

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Orlu Regional Assembly Inc.	:	
	:	
v.	:	F-2025-3055519
	:	
Aqua Pennsylvania, Inc.	:	

**INITIAL DECISION**

Before  
Alphonso Arnold III  
Administrative Law Judge

**INTRODUCTION**

This Initial Decision dismisses the Formal Complaint filed by Dr. Eugene Asonye on behalf of Orlu Regional Assembly Inc. (“Orlu”) for the failure of Orlu to comply with an Interim Order of the Presiding Officer to have an attorney enter his or her appearance on its behalf.

**HISTORY OF THE PROCEEDING**

On May 27, 2025, Orlu filed a Formal Complaint (“Complaint”) with the Pennsylvania Public Utility Commission (“Commission”) against Aqua Pennsylvania, Inc. (“Aqua”), alleging that there were incorrect charges on its bill.<sup>1</sup> On paragraph 10 of

---

<sup>1</sup> The Complaint is a timely appeal of the informal determination of the Commission’s Bureau of Consumer Services (BCS), at BCS No. 4061794, which is subject to a de novo review. 52 Pa. Code § 56.173(a).

the Complaint form, titled “legal representation,” no attorney is listed as representing Orlu in this matter. Complaint ¶ 10. The Complaint was filed by Dr. Eugene Asonye, the president of Orlu. Complaint ¶ 11. The Complaint was served on Aqua on June 3, 2025.

On June 23, 2025, Aqua filed an Answer with New Matter to the Complaint, wherein it denied that there were incorrect charges on the Orlu account. In its New Matter, Aqua requested that this matter be referred to the Mediation Unit of the Office of Administrative Law Judge (“OALJ”).

On July 18, 2025, the Commission issued an Interim Order Setting Resolution Conference, referring this matter to the OALJ’s Mediation Unit. Mediation was unsuccessful.

On December 3, 2025, an Initial Telephonic Hearing Notice was issued to the parties, scheduling this matter for an evidentiary hearing on February 4, 2026. Of relevance, the Hearing Notice states the following:

**REPRESENTATION.** If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, limited liability company, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*. Only an attorney may represent someone else.

December 3, 2025, Hearing Notice.

Also on December 3, 2025, a Prehearing Order was issued to the parties, providing the parties with the procedural rules that would govern the hearing. Of relevance, the Prehearing Order states the following:

**7. REPRESENTATION.** If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, limited liability company, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*. And, unless you are an attorney, you may not represent someone else.

December 5, 2025, Prehearing Order.

On December 8, 2025, the Commission issued my Interim Order #1, which directed Orlu to have an attorney enter his or her appearance on its behalf on or before January 21, 2026. No attorney entered an appearance on behalf of Orlu by this deadline.

On January 22, 2026, the Commission issued a Cancellation Notice cancelling the February 4, 2026, evidentiary hearing.

Also on January 22, 2026, the Commission issued my Interim Order #2, wherein I closed the evidentiary record in this proceeding.

This matter is ready for resolution. For the reasons discussed below, the Complaint will be dismissed.

#### FINDINGS OF FACT

1. Complainant is Orlu Regional Assembly Inc.
2. Respondent is the Aqua Pennsylvania, Inc.
3. On May 27, 2025, Dr. Eugene Asonye filed a Complaint on behalf of Orlu with the Commission against Aqua alleging incorrect billing.

4. Dr. Eugene Asonye did not state that he was an attorney on the Complaint form.
5. No attorney was listed on paragraph 10 of the Complaint form, titled “legal representation.” Complaint ¶ 10.
6. On June 23, 2025, Aqua filed an Answer with New Matter to the Complaint.
7. On December 3, 2025, the Commission issued an Initial Telephonic Hearing Notice scheduling an evidentiary hearing for February 4, 2026.
8. On December 5, 2025, the Commission issued my Prehearing Order which explained the procedural rules that would govern the evidentiary hearing.
9. The Hearing Notice and Prehearing Order informed the parties that only individuals could represent themselves, and that all others must be represented by an attorney.
10. On December 8, 2025, the Commission issued my Interim Order #1, which directed Orlu to have an attorney enter his or her appearance on its behalf on or before January 21, 2026. December 8, 2025, Interim Order #1 at 4.
11. Interim Order #1 warned that failure to comply with the Interim Order would result in cancellation of the hearing and dismissal of the Complaint. December 8, 2025, Interim Order #1 at 4.

12. Orlu selected to be served documents from the Commission via email. Complaint ¶ 9.
13. Orlu was served by email the Hearing Notice, Prehearing Order, and Interim Order #1.
14. The Hearing Notice, Prehearing Order, and Interim Order #1 were not returned to the Commission as undeliverable.
15. No attorney entered their appearance on behalf of Orlu in this matter.
16. On January 22, 2026, the Commission issued a Cancellation Notice cancelling the February 4, 2026, hearing.
17. On January 22, 2026, the Commission issued my Interim Order #2, which closed the evidentiary record in this matter.

