

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Julia Harnish	:	
	:	
v.	:	F-2025-3057612
	:	
PPL Electric Utilities Corporation	:	

INITIAL DECISION

Before
John M. Coogan
Administrative Law Judge

INTRODUCTION

This Initial Decision denies a Formal Complaint that alleges overbilling and service quality issues of an electric utility because the Complainant failed to meet her burden of proving, by a preponderance of the evidence, that the electric utility violated the Public Utility Code, the Commission’s regulations, or an order of the Commission.

HISTORY OF THE PROCEEDING

On September 18, 2025, Julia Harnish (Ms. Harnish or Complainant) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against PPL Electric Utilities Corporation (PPL or Company).¹ Ms.

¹ The Complaint is a timely appeal from the determination of the Commission’s Bureau of Consumer Services (BCS), at BCS No. 4085688, which

Harnish's Complaint was served on PPL on September 23, 2025. In her Complaint, Ms. Harnish states that there are incorrect charges on her bill, and she is having a reliability, safety or quality problem with her utility service. As relief, Ms. Harnish requests PPL send correct bills from the time billing problems started. Ms. Harnish additionally states that she requested an appliance review from the time billing was allegedly incorrect.

On October 13, 2025, PPL filed an Answer to Ms. Harnish's Complaint. PPL denies that Complainant's electric service bills contain incorrect charges. PPL avers that Complainant's electric service charges were based on actual meter readings and the rates applicable during the billing periods in question. PPL also denies that Complainant is experiencing a reliability, safety, or quality problem with her utility service. PPL states that it performed a meter test on the Complainant's meter on June 19, 2025, pursuant to a request from the Complainant, and the meter tested as accurate. PPL admits that Complainant requested an appliance review, but states that the Company informed the Complainant on August 26, 2025, that it does not provide such a service.

On October 17, 2025, the Commission issued an Initial Telephonic Hearing Notice setting a call-in telephonic hearing for this matter for December 16, 2025. In anticipation of that hearing, I issued a Prehearing Order on October 17, 2025, setting forth various rules that would govern the December 16, 2025 hearing.

The initial hearing was convened on December 16, 2025, as scheduled. Ms. Harnish appeared on her own behalf. Ms. Harnish did not move for the admission of any exhibits into the record. Hayley E. Wilburn, Esquire, appeared at the hearing on behalf of PPL, along with one witness for PPL: Rhonda Solano, Senior Customer Service

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

Representative for PPL. The following seven exhibits were admitted into the record on behalf of PPL:

1. PPL Exhibit 1 – Account Activity Statement (10/15/25-11/13/25)
2. PPL Exhibit 2 – Account Contact History (9/26/25-12/3/25)
3. PPL Exhibit 3 – Account Activity Statement (3/24/25-8/7/25)
4. PPL Exhibit 4 – Account Contact History (3/18/25-9/26/25)
5. PPL Exhibit 6 – BCS Case No. 4085688 notes
6. PPL Exhibit 7 – Account Activity Statement (12/7/21-3/24/25)
7. PPL Exhibit 11 – Meter Test Results Letter (6/20/25)

The record in this case consists of the above-referenced exhibits and a transcript of 68 pages. The record closed on December 31, 2025, when the transcript was filed. For the reasons discussed below, the Complaint will be denied.

FINDINGS OF FACT

1. The Complainant is Julia Harnish.
2. The Respondent is PPL Electric Utilities Corporation.
3. The service address at issue in this proceeding is 738 Hilldale Road, Unit B, Holtwood, PA 17532.
4. Ms. Harnish's PPL bill due December 16, 2021 was for \$219.13, reflecting 1600 kWh of use over 30 days. PPL Exhibit 7.
5. Ms. Harnish's PPL bills for 2022, 2023, 2024, and 2025 reflect the following:

2022				2023			
Billing date	Days in bill	Total kWh used	Total electric service costs	Billing date	Days in bill	Total kWh used	Total electric service costs
1/19	34	1546	\$220.78	1/17	34	2176	\$432.79
2/16	28	685	\$104.78	2/14	28	1632	\$327.88
3/17	29	668	\$102.56	3/16	30	1703	\$341.49
4/18	32	1063	\$153.71	4/17	32	1432	\$289.55
5/17	29	1145	\$164.23	5/16	29	1004	\$207.57
6/16	30	785	\$131.75	6/15	30	689	\$138.81
7/18	32	951	\$171.29	7/17	32	593	\$114.30
8/16	29	776	\$142.38	8/15	29	683	\$130.55
9/15	30	814	\$150.06	9/14	30	715	\$137.19
10/14	29	895	\$165.06	10/13	29	587	\$115.38
11/14	31	1360	\$242.97	11/13	31	1024	\$189.80
12/14	30	1816	\$338.47	12/14	31	1497	\$262.97
2024				2025			
Billing date	Days in bill	Total kWh used	Total electric service costs	Billing date	Days in bill	Total kWh used	Total electric service costs
1/18	35	2195	\$362.63				
2/15	28	1865	\$307.95				
3/18	32	1800	\$297.74	<i>Billing for Ms. Harnish resumes</i>			
4/18	15	884	\$146.37	4/16	28	1342	\$227.86
<i>Billing for Ms. Harnish ends</i>				5/16	30	824	\$145.95
				6/26	32	956	\$175.88
				7/17	30	1028	\$196.47
				8/7	5	181	\$34.45
				<i>Billing for Ms. Harnish ends for one month</i>			
				10/15	18	516	\$100.07
				11/13	29	1289	\$242.29
				<i>Intentionally left blank</i>			

PPL Exhibits 1, 3, 7.

