statutes would exceed the Commission's authority. *September 2025 Order* (citing Tr. at 20-24; Exc. at 1).

### **C. The Petition**

#### **1. Petitioner's Request for Reconsideration**

In her Petition, Ms. Bradley alleges nine overarching reasons why the Commission's *September 2025 Order* warrants reconsideration. Specifically, Ms. Bradley claims that the Commission's *September 2025 Order*: (1) omitted Title 66 [66 Pa.C.S. §§ 101, *et seq.*] evidence and contained errors of law; (2) failed to recognize Ms. Bradley's application for service as a monetary deposit and security collateral; (3) failed to recognize Title 13 [UCC]<sup>16</sup> tendered instruments and improperly restricted lawful payment methods; (4) failed to find that UGI Gas violated 66 Pa.C.S. § 1701 for failure of the Company to file and disclose its tariff covering payment, deposits, and credits; (5) failed to require UGI Gas to honor its interest and refund obligations pursuant to 52 Pa. Code §§ 56.57-56.58; (6) permitted UGI to dishonor a lawful instrument in violation of 52 Pa. Code § 56.94; (7) failed to recognize that UGI Gas continued collection during an active dispute in violation of 52 Pa. Code § 56.94; 66 Pa.C.S. § 1509; (8) failed to consider submitted Title 66 [66 Pa.C.S. §§ 101, *et seq.*] evidence;

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<sup>16</sup> The Petitioner appears to be generally referencing 13 Pa.C.S. § 1101, *et seq.*, which is cited as the Uniform Commercial Code (UCC). 13 Pa.C.S., *et seq.*

and (9) contravened the Commission’s duty to evaluate the full legal framework. Petition at ¶¶ 4-33.

At the outset, the Petitioner claims that the *September 2025 Order* omitted Title 66 [66 Pa.C.S. §§ 101, *et seq.*] evidence and contained errors of law because she alleges that the Commission, *inter alia*, failed to recognize her filings and the controlling provisions of Title 66 [66 Pa.C.S. §§ 101, *et seq.*] that she cited therein. Petition at ¶¶ 4-5 (internal citations omitted). Additionally, the Petitioner argues that despite the legal authorities cited by her filings, the Commission’s decision contained no reasoned findings or conclusions addressing the cited authorities. Moreover, the Petitioner contends that the Commission misapplied the burden of proof standard and denied her due process under Title 66 §703(e) [66 Pa.C.S. § 703(e)] by failing to acknowledge that the record contains substantial documentary evidence demonstrating that she tendered payment to UGI Gas. Petition at ¶¶ 4-6 (citing 66 Pa.C.S. § 703(e)). The Petitioner also avers that the *September 2025 Order* failed to honor her application for service as a monetary deposit and security collateral pursuant to Section 16 of the Federal Reserve Act. Petition at ¶ 7 (citing 12 U.S.C. § 411). The Petitioner further appears to assert that in the *September 2025 Order*, the Commission erroneously failed to determine that her application for UGI Gas service constituted a prepayment under 66 Pa.C.S. § 1305. Petition at ¶¶ 9-10 (citing 66 Pa.C.S. § 1305).

As an additional claim, the Petitioner argues that in the *September 2025 Order*, the Commission failed to recognize tendered instruments under Title 13 [UCC] and impermissibly permitted UGI Gas to restrict lawful payment methods. Petition at ¶¶ 10-11. To these ends, the Petitioner contends, *inter alia*, that “UGI [Gas]’s refusal to honor or process the instrument, while continuing to demand payment through its limited methods, constitutes dishonor of a lawful instrument and violates both the Uniform Commercial Code and due process.” *Id.* at 12.

