

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tanya Rouse	:	
	:	
v.	:	F-2025-3054429
	:	
Duquesne Light Company	:	

**INITIAL DECISION**

Before  
Katrina L. Dunderdale  
Administrative Law Judge

**INTRODUCTION**

This decision dismisses the Formal Complaint of Tanya Rouse alleging Duquesne Light Company issued incorrect bills which charged her for electric service she did not use.

**HISTORY OF THE PROCEEDING**

On April 3, 2025, Tanya Rouse (Complainant or Ms. Rouse) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Duquesne Light Company (DLC, Duquesne or Respondent) alleging there were incorrect charges on her bill.<sup>1</sup> Complainant requested the Commission order DLC to be

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<sup>1</sup> The Complaint is a timely appeal from the determination of the Commission's Bureau of Consumer Services (BCS), at BCS No. 4041332, which

fair to all. In the Complaint, Complainant elected to receive service of all documents via First Class Mail. Complaint ¶ 9.

On April 24, 2025, Duquesne filed an Answer to the Complaint and generally denied the allegation. Duquesne alleged it responded to Complainant's communications about incorrect charges by checking the meter and attempting to inspect for foreign wiring, but Complainant was not present at the service address at the time of the inspection. Duquesne asserts it provided reasonable and adequate customer service in response to Complainant's concerns, and the bills are accurate as rendered.

By Initial Telephonic Hearing Notice dated April 29, 2025, the Office of Administrative Law Judge (OALJ) notified the parties an initial hearing was scheduled for June 25, 2025. On April 29, 2025, the presiding officer issued a Prehearing Order setting forth the date and time of the scheduled hearing and providing procedural guidelines.

On June 25, 2025, the presiding officer convened the hearing at 10:03 a.m. Sophia Al Rasheed, Esquire, appeared on behalf of Respondent along with one witness and was ready to proceed. The court reporter was also present. Complainant was not present at the start of the hearing. The presiding officer proceeded to conduct the hearing in Complainant's absence. No testimony was taken, and no exhibits were introduced into the record. Respondent noted Complainant caused a bankruptcy petition to be filed in the United States Bankruptcy Court in the Western District of Pennsylvania on May 15, 2025, at Case No. 25-21262-CMB, but did not know if DLC was listed as a creditor. At the hearing, Respondent moved to dismiss the Complaint for Complainant's failure to

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dismissed Complainant's informal complaint. A timely BCS appeal is subject to *de novo* review. 52 Pa. Code § 56.173(a).

appear and prosecute her Complaint. The oral motion to dismiss was taken under advisement, and the hearing concluded at 10:10 a.m.

On June 27, 2025, the Commission received a hand-written letter from Ms. Rouse which indicated Ms. Rouse was unable to attend the hearing because her telephone stopped working. Ms. Rouse indicated she wanted the initial hearing to be rescheduled.

On July 10, 2025, Duquesne advised the presiding officer by email that it objected to the continuance request. Because Complainant indicated she preferred documents to be served on her by First Class Mail, and because she did not provide an email address to the Commission, the presiding officer advised Duquesne to file its objection with the Commission and provide a copy to Complainant via her requested preference for service.

Accordingly, on July 11, 2025, Duquesne filed its Motion of Duquesne Light Company to Dismiss the Complaint of Tanya Rouse for Lack of Jurisdiction (Motion to Dismiss), endorsed with a Notice to Plead, pursuant to 52 Pa. Code § 5.103. The motion was served on Complainant by First Class Mail. In its Motion to Dismiss, Duquesne alleged Complainant filed for a Chapter 7 Voluntary Petition for Bankruptcy (Bankruptcy Petition) with the United States Bankruptcy Court for the Western District of Pennsylvania on May 15, 2025, at Docket No. 25-21262-CMB. DLC averred all amounts owed by Complainant to Respondent for electric service prior to May 15, 2025, were placed in a separate account. Respondent contended the Complaint does not allege any wrongdoing by Duquesne regarding the post-bankruptcy petition amounts accrued by Complainant. Further, Duquesne argued Ms. Rouse's allegations pertain solely to pre-petition debts issued before the Bankruptcy Petition, and the dispute at issue is within the jurisdiction of the bankruptcy proceeding. Duquesne requests the Commission dismiss the formal complaint with prejudice.

On July 23, 2025, Complainant mailed a hand-written letter to the presiding officer.<sup>2</sup> Complainant responded she filed for bankruptcy in February 2024. Complainant asserted in her response that, “I still believe there is still a B.I.G. Problem going on with that Electric [service],” and asserted she wanted to have the initial hearing rescheduled.