6. Ms. Harnish lives with one other person at the service address. Tr.

8.

7. Ms. Harnish's electric appliances at the service address include space heaters, washer and dryer, hot water heater, refrigerator, and air conditioner. Tr. 10-11, 15.

8. Ms. Harnish does not receive gas service to her house. Tr. 25.

9. Ms. Harnish's PPL meter at the service address was tested on June 19, 2025. Tr. 27-28; PPL Exhibit 11.

10. The June 19, 2025 meter test results demonstrated a Full Load Test of 99.9%, a Light Load Test of 100.03%, and an Average Accuracy of 100.00%. PPL Exhibit 11.

11. PPL does not perform appliance checks. Tr. 47; PPL Exhibit 4.

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). "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. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950). 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 (1990). The offense must be a violation of the Public Utility Code, the Commission's regulations, or an outstanding order of the Commission. 66 Pa.C.S. §§ 332(a), 701. In this proceeding, Ms. Harnish filed a Complaint against PPL. Therefore, Ms. Harnish bears the burden of proof in this proceeding.

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 a complainant. *Milkie v. Pa. Pub. Util. Comm'n*, 768 A.2d 1217 (Pa. Cmwlth. 2001) (*Milkie*); *see also, Burlison v. Pa. Pub. Util. Comm'n*, 443 A.2d 1373 (Pa. Cmwlth. 1982).

Any 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. Dept. of Pub. Welfare, White Haven Ctr.*, 480 A.2d 382 (Pa. Cmwlth. 1984). Further, mere bald assertions, personal opinions or perceptions do not constitute evidence to bolster a claim. *Pa. Bureau of Corrs. v. City of Pittsburgh*, 532 A.2d 12 (Pa. 1987).

Incorrect Charges

Ms. Harnish alleged that there are incorrect charges on her PPL bill. Complaint ¶ 4. Specifically, Ms. Harnish alleges that she has been receiving incorrect PPL bills since she started accruing an unpaid balance after receiving her December 14, 2022 PPL bill. Tr. 21; PPL Exhibit 7.

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 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); *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 (internal footnote omitted) (citing *Burleson v. Pa. Pub. Util. Comm'n*, 461 A.2d 1234, 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:

[C]onsistent with our holding in *Charisse Bennett v. Peoples Natural Gas Co.*, Docket No. C-2009-2122979 (Order entered October 13, 2010), the *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).

The following table shows Ms. Harnish’s billing history from before and after the start of her billing dispute, which started with her December 14, 2022 bill:

2022				2023			
Billing date	Days in bill	Total kWh used	Total electric service costs	Billing date	Days in bill	Total kWh used	Total electric service costs
1/19	34	1546	\$220.78	1/17	34	2176	\$432.79
2/16	28	685	\$104.78	2/14	28	1632	\$327.88
3/17	29	668	\$102.56	3/16	30	1703	\$341.49
4/18	32	1063	\$153.71	4/17	32	1432	\$289.55
5/17	29	1145	\$164.23	5/16	29	1004	\$207.57
6/16	30	785	\$131.75	6/15	30	689	\$138.81
7/18	32	951	\$171.29	7/17	32	593	\$114.30
8/16	29	776	\$142.38	8/15	29	683	\$130.55
9/15	30	814	\$150.06	9/14	30	715	\$137.19
10/14	29	895	\$165.06	10/13	29	587	\$115.38
11/14	31	1360	\$242.97	11/13	31	1024	\$189.80
12/14	30	1816	\$338.47	12/14	31	1497	\$262.97
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3/18	32	1800	\$297.74	<i>Billing for Ms. Harnish resumes</i>			
4/18	15	884	\$146.37	4/16	28	1342	\$227.86
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				6/26	32	956	\$175.88
				7/17	30	1028	\$196.47
				8/7	5	181	\$34.45
				<i>Billing for Ms. Harnish ends for one month</i>			
				10/15	18	516	\$100.07
				11/13	29	1289	\$242.29
				<i>Intentionally left blank</i>			

PPL Exhibits 1, 3, 7.

Additionally, Ms. Harnish's PPL bill due December 16, 2021, was for \$219.13, reflecting 1600 kWh of use over 30 days. PPL Exhibit 7.