Additionally, the Petitioner contends that UGI Gas failed to file and disclose the Company's tariff covering payments, deposits, and credits; therefore, the Commission could not lawfully determine that the Company's payment methods complied with Title 66 § 1701(b) [66 Pa.C.S. § 1701(b)] or Title 52 § 56.94 [52 Pa. Code § 56.94] or consumer protections under 52 Pa. Code §§ 56.57-56.58. Petition at ¶¶ 13-17 (citing 66 Pa.C.S. § 1701(b); 52 Pa. Code §§ 56.57-56.58, 56.94). The Petitioner also asserts that UGI Gas was not required to demonstrate compliance with the Commission's regulations requiring that utilities pay interest on all customer deposits, and refund or credit certain balances within 60 days after service termination or a final determination of refund due. Petition at ¶¶ 18-19 (citing 52 Pa. Code § 56.57; 52 Pa. Code § 56.58). According to the Petitioner, reconsideration of the Commission's *September 2025 Order* is necessary to "[r]equire a full accounting of all deposits, prepayments, and overpayments since account opening, to credit all interest under § 56.57, and refund or apply balances under § 56.58." Petition at ¶ 20.

Furthermore, the Petitioner alleges that UGI Gas is not the legal owner of her gas service account at issue in this case, and she claims that since the *September 2025 Order* was issued, the Company has impermissibly resumed or initiated collection activity based on amounts still in controversy. The Petitioner further claims that UGI Gas' disregard for the law surrounding lawful instruments and misuse of deposits has violated various portions of the law warranting civil and criminal penalties. *See* Petition at ¶¶ 23-26.

As an additional claim, the Petitioner asserts that the Commission failed to consider evidence regarding Title 66 [66 Pa.C.S. §§ 101, *et seq.*]. Specifically, the Petitioner avers that she provided statutory and evidentiary materials in November 2024 and March 2025 to demonstrate such violations; however, she indicates that they were not considered in the Commission's final decision, constituting a procedural error. Petition at ¶ 27.

Finally, the Petitioner alleges that reconsideration of the *September 2025 Order* is warranted because the Commission failed in its duty to evaluate the full legal framework implicated in this case. According to the Petitioner, the Commission cannot render a lawful judgment without evaluating the legal framework— “Titles 13 [UCC], 52 [52 Pa. Code §§ 1.1, *et seq.*], and 66 [66 Pa.C.S. §§ 101, *et seq.*], together with 12 U.S.C. § 411” and reconciling those authorities before reaffirming or modifying its order. Petition at ¶ 28 (citing *West Penn Power Co. v. Pa. PUC*, 174 A.2d 648 (Pa. Super. 1961)). The Petitioner avers, *inter alia*, that the Commission’s omission of the interrelationship between the cited statutes leaves ambiguity in how lawful instruments, credits, and rates are treated, and disregards controlling provisions of Title 66 [the Code], Chapter 56 of the [Commission’s Regulations], and Section 1304 of Title 13 [the UCC]. Petition at ¶¶ 29-33.

## **2. Petitioner’s Request for Stay**

In her Petition, Ms. Bradley also requests “a stay of all collection, reporting, or enforcement actions during the pendency of this proceeding in compliance with 52 Pa. Code § 56.94.” Petition at ¶ 37 (citing 52 Pa. Code § 56.94). As explained, *supra*, the Petitioner claims that since the *September 2025 Order* was issued, the Company has impermissibly resumed or initiated collection activity based on amounts still in controversy. Petition at ¶¶ 23-25.

## **D. UGI Gas’ *Nunc Pro Tunc* Letter**

### **1. Response to Petitioner’s Request for Reconsideration**

In response to Ms. Bradley’s Petition, UGI Gas argues that Ms. Bradley has failed to meet the *Duick* standard for reconsideration because “she fails to raise ‘new and novel arguments, not previously heard, or considerations which appear to have been

overlooked or not addressed' by the Commission.” *Nunc Pro Tunc Letter* at 1-2 (citing *Duick*). Instead of meeting the *Duick* standard, UGI Gas argues, the Petitioner reiterates previously considered and rejected claims, including, *inter alia*, that: (1) she met her burden of proof; (2) she was incorrectly billed because her application for service constituted some form of “deposit” or “payment” under state and federal law; and (3) the Company should have accepted her alleged forms of payment. *Nunc Pro Tunc Letter* at 2 (citing Petition at 1-6; *September 2025 Order* at 10-29). According to UGI Gas, nothing in the Petition warrants disturbing the Commission’s *September 2025 Order*. *Nunc Pro Tunc Letter* at 2.