On July 25, 2025, Complainant filed another hand-written letter with the Commission’s Secretary’s Bureau.<sup>3</sup> Complainant asserted she filed for bankruptcy protection in February 2024, and she had no knowledge of a bankruptcy being filed in 2025, as alleged by Respondent.

On August 4, 2025, the presiding officer issued the Interim Order, denying in part Respondent’s Motion to Dismiss for lack of jurisdiction. The presiding officer agreed with Respondent’s contention that any pre-bankruptcy amounts due or alleged to be due to Respondent as a creditor from Complainant as a debtor were no longer at issue due to Complainant’s filing of a Bankruptcy Petition in the United States Bankruptcy Court, Western District of Pennsylvania, at Docket No. 25-21262-CMB. The presiding officer disagreed with Respondent’s contention, however, that the Complaint should be dismissed. The presiding officer preserved Complainant’s allegation she was overcharged in Respondent’s bills received after the filing of the Bankruptcy Petition on May 15, 2025, due to foreign wiring concerns. Accordingly, the presiding officer required the parties to arrange a mutually agreed-upon time when Respondent could

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<sup>2</sup> As a courtesy, the presiding officer provided the original letter and envelope on July 30, 2025, to the Secretary’s Bureau for filing in the Commission’s docket, because Complainant did not provide a certificate of service or indicate in the letter if she provided a copy to the Secretary’s Bureau for filing.

<sup>3</sup> Complainant sent the letter to the presiding officer, but she did not include a Certificate of Service or indicate if she provided a copy to Respondent’s attorney. Accordingly, on July 31, 2025, the presiding officer filed a memo with the Commission to ensure the Commission’s docket had the letter.

investigate the presence of foreign wiring at the service address. In the alternative, if Complainant did not grant Respondent access to the service address, Respondent was required to file a status report.

Accordingly, on August 6, 2025, the OALJ issued the Further Telephonic Hearing Notice and notified the parties a further hearing was scheduled for October 22, 2025. On August 7, 2025, the presiding officer issued a Prehearing Order setting forth the date and time of the scheduled hearing and providing procedural guidelines.

On September 19, 2025, Respondent filed its Status Report. Respondent asserted Complainant notified Duquesne on August 15, 2025, that she had moved from the service address, and she requested service at another location within Respondent's territory. Duquesne contended it spoke with Complainant on August 15, 2025, and confirmed Complainant had moved from the service address. In its Status Report, Respondent asserted it could not conduct a foreign wiring inspection of the service address because Complainant no longer lived there, and Respondent requested the presiding officer reschedule the hearing.

On October 22, 2025, the presiding officer convened the parties and conducted a hearing at which time Complainant appeared *pro se*. Ms. Rouse testified on her own behalf. Complainant did not offer any exhibits. Sophia Al Rasheed, Esquire, represented Duquesne. At the hearing, Ms. Rasheed presented the testimony of one witness, Roxanne Morris, and offered five (5) exhibits which were marked and admitted as Duquesne Light Exhibits 1, 2, 3, 4 and 7.

On July 29, 2025, the presiding officer received the transcript of the initial hearing conducted on June 25, 2025, which contained 12 pages. On November 20, 2025, the presiding officer received the transcript of the further hearing on October 22, 2022, which contained 51 additional pages.

On December 1, 2025, the presiding officer closed the hearing record by issuing the Interim Order Closing the Hearing Record. The hearing record consists of 63 pages of transcript plus five exhibits

### FINDINGS OF FACT

1. From 2023 until August 15, 2025, Complainant, Tanya Rouse, resided at 1954 Amato Drive, Apartment B29, North Versailles, PA, 15137 (service address). (Tr. 20, 21, 23).

2. Respondent, Duquesne Light Company, provided distribution electric service to Complainant at the service address and listed Complainant as the ratepayer of record at the service address until August 15, 2025. (Tr. 22, 33; Duquesne Light Exhibit 1).

3. Complainant is current on her account with Duquesne. (Tr. 34, 55; Duquesne Light Exhibit 1).

4. On February 27, 2025, Respondent's field agent visited the service address to determine if the meter was working properly but was unable to verify if the meter assigned to her account recorded any electric consumption from outside Complainant's apartment. (Tr. 38 - 40; Duquesne Light Exhibit 2).

5. On March 6, 2025, Respondent's field agent sent a letter to Complainant advising Ms. Rouse that the agent went to the service address on February 27, 2025, to inspect the meter and determined there were no issues with the meter. (Tr. 47; Duquesne Exhibit 4).

