

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jayne Hodges	:	
	:	
v.	:	F-2025-3056441
	:	
PPL Electric Utilities Corporation	:	

INITIAL DECISION

Before
Barbara Shadie Nause
Administrative Law Judge

INTRODUCTION

This Initial Decision sustains the Formal Complaint of an electric service customer and finds that PPL Electric Utilities Corporation overcharged Complainant for electric service from January 2025 through March 2025.

HISTORY OF THE PROCEEDING

On July 17, 2025, Jayne Hodges (Complainant or Ms. Hodges) filed a Formal Complaint against PPL Electric Utilities Corporation (Respondent or PPL) with the Pennsylvania Public Utility Commission (Commission).¹ Ms. Hodges checked the boxes on the Complaint form stating that the utility is threatening to shut off her service

¹ The Complaint is a timely appeal of the informal determination of the Commission's Bureau of Consumer Services (BCS), at BCS 4057529, which is subject to a de novo review. 52 Pa. Code § 56.173(a).

or has already shut off her service, that there are incorrect charges on her bill, and “other,” stating that she was billed \$1,138 in January 2025, \$1,656 in February 2025 and \$1,280 in March 2025. Complaint ¶ 4. Under relief requested, Ms. Hodges asked for PPL to delete and adjust the January 2025, February 2025 and March 2025 usage charges and “no budget billing.” Complaint ¶ 5.

The Complaint was served on PPL on July 23, 2025.

On August 12, 2025, PPL filed its Answer to the Complaint which admitted in part and denied in part the various material allegations of the Complaint. Specifically, PPL denied that there were incorrect charges on Complainant’s bill.

By Hearing Notice dated August 18, 2025, an Initial Call-In Telephonic Hearing was scheduled for October 9, 2025, and the matter was assigned to me.

A Prehearing Order was issued and served on August 21, 2025, advising the parties of the date and time of the scheduled hearing, and informing them of the hearing procedures.

On October 9, 2025, the hearing was convened as scheduled. Ms. Hodges appeared *pro se*, testified in support of her Complaint and did not offer any exhibits. Haley Wilburn, Esquire, appeared on behalf of PPL and presented the testimony of one witness, Holly Hankerson, Senior Customer Service Representative. PPL offered four exhibits, PPL Exhibits 1, 2, 4 and 5, which were admitted into the record, without objection.

The record in this matter consists of a 74-page transcript and four exhibits. The record closed on October 30, 2025, upon the filing of the transcript with the Commission.

FINDINGS OF FACT

1. Complainant is Jayne Hodges, who resides at 305 Hidden Springs Drive, Souderton, PA 18964. (Service Address). Tr. 5, 44, 54.
2. Respondent is PPL Electric Utilities Corporation, a jurisdictional electric distribution company providing residential and commercial electric services in the Commonwealth of Pennsylvania.
3. Complainant, seventy-five years of age, resides at the Service Address alone. Tr. 13.
4. Complainant established electric service at the Service Address on December 30, 2016. Tr. 67.
5. The Service Address is a one-story home and consists of two bedrooms, a kitchen, living room and small dinette. Tr. 13, 14.
6. Complainant's electrical appliances include a refrigerator, stove, washer, dryer, water heater and electric heat pump. Tr. 15, 45.
7. Complainant takes two showers per week and does one load of wash per week. Tr. 14.
8. Complainant has one thermostat that controls the heat for the entire residence; however, Complainant can close doors to rooms she is not using. Tr. 15, 16.
9. From December 2022 through April 2023, kWh usage and actual bills were as follows:

- December 2022: 1058 kWh and actual bill was \$204.33
- January 2023: 1430 kWh and actual bill was \$274.27.
- February 2023: 1443 kWh and actual bill was \$275.67.
- March 2023: 1282 kWh and actual bill was \$246.63.
- April 2023: 1088 kWh and actual bill was \$205.15.

PPL Exhibit 1; Tr. 24.

