



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
COMMONWEALTH KEYSTONE BUILDING
400 NORTH STREET, HARRISBURG, PA 17120

BUREAU OF
INVESTIGATION
&
ENFORCEMENT

January 28, 2026

Via Electronic Filing

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

Re: Pennsylvania Public Utility Commission,
Bureau of Investigation and Enforcement v.
PennWisp LLC
Docket No. C-2025-3057658
I&E Motion for Default Judgment (Universal Service Fund)

Dear Secretary Homsher:

Enclosed for electronic filing please find the Bureau of Investigation and Enforcement's Motion for Default Judgment in the above-referenced proceeding.

Copies have been served on the parties of record in accordance with the Certificate of Service. Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'G. Rosul', is written over a light blue horizontal line.

Grant Rosul
Prosecutor
Bureau of Investigation and Enforcement
PA Attorney ID No. 318204
(717) 783-5243
grosul@pa.gov

GR/nb
Enclosures

cc: Stephanie Wimer, Deputy Chief Prosecutor, I&E-Enf (via email – stwimer@pa.gov)
Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3057658
	:	
PennWisp LLC,	:	
Respondent	:	

NOTICE TO PLEAD

The Bureau of Investigation and Enforcement (“I&E”) of the Pennsylvania Public Utility Commission (“Commission”) has filed a Motion for Default Judgment in the above-captioned matter, pursuant to the Commission’s regulations at 52 Pa. Code § 5.103. You are hereby notified to file a written response within twenty (20) days of the service of the Motion, consistent with 52 Pa. Code § 5.61.

Your Answer must be verified, pursuant to 52 Pa. Code § 1.36, and the original sent to:

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

Additionally, you must serve a copy on the undersigned prosecutor.



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
(717) 783-5243
grosul@pa.gov

Dated: January 28, 2026

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission,	:	
Bureau of Investigation and Enforcement,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2025-3057658
	:	
PennWisp LLC,	:	
Respondent	:	

MOTION FOR DEFAULT JUDGMENT

NOW COMES the Pennsylvania Public Utility Commission’s (“Commission”) Bureau of Investigation and Enforcement (“I&E”), by its prosecuting attorney, and files this Motion for Default Judgment against PennWisp LLC (“Respondent”) pursuant to Section 5.103 of the Commission’s regulations, 52 Pa. Code § 5.103. In support thereof, I&E respectfully represents as follows:

1. I&E commenced this action on September 25, 2025, by filing a Complaint in this Universal Service Fund Assessment matter.

2. The Complaint alleged that Respondent, a public utility holding Competitive Access Provider Authority granted on or about June 24, 2019, at A-2019-3011055, failed to pay its contributions required under the Commission’s Universal Service regulations, 52 Pa. Code § 63.161 *et seq.*

3. On September 25, 2025, the Commission’s Secretary’s Bureau attempted to serve the Complaint by e-service. However, Respondent’s e-mail address for e-service was not valid and the Secretary’s Bureau was unable to serve Respondent in this manner.

4. On October 22, 2025, the Complaint was again attempted to be served, this time by certified mail, on Respondent at P.O Box 641, Mansfield, PA 16933 and at 2531 Route 660, Mansfield, PA 16933, both of which are addresses that Respondent provided to the Commission as its main mailing addresses.

5. Attached to the Complaint was a Notice advising Respondent that it must file an Answer within twenty (20) days of service of the Complaint.

6. The Notice also advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order sustaining its Complaint and imposing the penalty set forth in the Complaint.

7. However, the Complaint and Notice were returned to the Commission as unclaimed/unable to forward.

8. Respondent is obligated to promptly apprise the Commission of any change to its current address pursuant to Section 1.53(d) of the Commission's regulations, 52 Pa. Code § 1.53(d).

9. On November 22, 2025, the Complaint was again served on Respondent by alternative service in the Pennsylvania Bulletin, 55 Pa.B. 8051.

10. Attached to the Complaint was a Notice advising Respondent that it must file an Answer within twenty (20) days of service of the Complaint.

11. The Notice also advised Respondent that if it failed to answer the Complaint, I&E would request that the Commission issue an Order sustaining its Complaint and imposing the penalty set forth in the Complaint.

12. The last day for Respondent to timely file an Answer to the Complaint was December 15, 2025.

13. Respondent did not file an Answer to the Complaint.

14. Respondent did not file a Request for an Extension of Time to file its Answer pursuant to Section 1.15(a) of the Commission's regulations, nor communicate with I&E about its need for an extension of time to file an Answer to the Complaint.
52 Pa. Code § 1.15(a).

15. Respondent neither paid the outstanding USF Assessment nor the civil penalty sought by I&E in the Complaint.

16. Pursuant to Section 5.61(c) of the Commission's regulations, a Respondent who fails to file an Answer to a Complaint within the 20-day response period may be deemed in default, and the relevant facts stated in the Complaint may be deemed admitted.
52 Pa. Code § 5.61(c).

17. The Commonwealth Court has upheld the Commission's authority to sustain complaints that are not answered within twenty days. *See Fusaro v. Pa. Pub. Util. Comm'n*, 382 A.2d 794, 797 (Pa. Cmwlth. 1978).

WHEREFORE, for all the foregoing reasons, I&E respectfully requests that the Commission enter a Default Order against Respondent that:

- a) Sustains the Complaint filed by I&E;
- b) Directs PennWisp LLC to pay a civil penalty of \$600 within thirty (30) days of the entry date of the Commission's Order;
- c) Directs PennWisp LLC to pay \$304.68 for its outstanding Universal Service Fund Assessments within thirty (30) days of the entry date of the Commission's Order;

- d) Directs the Bureau of Technical Utility Services to cancel the Certificate of Public Convenience of PennWisp LLC at A-2019-3011055 if the civil penalty and outstanding Universal Service Fund amounts are not paid within thirty (30) days of the entry date of the Commission's Order; and
- e) Directs the Bureau of Administration, Financial & Assessments Office, to refer the matter to the Pennsylvania Office of Attorney General for collection of the total set forth in subparagraphs (b) and (c), above, if PennWisp LLC fails to pay that total within thirty (30) days of the entry date of the Commission's Order.

Respectfully submitted,



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

Pennsylvania Public Utility Commission
Bureau of Investigation and Enforcement
Commonwealth Keystone Building
400 North Street
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(717) 783-5243
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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

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Bureau of Investigation and Enforcement,	:	
Complainant	:	
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	:	
PennWisp LLC,	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing **Motion for Default Judgment**, in the manner and upon the parties listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a party).

Served via First-Class Mail and Electronic Mail

PennWisp LLC
Attn: Jeffrey L. Evans
P.O. Box 71
Columbia, PA 16914
jevans@pennwisp.com



Grant Rosul
Prosecutor
PA Attorney ID No. 318204

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