Additionally, UGI Gas avers that the *Duick* standard does not permit a petitioner to raise issues and arguments considered and decided below such that the petitioner obtains a second opportunity to argue properly resolved matters. *Nunc Pro Tunc Letter* at 2 (citing *Duick*). Moreover, UGI Gas asserts, parties waive any arguments that they failed to raise in their Exceptions. *Nunc Pro Tunc Letter* at 2 (citing *Merritt v. Duquesne Light Company*, 2011 Pa. PUC LEXIS 1197, at \*9-10 (Order entered March 31, 2011)). On these bases, UGI Gas contends that the Petitioner’s arguments based on additional state and federal legal authorities to support her claims, such as 12 U.S.C. § 411 and 13 Pa.C.S. §§ 3104, 3204, and 3603(a), which are outside of the Commission’s subject matter jurisdiction, should have been raised (if at all) in her Exceptions. *Nunc Pro Tunc Letter* at 2 (citing Petition at 2-3, 5-6). UGI Gas also cites other arguments that Ms. Bradley raised for the first time in her Petition, including that the Company failed to show that its tariff is on file with the Commission, as required by 66 Pa.C.S. § 1701, and that the Company should be subject to civil and criminal penalties under 66 Pa.C.S. §§ 3302-3309. UGI Gas stresses its position that such novel arguments were waived because they were not raised, and thereby preserved, in the Petitioner’s Exceptions. *Nunc Pro Tunc Letter* at 2.

## 2. Response to Petitioner's Request for Stay

UGI Gas argues that nothing supports the Complainant's request for a stay of all collection, reporting, or enforcement actions while her Petition is pending. *Nunc Pro Tunc Letter* at 2 (citing Petition at ¶¶ 4,6). Citing the *Process Gas* framework, the Company asserts that a stay of a Commission Order is only appropriate and necessary where a party demonstrates that: (1) it is likely to prevail on the merits; (2) it will suffer irreparable injury without the requested relief; (3) issuance of a stay will not substantially harm interested parties in the proceedings; and (4) issuance of the stay will not adversely affect the public interest. *Nunc Pro Tunc Letter* at 2 (citing *Process Gas*, 467 A.2d 805 at 808-09). According to UGI Gas, the Petitioner fails to address any of the *Process Gas* factors in her Petition, as she instead claims that she is entitled to an automatic stay of any collection or enforcement activity under 52 Pa. Code § 56.94 and 66 Pa.C.S. § 1509. *Nunc Pro Tunc Letter* at 3.

Finally, UGI Gas avers that nothing in the statutes that the Petitioner references prohibits collection or enforcement activity after the issuance of a Final Order. Moreover, UGI Gas contends that to the extent that the Complainant intended to reference Section 56.164 of the Commission's Regulations, 52 Pa. Code § 56.164, governing termination of service pending resolution of the dispute, the Complainant's argument is without merit. The Company notes that Section 56.164 pertains to a stay of termination sought prior to a final order. Here, the Commission issued its Order on September 25, 2025. Because the Complainant admitted that UGI Gas's collection activity occurred "following the issuance of the final order" the Company avers that the Petitioner's argument lacks merit, and that no stay of the Commission's Order should be granted. *Nunc Pro Tunc Letter* at 3 (citing Petition at 4 [¶ 23]).

## **E. Disposition**

### **1. Petition for Reconsideration**

Before we address the Petition in this disposition, we note, as stated previously, that Petitions for Reconsideration are governed by *Duick*, under which the Commission applies a two-step analysis. First, we determine whether a party has offered new and novel arguments or identified considerations that appear to have been overlooked or not addressed by the Commission in its previous Order. The second step of the *Duick* analysis, therefore, is to evaluate the new or novel argument, or overlooked consideration, to determine whether to exercise our discretion to modify our previous decision.

Upon consideration of the Petition and the record evidence in this proceeding, we will deny the Petition on the grounds that it fails to persuade us that reconsideration is warranted. *Duick*.

In the *September 2025 Order*, we, *inter alia*, adopted the ALJ's Initial Decision, with a modification, and dismissed the Petitioner's Complaint. In doing so, we concluded that the ALJ correctly determined that: (1) Ms. Bradley did not meet her burden of proving that UGI Gas failed to provide her with reasonable and adequate customer service; (2) UGI Gas did not incorrectly bill Ms. Bradley; and (3) Ms. Bradley failed to pay her UGI Gas bill using a reasonable, and therefore, acceptable form of payment. *See September 2025 Order* at 20-27.