10. From December 2023 through April 2024, kWh and actual bills were as follows:

- December 2023: 1165 kWh and actual bill was \$222.84.
- January 2024: 1501 kWh and actual bill was \$282.83.
- February 2024: 1647 kWh and actual bill was \$304.59.
- March 2024: 1428 kWh and actual bill was \$266.13.
- April 2024: 1187 kWh and actual bill was \$223.81.

PPL Exhibit 1; Tr. 19, 23.

11. From December 2024 through April 2025, kWh and actual bills were as follows:

- December 2024: 796 kWh and actual bill was \$155.15.
- January 2025: 6393 kWh and actual bill was \$1,138.51.
- February 2025: 9203 kWh and actual bill was \$1,655.96.
- March 2025: 7124 kWh and actual bill was \$1,285.30.
- April 2025: 2702 kWh and actual bill was \$438.30.

PPL Exhibit 1; Tr. 21, 22, 23.

12. From January 2023 through April 2025, there was no change in Complainant's usage, and she continued to reside alone. Tr. 13.

13. On March 21, 2025, PPL tested the electric meter at the Service Address for accuracy. Tr. 64, 65; PPL Exhibit 5.

14. After testing, the meter was found to be running at 99.95% accurate. Tr. 64, 65: PPL Exhibit 5.

15. Except for January 5, 2023, and April 7, 2025, all of Complainant's bills were based on actual meter readings. Tr. 55.

16. The January 5, 2023, and April 7, 2025 meter readings were reconciled to actual meter readings. Tr. 55.

17. On July 7, 2025, Complainant was issued a Termination Notice with service scheduled to terminate on or after July 21, 2025. Tr. 59.

18. Complainant's electric service was not terminated. Tr. 27, 28.

DISCUSSION

Section 332(a) of the Public Utility Code provides that the party seeking relief from the Commission has the burden of proof. 66 Pa.C.S. § 332(a). As a matter of law, a complainant must show that the named utility is responsible or accountable for the problem described in the complaint in order to prevail. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa.P.U.C. 196 (Opinion and Order entered Feb. 8, 1990); *Feinstein v. Phila. Suburban Water Co.*, 50 Pa.P.U.C. 300 (Opinion and Order entered Oct. 6, 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 (Pa. Cmwlth. 1990). A complainant can meet that burden if she presents evidence more convincing, by even the smallest amount, than that evidence presented by Respondent. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950). The offense must be a violation of the Public Utility Code (Code), a Commission Regulation or Order, or a violation of a Commission-approved tariff. 66 Pa.C.S. § 701.

The decision of the Commission must be supported by substantial evidence. 2 Pa.C.S. § 704. "Substantial evidence" is such relevant evidence that a reasonable mind might accept as adequate to support a conclusion. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk & W. Ry. Co. v. Pa. Pub. Util. Comm'n*, 413 A.2d 1037 (Pa. 1980); *Erie Resistor Corp. v. Unemployment Comp. Bd. of Rev.*, 166 A.2d 96 (Pa. Super. 1961); *Murphy v. Pa. Dep't of Pub. Welfare, White Haven Ctr.*, 480 A.2d 382 (Pa. Cmwlth. 1984).

If a complainant establishes a *prima facie* case, the burden of going forward with the evidence shifts to the utility. If a utility does not rebut that evidence, the complainant will prevail. If the utility rebuts the complainant's evidence, the burden of going forward with the evidence shifts back to the complainant, who must rebut the utility's evidence by a preponderance of the evidence. The burden of going forward with the evidence may shift from one party to another, but the burden of proof never shifts; it always remains on the complainant. *Milkie v. Pa. Pub. Util. Comm'n*, 768 A.2d 1217 (Pa. Cmwlth. 2001) (*Milkie*); *see also, Burleson v. Pa. Pub. Util. Comm'n*, 443 A.2d 1373 (Pa. Cmwlth. 1982) (*Burleson*).