## DISCUSSION

### *Legal Standards*

#### *Attorney representation*

The Commission's Regulations provide specific requirements concerning representation before the Commission, as set forth in 52 Pa. Code §§ 1.21-1.24. Specifically, the Commission's Regulations provide that while individuals may represent themselves, "persons" in adversarial proceedings must be represented in accordance with 52 Pa. Code § 1.22 (relating to appearance by attorneys and legal interns). 52 Pa. Code § 1.21(a), (b). The term "person" is defined as "individuals, corporations, partnerships,

associations, joint ventures, other business organizations, trusts, trustees, legal representatives, receivers, agencies, governmental entities, municipalities or other political subdivisions.” 52 Pa. Code § 1.8. Further, the term “adversarial proceeding” is defined as “[a] proceeding initiated by a person to seek authority, approvals, tariff changes, enforcement, fines, remedies or other relief from the Commission which is contested by one or more other persons, and which will be decided on the basis of a formal record.” *Id.*

The Commission’s regulations further provide that an attorney who signs an initial pleading in a representative capacity shall be considered to have entered an appearance in that proceeding, but that in all other instances shall file with the Secretary a written notice of appearance. 52 Pa. Code § 1.24(b)(1), (2). It is well-settled in Commission practice that participation in a formal adversarial proceeding before the Commission constitutes the practice of law. *See, e.g., Lesley A. Scheaffer for Leslie W. Scheaffer v. Pa. Pub. Util. Comm’n*, Docket No. F-2016-2577647 (Opinion and Order entered Apr. 3, 2018). As such, that participation is limited to those who either file as individuals and represent themselves or to attorneys who are representing others. *Id.* The Commission cannot empower an individual to engage in the unauthorized practice of law, which is conduct prohibited by Section 2524 of the Judicial Code, which states the following:

**(a) General rule.**--Except as provided in subsection (b), any person, including, but not limited to, a paralegal or legal assistant, who within this Commonwealth shall practice law, or who shall hold himself out to the public as being entitled to practice law, or use or advertise the title of lawyer, attorney at law, attorney and counselor at law, counselor, or the equivalent in any language, in such a manner as to convey the impression that he is a practitioner of the law of any jurisdiction, without being an attorney at law or a corporation complying with 15 Pa.C.S. Ch. 29 (relating to professional corporations), commits a misdemeanor of the third degree upon a first violation. A

second or subsequent violation of this subsection constitutes a misdemeanor of the first degree.

42 Pa.C.S. § 2524(a).

*Failure to comply with orders of presiding officers*

The Commission has long held that failure to comply with an order issued by a presiding officer warrants dismissal of the application or complaint. *See, e.g., Application of Robert Bautista t/a Collado Luxury Ride, LLC*, Docket No. A-2015-2476824, (Final Order entered Feb. 1, 2016); *Application of And Ex Car*, Docket No. A-2012-2337848 (Final Order entered June 19, 2013); *New Fizon Catering, Inc. v. PECO Energy Co.*, Docket No., C-2008-2065498 (Opinion and Order entered June 24, 2009). More specifically, the Commission has dismissed complaints when a complainant failed to comply with an order of the presiding officer directing it to have an attorney enter his/her appearance on its behalf. *See Am. Housing Sols. v. York Water Co.*, Docket No. F-2023-3043623 (Final Order entered July 2, 2024); *Application of Home Concept Servs. LLC for approval to provide paratransit serv. in Phila., Montgomery, Bucks and Delaware Cntys.*, Docket No. A-2022-3034706 (Opinion and Order entered Apr. 20, 2023); *Yea Ryong Church c/o David Wong v. Metro. Edison Co.*, Docket No. C 2017- 2626578 (Final Order entered May 9, 2018).

*Commission service*

Regarding service of Commission documents, notice electronically served to a party with no notification that service failed is presumed received. *Skow v. Metro. Edison Co.*, Docket No. F-2023-3042228 (Final Order entered May 7, 2024); *Hu v. PECO Energy Co.*, Docket No. C-2019-3012075 (Order entered Dec. 19, 2019); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Apr. 7, 2017);

*Morella v. PECO Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 31, 2017).

### *Analysis*

The Complaint was filed by Dr. Asonye on behalf of Orlu as its president and raises incorrect billing allegations concerning the water service provided to Orlu by Aqua. The Complaint became contested once Aqua filed its Answer with New Matter to the Complaint. Therefore, once the Answer with New Matter was filed, this proceeding became an “adversarial proceeding” as defined by the Commission’s regulations. *See* 52 Pa. Code § 1.8. Orlu is a corporation and as such is a “person” as defined by the Commission’s regulations. *See* 52 Pa. Code § 1.8. Persons in adversarial proceedings must be represented by an attorney or certified legal intern. 52 Pa. Code § 1.21(b). Dr. Asonye did not indicate that he was an attorney licensed to practice law in Pennsylvania in the Complaint; therefore, he cannot be permitted to represent Orlu in this adversarial proceeding. Further, no attorney is identified in paragraph 10 of the Complaint form titled “legal representation” and no attorney has entered their appearance in this proceeding on behalf of Orlu. Therefore, Orlu is unrepresented in this adversarial proceeding.