As a threshold matter, we note that many of the arguments asserted in the Petition fail to meet the *Duick* standard because they are reiterations of arguments we expressly rejected in the *September 2025 Order*. Specifically, despite our clear explanation in the *September 2025 Order* that the Commission must act within its

jurisdiction and may only hear complaints regarding the Code, Commission regulations, or Commission orders, the Petitioner does not engage with our determination in the *September 2025 Order* regarding these limitations. *See September 2025 Order* at 22 (citing 66 Pa.C.S. § 701; R. Exc. at 4; *Alkhatib*). On the contrary, the Petitioner continues to assert claims outside of the Commission’s jurisdiction, including claims asserting the Federal Reserve Act and the UCC. Petition at ¶¶ 7, 10-12, 28-32. Similarly, although she reasserts it in the Petition without any novel argument, we previously rejected Ms. Bradley’s argument that her “Title 66” [66 Pa.C.S., *et. seq.*] evidence was submitted and not considered, as we reviewed the record and concluded that her argument was without merit. *See* Petition at ¶¶ 4-6, 27; *September 2025 Order* at 25-26. Finally, although the Petitioner reiterates her claims that UGI Gas has not complied with the Commission’s regulations regarding customer deposits and prepayments, we considered and rejected those arguments in our determination that the Company did not bill her incorrectly. Petition at ¶¶ 18-20 (citing 52 Pa. Code §§ 56.57-56.58; *September 2025 Order* at 24). Accordingly, the Petitioner’s reassertion of these claims in the context of the Petition fails to identify a basis that warrants reconsideration. *See September 2025 Order* at 22.

Our review of the Petition also demonstrates that while the Petitioner asserts three novel arguments, none of them are grounded in the “existence of newly discovered evidence, a substantial change in circumstances, or an error of fact or law,” as necessary to warrant reconsideration. *See Duick* at 559. At the outset, we acknowledge the Petitioner’s novel claims that UGI Gas: (1) violated Section 1701 of the Code, 66 Pa.C.S. § 1701, because it failed to produce tariff provisions identifying acceptable payment methods; (2) improperly continued collection activities during a dispute in violation of 52 Pa. Code § 56.94 and 66 Pa.C.S. § 1509; and (3) should be subject to civil and criminal liability pursuant to 66 Pa.C.S. §§ 3302-3309 for the Company’s continued disregard of lawful instruments, failure to comply with Title 66 obligations, and misuse

of deposits. Petition at ¶¶ 13-17, 23-26. We find each of these claims to be without merit.

First, while the Petitioner's assertion of Section 1701 of the Code is novel,<sup>17</sup> and she raises, for the first time, an argument that UGI Gas' tariff did not identify acceptable methods of payment, the issue regarding the Company's tariff was previously identified and addressed by the Commission. As explained *supra*, by modification of the ALJ's Initial Decision to remove any reliance upon the Company's Tariff No. 7 with respect to the Company's accepted methods of payment, we previously identified, considered, and addressed the fact that UGI Gas' tariff did not appear to identify acceptable methods of payment. *September 2025 Order* at 26-27. Irrespective of UGI Gas' tariff, our determination that Ms. Bradley failed to pay her UGI Gas bill using a reasonable and acceptable form of payment was independently supported by the facts of this case as well as precedent and regulatory guidance. *September 2025 Order* at 26-27. The Petition does not acknowledge or engage with the precedent and regulatory guidance underscoring our determination. Thus, the Petitioner's argument alleging that UGI Gas' tariff failed to identify acceptable payment methods has already been addressed and has been found to be immaterial to our determination regarding the Complainant's failure to submit reasonable and acceptable forms of payment. Therefore, the Petitioner's arguments regarding the tariff language fail to establish any basis for reconsideration.

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<sup>17</sup> Section 1701 of the Code, 66 Pa.C.S. §1701, *Mandatory systems of accounts*, pertains to established systems of accounting for public utilities; accordingly, it is unclear why the provision would apply to UGI Gas' tariff and identification of the Company's acceptable methods of payments. To the extent that the Petitioner intended to argue that UGI Gas has a duty to display and adhere to its tariffed rates and terms of service, we agree. *See* 66 Pa.C.S §§ 1302, 1303; 52 Pa. Code § 53.25. However, those obligations are distinct from the issue of whether Ms. Bradley paid for her gas service using an acceptable form of payment, and we previously determined that she did not do so. *September 2025 Order* at 26-27.