High Bill Dispute

In cases of alleged high billing, the Commission applies the *Waldron* rule, which provides that to establish a *prima facie* case of overbilling, a complainant must show: (1) that the number of occupants in the household has not changed, (2) that the potential for energy utilization was low, and (3) that the complainant's billing history shows no prior abnormalities. Once the complainant makes out a *prima facie* case, the burden of proof then shifts to the utility; however, the ultimate burden of persuasion always remains with the Complainant. *Waldron v. Phila. Elec. Co.*, 54 Pa.P.U.C. 98 (1980)(*Waldron*); *Repogle v. Pa. Elec. Co.*, 54 Pa.P.U.C. 528 (1980).

In *Milkie*, the Commonwealth Court of Pennsylvania further refined the *Waldron* rule by holding:

While the [*Waldron*] rule is often explained by stating that the ratepayer must establish certain specific elements in order to make out a prima facie case of overbilling by a utility company, we believe this view is too restrictive. Rather, the controlling principle is that even where the utility can present evidence that it has tested the customer's meter and found it to be accurate, the customer may, nonetheless, prove his case by circumstantial evidence which would support a finding that the metered usage exceeded the actual usage. Thus, as our Supreme Court has explained, the rule operates as a device by which the complainant is protected from dismissal because of his inability to marshal *direct* proof that his meter had malfunctioned.

Milkie, 768 A.2d at 1219-1220 (emphasis in original, footnote omitted) (citing *Burleson* 461 A.2d at 1235 (Pa. 1983)). In *Thomas v. PECO Energy Co.*, Docket No. C-2010-2187197 (Opinion and Order entered Nov. 15, 2011) (*Thomas*), the Commission explained:

[T]he *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.*”

Thomas, at 5 (emphasis in original) (citation omitted).

Complainant argued that there are incorrect charges on her bill. Specifically, in her Formal Complaint, Complainant alleged that the electric bills issued in January 2025, February 2025 and March 2025, were approximately \$1,138.00, \$1,656.00 and \$1,280.00, respectively. The Complainant averred that these amounts and kWh usage were “nowhere near that in previous years.” Complaint ¶ 4.

Complainant established electric service at the Service Address on December 30, 2016. The following chart compares the billing for the disputed months, including prior usage patterns:

Billing Date	Total kWh Usage	Total Costs
December 2022	1058	\$204.33
December 2023	1165	\$222.84
December 2024	796	\$155.15
January 2023	1430	\$274.27
January 2024	1501	\$282.83
January 2025	6393	\$1138.51
February 2023	1443	\$275.67
February 2024	1647	\$304.59
February 2025	9203	\$1655.96
March 2023	1282	\$246.63
March 2024	1428	\$266.13
March 2025	7124	\$1285.30

April 2023	1088	\$205.15
April 2024	1187	\$223.81
April 2025	2702	\$438.30

See PPL Exhibit 1.

The Service Address is a one-story home and consists of two bedrooms, a kitchen, living room and small dinette. Tr. 13, 14. According to Complainant, her electrical appliances include a refrigerator, stove, washer, dryer, water heater and electric heat pump. Tr. 15, 45. She takes two showers per week and does one load of wash per week. Further, one thermostat controls the heat for the entire residence; however, Complainant can close doors to rooms that are not in use. Tr. 14-16.

In this case, Complainant met the requirements of the *Waldron* test. Ms. Hodges established a *prima facie* case which proved, first, that the disputed bills were abnormally high when compared to prior usage patterns; and second, based upon her credible testimony, her pattern of usage had not changed. Specifically, in comparison to usage information for the previous two years, the usage pattern from January 2025 through March 2025 is clearly out of line with normal usage patterns. The usage in the January 2023 through March 2023 and January 2024 through March 2024 winter heating seasons show the normal pattern of usage. Specifically, in January 2023, the usage was 1430 kWh, in January 2024 the usage was 1501 kWh and in January 2025, the usage increased dramatically to 6393 kWh. Further, in February 2023 the usage was 1443 kWh, in February 2024, the usage was 1647 kWh, and in February 2025, the usage significantly increased to 9203 kWh. Finally, in March 2023, the usage was 1282 kWh, in March 2024 the usage was 1428 kWh and in March 2025, the usage noticeably increased to 7124 kWh. In this case, there is no dispute that Complainant's electric bills at the Service Address in the 2022/2023 and the 2023/2024 were significantly lower than the electric bills at the Service Address in the 2024/2025 winter. See PPL Exhibit 1.

