

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michael Allison	:	
	:	
v.	:	C-2025-3055550
	:	
PPL Electric Utilities Corporation	:	

**INITIAL DECISION**

Before  
Emily A. Farren  
Administrative Law Judge

**INTRODUCTION**

This Initial Decision dismisses, with prejudice, the Formal Complaint of Michael Allison, because he obstructed the orderly conduct of the proceeding in a way that was inimical to the public interest.

**HISTORY OF THE PROCEEDING**

On June 3, 2025, Michael Allison (Mr. Allison or Complainant) filed a Formal Complaint (Complaint) against PPL Electric Utilities Corporation (PPL or Respondent) with the Pennsylvania Public Utility Commission (Commission).<sup>1</sup> In the

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<sup>1</sup> The Complaint arises from an informal complaint Mr. Allison filed with the Commission's Bureau of Consumer Services (BCS), at BCS Case No. 4059258, which was dismissed without issuing a decision due to Complainant's failure to provide valid proof of income to determine whether Complainant was eligible for a payment arrangement.

Complaint, Complainant averred that the utility is threatening to shut off his service.

Complaint ¶ 4. Under relief requested, Complainant wrote:

Offer a more reasonable payment plan. I have lost all income and am now unable to even pay my rent. PPL and the PUC have both been made aware of my circumstances and neither have offered any assistance due to “system restrictions”. I would also like to address the fraudulent charges on my account.

Complaint ¶ 5.

On June 24, 2025, PPL filed an Answer to the Complaint. In its Answer, PPL admitted in part, and denied in part, various material allegations of the Complaint. Specifically, PPL admitted that it issued termination notices for account arrears in the amount of \$4,423.99. PPL denied that there are fraudulent charges on Complainant’s account.

By Hearing Notice dated July 16, 2025, an Initial Call-In Telephone Hearing was scheduled for September 8, 2025, at 10:00 a.m., and the matter was assigned to me. On September 4, 2025, Complainant, via email, requested a continuance due to traveling and would be unable to safely participate in the telephonic hearing. By Order dated September 5, 2025, I granted Complainant’s continuance request.

By Cancelled/Rescheduled Hearing Notice, the hearing was rescheduled for December 8, 2025, at 10:00 a.m. On December 8, 2025, the parties convened and counsel for PPL requested a continuance, due to unexpected witness unavailability. Tr. 4-5. Complainant did not object to PPL’s continuance request. Tr. 5. I granted the unopposed continuance request and informed the parties the matter would be rescheduled. Tr. 7-8.

By Hearing Notice dated December 8, 2025, the hearing was rescheduled for February 2, 2026 at 10:00 a.m. On December 9, 2025, I issued a prehearing order, reminding the parties of the date and time of the hearing, as well as procedures applicable to the proceeding including, *inter alia*: how to send proposed exhibits to the presiding officer; directions on filing and serving documents; the concept of the burden of proof; if requesting a payment arrangement, be prepared to testify about the total gross monthly income of the household; and, if claiming incorrect charges on a utility bill, be prepared to testify regarding the important dates and an explanation about any amounts or charges that you believe to be incorrect. *See* Dec. 9 Prehearing Order ¶¶ 4, 5, 8, 12, 13.

Complainant sent the Presiding Officer, with copies to PPL’s counsel, several email correspondences throughout the course of the proceeding.<sup>2</sup> I explained at the December 8 hearing, prior to going on the record during housekeeping matters, that while email correspondence could be used to exchange proposed exhibits and continuance requests, email correspondence berating counsel for PPL or details regarding settlement discussions were inappropriate.

On February 2, 2026, the hearing convened as scheduled. Complainant appeared *pro se*, repeatedly refused to testify, repeatedly interrupted me, repeatedly refused to accept my rulings on his “motions,” and offered no exhibits for the record. Tr. 17, 18, 19, 20, 21, 23, 24, 25, 26. Alice Wade, Esquire, appeared on behalf of PPL, along with one witness and was ready to proceed.<sup>3</sup>

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<sup>2</sup> I caused these emails to be filed with the Secretary’s Bureau as “Correspondence.”

<sup>3</sup> In accordance with the Prehearing Orders issued in this matter, PPL emailed pre-marked proposed exhibits on August 29, 2025, December 1, 2025, and January 26, 2026, respectively, and filed the requisite Certificate of Services with the Secretary’s Bureau.

The record closed on February 4, 2026, upon the filing of the transcript with the Commission.

### FINDINGS OF FACT

1. Complainant is Michael Allison.
2. Respondent is PPL Electric Utilities Corporation.
3. On June 3, 2025, Complainant filed a Formal Complaint against PPL with the Commission.
4. The Complaint involves utility service provided at 517 Hawthorne Avenue, Williamsport, Pennsylvania. Complaint ¶ 1.
5. On June 24, 2025, PPL filed an Answer to the Complaint, admitting in part, and denying in part, various material allegations of the Complaint.
6. On February 2, 2026, an evidentiary hearing was convened as scheduled.
7. Throughout the hearing, Complainant engaged in behavior that obstructed the orderly conduct of the proceeding and that was inimical to the public interest. Tr. 17, 18, 19, 20, 21, 22, 23, 24, 25, 26.
8. Complainant repeatedly refused to testify regarding the Complaint generally, his request for a payment arrangement, or the alleged fraudulent charges. Tr. 19, 21, 23, 26.