Orlu was informed of the Commission’s attorney representation requirements in the December 3, 2025, Hearing Notice and the December 5, 2025, Prehearing Order. Both documents were served by email to Orlu and neither document was returned to the Commission as undeliverable. Therefore, I must presume that Orlu received both documents. *Skow v. Metro. Edison Co.*, Docket No. F-2023-3042228 (Final Order entered May 7, 2024); *Hu v. PECO Energy Co.*, Docket No. C-2019-3012075 (Order entered Dec. 19, 2019); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-

2561176 (Final Order entered Apr. 7, 2017); *Morella v. PECO Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 31, 2017).

Separately on December 8, 2025, I issued an Interim Order ordering Orlu to have an attorney enter his or her appearance on its behalf in this proceeding. Orlu failed to comply with this Order, as no attorney entered his or her appearance in this proceeding on behalf of Orlu by the January 21, 2026, deadline. As failure to comply with an order of a presiding officer warrants dismissal of a complaint, the Complaint filed in this matter will be dismissed in the Ordering paragraphs below.

### CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties in this proceeding. 66 Pa.C.S. § 701.
  
2. Notice electronically served to a party with no notification that service failed is presumed received. *Skow v. Metro. Edison Co.*, Docket No. F-2023-3042228 (Final Order entered May 7, 2024); *Hu v. PECO Energy Co.*, Docket No. C-2019-3012075 (Order entered Dec. 19, 2019); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Apr. 7, 2017); *Morella v. PECO Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 31, 2017).
  
3. Persons in adversarial proceedings must be represented by legal counsel or a certified legal intern in proceedings before the Commission. 52 Pa. Code § 1.21(b).
  
4. An attorney who signs an initial pleading in a representative capacity shall be considered to have entered an appearance in that proceeding, but that in all other

instances shall file with the Secretary a written notice of appearance. 52 Pa. Code § 1.24(b)(1), (2).

5. The term “person” is defined as “individuals, corporations, partnerships, associations, joint ventures, other business organizations, trusts, trustees, legal representatives, receivers, agencies, governmental entities, municipalities or other political subdivisions.” 52 Pa. Code § 1.8.

6. The term “adversarial proceeding” is defined as “[a] proceeding initiated by a person to seek authority, approvals, tariff changes, enforcement, fines, remedies or other relief from the Commission which is contested by one or more other persons and which will be decided on the basis of a formal record.” 52 Pa. Code § 1.8.

7. It is well-settled in Commission practice that participation in a formal adversarial proceeding before the Commission constitutes the practice of law. *See, e.g., Lesley A. Scheaffer for Leslie W. Scheaffer v. Pa. Pub. Util. Comm’n*, Docket No. F-2016-2577647 (Opinion and Order entered Apr. 3, 2018).

8. The Pennsylvania Judicial Code prohibits an individual to engage in the unauthorized practice of law. 42 Pa.C.S. § 2524.

9. The Commission has long held that failure to comply with an order issued by a presiding officer warrants dismissal of the application or complaint. *See Application of Robert Bautista t/a Collado Luxury Ride, LLC*, Docket No. A-2015-2476824 (Final Order entered Feb. 1, 2016); *Application of And Ex Car*, Docket No. A2012-2337848 (Final Order entered June 19, 2013); *New Fizon Catering, Inc. v. PECO Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered June 24, 2009).

10. The Commission has dismissed complaints when a complainant failed to comply with an order of the presiding officer directing it to have an attorney enter his/her appearance on its behalf. *See Am. Housing Sols. v. York Water Co.*, Docket No. F-2023-3043623 (Final Order entered July 2, 2024); *Application of Home Concept Sers. LLC for approval to provide paratransit serv. in Phila., Montgomery, Bucks and Delaware Cntys*, Docket No. A-2022-3034706 (Opinion and Order entered Apr. 20, 2023); *Yea Ryong Church c/o David Wong v. Metro. Edison Co.*, Docket No. C-2017-2626578 (Final Order entered May 9, 2018).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint filed in the matter of Orlu Regional Assembly Inc. v. Aqua Pennsylvania, Inc., Docket No. F-2025-3055519, is dismissed.
2. That the Secretary's Bureau shall mark Docket No. F-2025-3055519 as closed.

Date: February 9, 2026

\_\_\_\_\_  
/s/  
Alphonso Arnold III  
Administrative Law Judge