Here, the evidence Complainant provided was sufficient to shift the burden of production² over to Respondent to show what fact or facts would explain how Complainant's usage changed so significantly from January 2023 through March 2023 and January 2024 through March 2024 to her usage from January 2025 through March 2025.

Since Complainant provided sufficient evidence to shift the burden of production over to PPL, it was incumbent upon PPL to produce evidence to explain how Complainant's disputed bill was abnormally high when compared to prior usage patterns and based upon Complainant's credible testimony that the pattern of usage had not changed.

The only evidence provided by PPL was the credible testimony from one witness, an account summary with usage levels, customer contact history, and electric meter results which tested as accurate under standards established by the Commission, pursuant to Section 57.20 of the Commission's regulations, 52 Pa. Code § 57.20.

Adequate, Efficient, Safe and Reasonable Electric Service

The Code makes clear that a public utility has a duty to maintain adequate, efficient, safe, and reasonable service and facilities and to make changes, alterations, and substitutions that are necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public. Section 1501 of the Code provides, in pertinent part, as follows:

² *See, Milkie, Burlison.*

§ 1501. Character of service and facilities

Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, and improvements in or to such service and facilities as shall be necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public. Such service also shall be reasonably continuous and without unreasonable interruptions or delay. Such service and facilities shall be in conformity with the regulations and orders of the commission. Subject to the provisions of this part and the regulations or orders of the commission, every public utility may have reasonable rules and regulations governing the conditions under which it shall be required to render service.

66 Pa.C.S. § 1501.

Section 102 of the Code, defines “service” as:

Used in its broadest and most inclusive sense, includes any and all acts done, rendered, or performed, and any and all things furnished or supplied, and any and all facilities used, furnished, or supplied by public utilities

66 Pa.C.S. § 102 (definition of “service”).

Pursuant to Section 102, a utility’s “service” is not merely confined to the distribution of utility service, but also includes “any and all acts” related to that function. *W. Power Co. v. Pa. Pub. Util. Comm’n*, 578 A.2d 75 (Pa. Cmwlth. 1990). Accordingly, a utility’s billing practices are included within the scope of reasonable service.

This case is an excessive billing situation involving Complainant's high bill. Specifically, Complainant's January 2024 kWh increased by 326%³ in January 2025; her February 2024 kWh increased by 459%⁴ in February 2025, and her March 2024 kWh increased by 399 %⁵ in March 2025. Although the PPL witness testified that the meter tested accurately at the Service Address, there was no testimony regarding any possibilities which might explain the increased recorded consumptions from January 2025 through March 2025. Further, there was no testimony or credible evidence provided to demonstrate that the consumption levels recorded for the Service Address were within the realm of potential usage if all appliances and electrical devices were in use or that the consumption levels PPL claimed were used had followed expected seasonal trends. In this specific instance, PPL's lack of investigation into Complainant's high bill claim was not within the scope of reasonable service and in violation of the Public Utility Code.⁶

Therefore, because PPL did not rebut sufficiently the evidence produced by Complainant, the credible testimony provided by Ms. Hodges met the burden of persuasion.⁷ Complainant proved a problem existed in the billing statements issued by Respondent, resulting in billing statements from January 2025 through March 2025, which significantly exceeded usage, pursuant to the *Waldron* Rule. Accordingly, Ms. Hodges's Complaint that she was overcharged for electric service from January 2025 through March 2025 is sustained.

³ $(6393-1501) \div 1501 \times 100 = 325.91$.

⁴ $(9203-1647) \div 1647 \times 100 = 458.77$.

⁵ $(7124 - 1428) \div 1428 \times 100 = 398.87$.