9. Complainant repeatedly interrupted the Presiding Officer. Tr. 19, 20, 24, 25, 26.

10. Complainant repeatedly refused to accept the Presiding Officer's rulings on his "motions" or objections. Tr. 16, 17, 18, 19, 21, 22, 23, 24, 25.

## DISCUSSION

### *Legal standards*

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); *see also Burlison v. Pa. Pub. Util. Comm'n*, 443 A.2d 1373 (Pa. Cmwlth. 1982).

Relevant to this matter, Section 5.245 of the Commission's Regulations states, in relevant part:

(c) If the Commission or the presiding officer finds, after notice and opportunity for hearing, that the actions of a party, including an intervenor, in a proceeding obstruct the orderly conduct of the proceeding and are inimical to the public interest, the Commission or the presiding officer may take appropriate action, including dismissal of the complaint, application or petition, if the action is that of complainant, applicant or petitioner.

52 Pa. Code § 5.245(c). Pursuant to Section 5.245, the Commission has consistently held that dismissal of a complaint is proper when a complainant continuously obstructs the orderly conduct of a proceeding despite multiple warnings. *See, e.g., Finberg v. Aqua Pa., Inc.*, Docket No. F-2017-2588064 (Opinion and Order entered Oct. 25, 2018) (*Finberg*); *Nippes v. PECO Energy Co.*, Docket No. C-2013-2363324 (Final Order entered Sept. 30, 2013) (*Nippes*). The Commission explained that additionally, “[i]n

instances in which a complainant's behavior prevents fair and orderly litigation, it also interferes with the respondent's due process rights." *Finberg* at 11.

### *Analysis*

Mr. Allison's behavior prevented a fair and orderly hearing in this matter. Upon going on the record, I advised Complainant, as the party who filed the Complaint, he bears the burden of proof in this matter. Tr. 14. At first, Complainant stated he recognized his burden of proof. Tr. 14. Complainant asked the Presiding Officer if he could make an opening statement, which I allowed. Tr. 14-16.

After presenting his opening statement, Complainant refused to be sworn in and refused to offer any testimony regarding whether the utility is threatening to shut off his service or has shut off his service and/or there are fraudulent charges on his bill. Tr. 19, 21, 23, 26.

As the transcript demonstrates, Complainant repeatedly: (1) interrupted the Presiding Officer; (2) became argumentative; and (3) refused to accept my rulings and directives including allowing PPL's witness to testify; how and when to file a motion; and observation of the Commission's regulations. Tr. 19, 20, 24, 25, 26. Although I gave Complainant numerous opportunities to present his case, he continued to argue, make incoherent statements, and refused to testify. Tr. 17, 18, 19, 20, 21, 22, 23, 24, 25. Further, Complainant offered *no* testimony whatsoever, as he either directly and specifically refused to be sworn-in or evaded the Presiding Officer's offers for him to testify. Tr. 16, 19, 21, 23, 26.

Here, despite several attempts to conduct a fair and orderly hearing, Complainant obstructed the orderly conduct of the proceeding in a way that was inimical to the public interest and failed to comply with Commission procedures. Complainant

refused to be sworn in or provide testimony regarding the Complaint, repeatedly interrupted the Presiding Officer, and repeatedly failed to accept the Presiding Officer's rulings. Complainant was given several opportunities to conform his behavior but failed to do so. As in *Finberg* and *Nippes*, Complainant's behavior fell far below a respectful and orderly standard.

Having presented *no* testimony or evidence regarding his Complaint, Mr. Allison failed to meet his burden of proving PPL violated the Public Utility Code, the Commission's regulations or orders, or that he is eligible for another Commission-issued payment arrangement.

Accordingly, his Complaint will be dismissed, with prejudice.

#### CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and parties to this proceeding. 66 Pa.C.S. § 701.
2. Complainant bears the burden of proof in this proceeding. 66 Pa.C.S. § 332(a).
3. If the Commission or the presiding officer finds, after notice and opportunity for hearing, that the actions of a party, including an intervenor, in a proceeding obstruct the orderly conduct of the proceeding and are inimical to the public interest, the Commission or the presiding officer may take appropriate action, including dismissal of the complaint, application or petition, if the action is that of complainant, applicant or petitioner. 52 Pa. Code § 5.245(c); *Finberg v. Aqua Pa., Inc.*, Docket No. F-2017-2588064 (Opinion and Order entered Oct. 25, 2018); *Nippes v. PECO Energy Co.*, Docket No. C-2013-2363324 (Final Order entered Sept. 30, 2013).

4. In instances in which a complainant's behavior prevents fair and orderly litigation, it also interferes with the respondent's due process rights. *Finberg v. Aqua Pa., Inc.*, Docket No. F-2017-2588064 (Opinion and Order entered Oct. 25, 2018).

5. Complainant's actions obstructed the orderly conduct of the proceeding, were inimical to the public interest; therefore, the Complaint should be dismissed. 52 Pa. Code § 5.245(c); *Finberg v. Aqua Pa., Inc.*, Docket No. F-2017-2588064 (Opinion and Order entered Oct. 25, 2018); *Nippes v. PECO Energy Co.*, Docket No. C-2013-2363324 (Final Order entered Sept. 30, 2013).

### ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint of Michael Allison at *Michael Allison v. PPL Electric Utilities Corporation*, Docket Number C-2025-3055550, is dismissed, with prejudice.

3. That Docket No. C-2025-3055550 be marked closed.

Date: February 23, 2026

\_\_\_\_\_/s/  
Emily A. Farren  
Administrative Law Judge