Next, we turn to the Petitioner’s novel argument that UGI Gas improperly continued collection activities during a dispute in violation of 52 Pa. Code § 56.94; 66 Pa.C.S. § 1509. See Petition at ¶¶ 23-25, 33 (citing 52 Pa. Code § 56.94;<sup>18</sup> 66 Pa.C.S. § 1509).<sup>19</sup> The Petitioner avers, *inter alia*, that after the Commission issued the *September 2025 Order*, UGI Gas “resumed or initiated collection activity based on amounts still in controversy.” Petition at ¶ 23. While UGI Gas’ commencement of collection activity appears to represent a novel development, it is not one that warrants reconsideration of our *September 2025 Order*. Here, as UGI Gas acknowledges, the Company did not commence collection activity on the Petitioner’s account until *after* the Commission entered its final order on September 25, 2025. *Nunc Pro Tunc Letter* at 2 (citing Petition at 4). We note that we have not granted a stay of the *September 2025 Order*. While Section 703(f) of the Code establishes a party’s right to seek relief within fifteen days following the service of a Commission order, “no application for a rehearing [relief] shall operate as a supersedeas, or in any manner stay or postpone the enforcement of any existing order, except as the commission may, by order, direct.” 66 Pa.C.S. § 703(f). Accordingly, no stay of our *September 2025 Order* is in place.

Moreover, the Petitioner has not cited any authority for her argument that UGI Gas must refrain from collection activity pending a final resolution of the Petition. Significantly, while our Regulation at 52 Pa. Code § 56.141, *Dispute procedures*, prohibits termination<sup>20</sup> until resolution of a termination dispute or complaint that has

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<sup>18</sup> 52 Pa. Code § 56.94, *Procedures immediately prior to termination*, is a regulation that identifies certain requirements that public utilities must follow before terminating a customer’s utility service.

<sup>19</sup> 66 Pa.C.S. § 1509, *Biling procedures*, is a statutory provision that identifies certain requirements that public utilities must adhere to when rendering bills for their customers.

<sup>20</sup> It is unclear whether UGI Gas has terminated the Petitioner’s gas service, as Ms. Bradley does not specify in her Petition the type of collection activity that the Company commenced.

properly been filed, our *September 2025 Order* resolved the Petitioner's Complaint by dismissing it. *September 2025 Order* at 29; *See*, 52 Pa. Code § 56.141(2). Accordingly, UGI Gas' commencement of collection activity does not provide a basis for reconsideration of our *September 2025 Order*.

Finally, we also find the Petitioner's novel argument that UGI Gas should be subject to civil and criminal liability pursuant to 66 Pa.C.S. §§ 3302-3309 to be without merit. The Petitioner's argument is based solely upon her allegations that UGI Gas disregarded lawful instruments, failed to comply with Title 66 obligations, and misused deposits. Petition at ¶ 26. Again, here, the Petitioner reiterates allegations which have each been considered and disposed of in our *September 2025 Order*. *See September 2025 Order* at 20-28.

Therefore, we shall deny Ms. Bradley's request that we reconsider the *September 2025 Order*, as her Petition does not raise any new or novel arguments or any other basis that persuades us to rescind, reconsider or clarify the *September 2025 Order*. Accordingly, and as explained, *infra*, we believe that it is reasonable to deny the Petition in its entirety under the circumstances in this case.

## **2. Request for Stay**

Upon review of the record, we find that the Petitioner has failed to satisfy the standards of *Process Gas, supra*.<sup>21</sup> As a threshold matter, while we afford the Petition a liberal construction, we also acknowledge that the Petitioner's failure to comply with our Regulations at 52 Pa. Code § 5.572(a) constrained our review by limiting it to the general allegations included in the Petition. Specifically, pursuant to

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<sup>21</sup> As noted, *supra*, the Commission has adopted the standards set forth in *Process Gas* for guidance regarding the issuance of a stay or supersedeas of a Commission Opinion and Order. *See Process Gas*, 467 A.2d at 808-09.