6. On April 15, 2025, Respondent's agent spoke with Complainant to schedule a time when a field agent could conduct a foreign load test at the service address, and Complainant indicated April 21, 2025, was an agreeable time. (Tr. 42).

7. On April 21, 2025, Duquesne attempted to perform a foreign wiring investigation at the service address, but Ms. Rouse was not available at the scheduled time. (Tr. 37; Duquesne Light Exhibit 2).

8. On May 15, 2025, Complainant filed a voluntary Chapter 7 petition (Bankruptcy) in the U.S. Bankruptcy Court for the Western District of Pennsylvania (Bankruptcy Court) at Docket No. 25-21262-CMB. (Tr. 34, 48, 49; Duquesne Exhibits 3 and 7).

9. On May 20, 2025, Respondent acknowledged the Bankruptcy and transferred Complainant's outstanding balance (\$489.06) from Complainant's active account to her bankruptcy account. (Tr. 42).

10. After receiving notice of the Bankruptcy, Respondent required Complainant to pay \$241 as a security deposit. (Tr. 55 - 57; Duquesne Exhibit 1).

11. On August 14, 2025, Ms. Rouse contacted Duquesne to cancel her electric service at the service address and to start electric service at her new address in Plum, Pennsylvania. (Tr. 43; Duquesne Exhibit 3).

12. On August 15, 2025, Complainant moved to a different address in Plum, Pennsylvania that is located within Respondent's certificated territory. (Tr. 21).

13. On August 15, 2025, Respondent closed Complainant's account at the service address and established a new account at Complainant's current residence. (Tr. 21).

14. On September 17, 2025, the Bankruptcy Court entered the Order Discharging Debtor, releasing Complainant from responsibility for her debts. (Duquesne Exhibit 7).

15. On October 2, 2025, the Bankruptcy Court entered the Final Decree and closed Complainant's Bankruptcy. (Duquesne Exhibit 7).

### DISCUSSION

This proceeding involves two main issues – the impact of a bankruptcy and alleged foreign wiring – which ultimately requires dismissal of the Complaint because the issues are moot.

Complainant alleged there were incorrect charges on her bills when she lived at the service address. In addition, Complainant alleged she was charged for electric service provided outside her apartment. At the hearing, Complainant testified Respondent overcharged her in the early months of 2025, specifically February 2025. Complainant testified she filed a bankruptcy petition in February 2024, but she denied filing a bankruptcy petition in May 2025. Further, Complainant testified her only complaint was that she was overcharged in the early months of 2025, and she denied having any concerns or complaints about Respondent since May 15, 2025.

Respondent contended it responded appropriately when Complainant first complained and alleged the electric bill contained charges for electric consumption used outside her apartment. Respondent noted it scheduled two visits to the service address to

investigate the presence of foreign wiring, but each time Complainant was not present or did not make the entire residence available. As a result, Respondent contended it verified the accuracy of the meter for the service address but could not verify the existence of a foreign load.

Further, Duquesne noted it complied with its obligation to not hold Complainant responsible for pre-Bankruptcy debts since it placed all amounts owed by Complainant for electric service prior to May 15, 2025, into a separate account, as soon as Duquesne was notified about the Bankruptcy. (Tr. 34, 35; Duquesne Exhibits 1 and 3). Lastly, Respondent contended any viable reason to adjudicate the Complaint disappeared once Complainant filed the Bankruptcy on May 15, 2025. Because Complainant could not point to anything Respondent did wrong from May 15, 2025, until she moved out on August 15, 2025, she admitted at the hearing she had no complaint against Duquesne after May 15, 2025, and she did not specify any violation of the Public Utility Code, or Commission order or regulation, Respondent argued the Complaint was moot and should be dismissed.

#### Applicable Law

A bankruptcy petition filed under the United States Bankruptcy Code will operate as a stay and bars the commencement or continuation of a judicial, administrative or other action or proceeding against the debtor, including the issuance or employment of a process, which action or proceeding was commenced prior to the start of the bankruptcy proceeding, or to recover a claim against the debtor that arose before the commencement of the bankruptcy proceeding.<sup>4</sup>

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<sup>4</sup> 11 U.S.C.S. § 362(a)(1).