⁶ Pursuant to Section 3301 of the Code, 66 Pa.C.S. § 3301, the Commission may impose a maximum civil penalty of \$1, 000.00 per day for each violation for each violation of the Code, its regulations or its orders, in this case, a civil penalty was considered and not warranted in this situation. *See Rosi v. Bell Atlantic-Pa., Inc.*, 94 PUC 103 (Feb. 10, 2000).

⁷ *See Hahn v. PPL Elec. Utilities Corp.*, Docket No. C-2009-2100830 (Final Order entered Aug. 26, 2010). *See also, Waldron*.

Accordingly, Complainant's high bill complaint will be sustained in the ordering paragraphs that follow, and Respondent will be ordered to recalculate Complainant's monthly billing statements for January 2025 through March 2025 to reflect the average consumption used, as contained in the prior winter billing periods, specifically, January 2023 through March 2023 and January 2024 through March 2024. Further, Respondent will be ordered to issue a new bill to Complainant within thirty (30) days of the date of the entry of the Commission's Final Order.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and parties in this case. 66 Pa.C.S. § 701.
2. Complainant has the burden of proof in this proceeding. 66 Pa.C.S. § 332(a).
3. A complainant must show, by a preponderance of the evidence, that the named utility is responsible or accountable for the problem described in the complaint in order to prevail. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa.P.U.C. 196 (Opinion and Order entered Feb. 8, 1990); *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa. Cmwlth. 1990); *Feinstein v. Phila. Suburban Water Co.*, 50 Pa.P.U.C. 300 (Opinion and Order entered Oct. 6, 1976).
4. The decision of the Commission must be supported by substantial evidence or evidence that a reasonable mind might accept as adequate to support a conclusion. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. 2 Pa.C.S. § 704; *Norfolk & W. Ry. Co. v. Pa. Pub. Util. Comm'n*, 413 A.2d 1037 (Pa. 1980); *Erie Resistor Corp. v. Unemployment*

Comp. Bd. of Rev., 166 A.2d 96 (Pa. Super. 1961); *Murphy v. Pa. Dep't of Pub. Welfare, White Haven Ctr.*, 480 A.2d 382 (Pa. Cmwlth. 1984).

5. In a high bill proceeding, the Commission 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); *Thomas v. PECO Energy Co.*, Docket No. C-2010-2187197 (Opinion and Order entered Nov. 15, 2011).

6. A public utility has a duty to maintain adequate, efficient, safe, and reasonable service and facilities and to make changes, alterations, and substitutions that are necessary or proper for the accommodation, convenience, and safety of its patrons, employees, and the public. 66 Pa.C.S. § 1501.

7. A utility's "service" is not merely confined to the distribution of utility service, but also includes "any and all acts" related to that function. *W. Power Co. v. Pa. Pub. Util. Comm'n*, 578 A.2d 75 (Pa. Cmwlth. 1990). 66 Pa.C.S. § 102.

8. Complainant has established that Respondent did not issue correct billing statements when charging for electric service in January 2025 through March 2025. 66 Pa.C.S. § 332(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That Jayne Hodges's Formal Complaint filed in the matter of Jayne Hodges v. PPL Electric Utilities Corporation, Docket No. F-2025-3056441, is sustained.

2. That, within thirty (30) days of the date of the entry of the Final Order in this proceeding, PPL Electric Utilities Corporation shall recalculate Complainant's monthly bills for January 2025 through March 2025 consistent with this Initial Decision and issue a new bill to Complainant detailing how the bill was recalculated.

3. That after PPL Electric Utilities Corporation has complied with Ordering Paragraph Number 2 above, it shall file a verification of such compliance with the Secretary's Bureau.

4. That a copy of this Initial Decision shall be served upon the Bureau of Technical Utility Services for monitoring of PPL Electric Utilities Corporation's compliance with Ordering Paragraph Number 2 above and if Respondent has failed to comply, to refer this matter to the Bureau of Investigation and Enforcement for appropriate action.