Section 5.572(a) of the Commission’s Regulation, petitions for supersedeas and/or stay must “specify, in numbered paragraphs, *the findings or orders involved, and the points relied upon by petitioner, with appropriate record references and specific requests for the findings or orders desired.*” 52 Pa. Code § 5.572(a) (emphasis added). In this case, because the Petitioner failed to identify the findings involved, the points relied upon, and any appropriate record references, such support is unavailable to inform our review.

On review of the Complaint proceedings and the instant Petition, we have considered the Petitioner’s contentions, and we find that Ms. Bradley has failed to satisfy *any* of the standards of *Process Gas*.

First, the Petitioner has not made a strong showing that she is likely to prevail on the merits because she has not engaged with the law and findings set forth in our *September 2025 Order*. In our *September 2025 Order*, we concluded that the ALJ correctly determined that: (1) Ms. Bradley did not meet her burden of proving that UGI Gas failed to provide her with reasonable and adequate customer service; (2) UGI Gas did not incorrectly bill Ms. Bradley; and (3) Ms. Bradley failed to pay her UGI Gas bill using a reasonable, and therefore, acceptable form of payment. *September 2025 Order* at 20-27.

Significantly, our *September 2025 Order* also indicated that the Commission must act within its jurisdiction and may only hear complaints regarding the Code, Commission regulations, or Commission orders. *September 2025 Order* at 22 (citing 66 Pa.C.S. § 701; R. Exc. at 4; *Alkhatib*). As demonstrated in our analysis of Ms. Bradley’s request for reconsideration, *supra*, the Petitioner mainly reasserts previously heard and rejected arguments that are largely dependent upon extra-jurisdictional authorities. The few novel claims asserted by the Petitioner do not engage with the substance of the determinations we reached in the *September 2025 Order*;

therefore, we cannot find that she has made a strong showing that she is likely to prevail on the merits.

Next, the Petitioner failed to show that denial of relief would cause her irreparable injury. Although the Petitioner generally requested “a stay of all collection, reporting, or enforcement actions during the pendency of this proceeding in compliance with 52 Pa. Code § 56.94”<sup>22</sup> she fails to allege any facts about the type of collection activity at issue and to establish any nexus between her request and irreparable harm. *See* Petition at ¶ 37.

Additionally, as the Petition does not address it, the Petitioner failed to show that the issuance of a stay will not substantially harm other interested parties in the proceedings. Finally, the Petitioner has failed to show that the issuance of a stay will not adversely affect the public interest, as the Petition is silent on any interest other than those of the Petitioner. Further, we find that an important public interest consideration in the reasonable and acceptable forms of payment is served by our *September 2025 Order*.

In summary, as we find that the Petitioner has failed to satisfy any of the four *Process Gas* criteria, we conclude that the request for a stay must be denied.

Consistent with the foregoing analysis, we find that the Petitioner’s averments fail to provide any persuasive basis upon which to exercise our discretion to grant reconsideration or satisfy the necessary factors for granting a stay of the *September 2025 Order*. Accordingly, we shall deny the Petition.

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<sup>22</sup> The Petitioner’s requested stay appears to be predicated solely upon her assertion of the Commission’s Regulations and the Code. Petition at ¶¶ 23-25 (citing 52 Pa. Code § 56.94; 66 Pa.C.S. § 1509). While we explained, *supra*, that we do not find merit in these claims, they also appear to be the sole bases of support for the Petitioner’s requested stay.

### III. Conclusion

For the reasons set forth above, we shall deny the Petition for Reconsideration and Stay filed by Jeniqua Bradley, consistent with this Opinion and Order; **THEREFORE,**

#### **IT IS ORDERED:**

1. That the Motion for Reconsideration and Response to Final Order, filed by Jeniqua Bradley on October 9, 2025, seeking reconsideration and a stay of the Opinion and Order, entered on September 25, 2025, at Docket No. F-2024-3052211, is denied, consistent with this Opinion and Order.

2. That this proceeding, at Docket No. F-2024-3052211, be marked closed.

**BY THE COMMISSION,**



Matthew L. Homsher  
Secretary

(SEAL)

ORDER ADOPTED: January 15, 2026

ORDER ENTERED: January 15, 2026