As the party seeking affirmative relief from the Commission, Complainant bears the burden of proving the necessary elements of the complaint.<sup>5</sup> “Burden of proof” means a duty to establish a fact by a preponderance of the evidence, or evidence more convincing, by even the smallest degree, than the evidence presented by the other party.<sup>6</sup> Further, the decision of the Commission must be supported by substantial evidence.<sup>7</sup> Substantial evidence is defined as such evidence that a reasonable mind might accept as adequate to support a conclusion, but Complainant is required to present more than a mere trace of evidence or a suspicion of the existence of a fact sought to be established.<sup>8</sup> Pursuant to 66 Pa.C.S. § 1529.1, the burden of dealing with a foreign load problem belongs squarely with a property owner, not a tenant, because an owner is in a better position to know that the foreign load exists than do the tenants.<sup>9</sup>

This Commission’s interpretation or construction of Section 1529.1, applicable to this case, is derived from *Bryce v. Duquesne Light Co.*,<sup>10</sup> *Santos v. Metropolitan Edison Company*,<sup>11</sup> and *Stewart v. Equitable Gas Co.*<sup>12</sup> These cases hold that a “foreign load” exists when a ratepayer-tenant’s meter in a multi-tenant dwelling registers utility service usage from which the tenant derives no benefit or only a shared benefit. Even though the ratepayer-tenants in a multi-tenant dwelling have meters that register their individual utility service usage, a ratepayer-tenant whose meter also

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<sup>5</sup> 66 Pa.C.S. § 332(a).

<sup>6</sup> *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

<sup>7</sup> 2 Pa.C.S. § 704.

<sup>8</sup> *See Norfolk & Western Ry. Co. v. Pa. Pub. Util. Comm’n*, 413 A.2d 1037 (1980); *Erie Resistor Corp. v. Unemployment Bd. of Review*, 166 A.2d 96 (1961); *Murphy v. Dept. of Public Welfare*, 480 A.2d 382 (Pa. Cmwlth. 1984).

<sup>9</sup> *Haimes v. PPL Electric Utilities Corp.*, F-02201447 (Initial Decision dated Jan. 23, 2008).

<sup>10</sup> Docket No. Z-00223698 (Order entered Sept. 1, 1994).

<sup>11</sup> Docket No. C-00967757 (Order entered Aug. 7, 1997).

<sup>12</sup> Docket No. C-00014708 (Order entered Oct. 31, 2001).

registers usage from which the tenant derives no benefit or only a shared benefit is not “individually metered” for the purpose of applying Section 1529.1.

### Analysis

Complainant initially requested the Commission find Duquesne was in error to charge her for electric service provided outside her apartment; however, Complainant never gave Duquesne access to the service address so Duquesne could investigate the claim. After Complainant moved out of the service address, Respondent could not interfere with the subsequent tenant’s use of the apartment to finish any investigation. Complainant specifically alleged Respondent overcharged her in February 2025, but admitted her Complaint pre-dated the filing of the Bankruptcy.

At the Further Hearing, Complainant noted she had no issue, concern or complaint about Respondent’s handling of her electric service account since the debt she incurred prior to May 15, 2025, was discharged in the Bankruptcy. Respondent argues the Complaint is moot.

### Conclusion

Complainant did not meet the burden of proving that Duquesne overcharged her for electric service. At the time of the Further Hearing, Complainant acknowledged that the reason for her Complaint – the allegation she was overcharged for service in February 2025 at an address where she no longer resides – was no longer in issue because the debt was discharged in the Bankruptcy. Because Complainant no longer lives at the service address, any concerns about foreign load have ceased to be a concern. In fact, Complainant noted at the hearing she no longer has an issue or concern with Respondent’s customer service at the service address. Accordingly, the Complaint will be dismissed in the Ordering Paragraphs below.

## CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and the parties to this proceeding. 66 Pa.C.S. § 701.
  
2. Complainant bears the burden of proving Respondent overcharged her for electric service at the service address. 66 Pa.C.S. § 332(a).
  
3. A “foreign load” exists when a ratepayer-tenant’s meter in a multi-tenant dwelling registers utility service usage from which the tenant derives no benefit or only a shared benefit. 66 Pa.C.S. § 1529.1.
  
4. A bankruptcy petition filed under the United States Bankruptcy Code will operate as a stay and bar the commencement or continuation of a judicial, administrative or other action or proceeding against the debtor, including the issuance or employment of a process, which action or proceeding was commenced prior to the start of the bankruptcy proceeding, or to recover a claim against the debtor that arose before the commencement of the bankruptcy proceeding. 11 U.S.C.S. § 362(a)(1).
  
5. Complainant failed to meet her burden of proving that she is entitled to the relief she seeks from the Commission. 66 Pa.C.S. § 332(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint filed by Tanya Rouse against Duquesne Light Company at Docket No. F-2025-3054429 is dismissed.
2. That the Secretary mark the docket closed.

Date: January 28, 2026

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/s/  
Katrina L. Dunderdale  
Administrative Law Judge