Before discussing Ms. Harnish’s alleged incorrect bills, as reflected above, billing for the service address in Ms. Harnish’s name temporarily stopped between the bills dated April 18, 2024, and April 16, 2025, and then again for the month of September 2025. The record is not entirely clear the reasons for these interruptions. However, Ms. Harnish referred to periods when her electric service was shut off. Tr. 19. Additionally, PPL Exhibit 4 also indicates that billing for the service address may have been placed in name of her roommate, Cecil Neff. Specifically, in an entry dated July 30, 2025, PPL’s notes state, in part, “[h]er roommate CECIL NEFF setup a new account in his name under a new account number...and her account was closed.” PPL Exhibit 4. When questioned about the circumstances under which these three separate billing periods arose, PPL only explained that new account numbers are provided when a customer requests new service. Tr. 49-53.

In any event, as was explained to Ms. Harnish at the hearing, the subject of her Complaint was her claim that she received incorrect PPL bills in her name. Tr. 10, 27. Therefore, this decision focuses on her Complaint as it relates to bills issued to her, which are reflected in the above table.

From the table above, Ms. Harnish’s December 14, 2022 bill, which is the start date for her complained-of billing, was approximately \$100 higher than any bill she received in the prior 12 months of bills, including her bill for December 2021. Ms. Harnish’s bills continued to be higher in 2023 when compared to similar periods in the previous year, until her June 15, 2023 bill. At that point, her monthly total electric service costs for the remainder of 2023 were comparatively similar, or less than, her bills for 2022. Ms. Harnish’s bills for the first three months of 2024 began higher than comparative bills in 2022. Her April 18, 2024 bill did not reflect a full month of billing. Of the seven monthly periods for which Ms. Harnish received bills in 2025, three bills reflected higher than 2022, two reflected only months of partial billing, one reflected

approximately the same amount billed as compared to 2022, and one reflected a lower bill than 2022.

The only pattern recognizable from the table is that, generally, Ms. Harnish received higher bills when the bills reflected increased usage. Ms. Harnish did not provide any testimony explaining why her bills may have increased starting with her December 14, 2022 bill. Ms. Harnish testified that she has lived with one other person at the service address during the period in dispute, and that her electric appliances include space heaters, washer and dryer, hot water heater, refrigerator, and air conditioner. Tr. 8, 10-11, 15. She also testified that she does not receive gas service to her house. Tr. 25.

I do not find that Ms. Harnish established a *prima facie* case in this proceeding. Although the evidence shows Ms. Harnish did start to receive some comparatively higher PPL bills beginning with her December 14, 2022 bill, Ms. Harnish's testimony otherwise lacked a detailed, persuasive basis to justify finding that she received incorrect bills, i.e., that the metered usage exceeded the actual usage for months she received higher bills. There were also multiple months after December 14, 2022, to the present, where Ms. Harnish's bills were either comparable or lower to similar months in 2022. Ms. Harnish did not clearly distinguish her Complaint as it regards these months compared to months she received comparatively higher bills, despite efforts to have her specify the periods of her dispute. Tr. 12-22. Additionally, although not dispositive per *Milkie*, PPL did provide credible evidence that Ms. Harnish's meter was operating accurately. Tr. 43-44; PPL Exhibit 11. Specifically, Ms. Harnish's meter tested within the Commission's guidelines of two percent of 100 percent accuracy. 52 Pa. Code §§ 57.20, 57.24. Therefore, I conclude that Ms. Harnish has not proven her allegations of overbilling by a preponderance of the evidence.

Ms. Harnish further alleges that she paid for an appliance check, but it was never completed. Tr. 24. PPL's witness testified that the Company does not perform

appliance checks. Tr. 47. Likewise, PPL Exhibit 4 shows a customer contact entry for August 26, 2025, where Ms. Harnish was advised that PPL does not perform appliance checks. Tr. 47; PPL Exhibit 4. Ms. Harnish's testimony was unclear, but her reference to paying for an appliance check may in fact refer to her payment for a meter test. Tr. 23-24; PPL Exhibit 11. In any event, other than Ms. Harnish's testimony, which was unclear, there is no basis in the record to find that PPL acted unreasonably as regards an allegedly offered appliance check.

Reliability, Safety or Quality Problem

In her Complaint, Ms. Harnish also averred that she is having a reliability, safety or quality problem with her utility service. Complaint ¶ 4. Other than her allegations of incorrect billing discussed above, the Complaint did not otherwise detail the reliability, safety or quality problem she was experiencing. During the hearing, Ms. Harnish very briefly stated she experienced power surges and power not at full strength. Tr. 11. However, she did not provide any detail regarding these alleged issues upon which to give any analysis. Therefore, she failed to meet her burden of proving any allegations related to a reliability, safety or quality problem.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and the parties to this proceeding. 66 Pa.C.S. § 701.

2. The party seeking relief from the Commission has the burden of proof. 66 Pa.C.S. § 332(a).

3. "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. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

4. Any decision of the Commission must be supported by substantial evidence. 2 Pa.C.S. § 704.

5. "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. Dept. of Pub. Welfare, White Haven Ctr.*, 480 A.2d 382 (Pa. Cmwlth. 1984).

6. The offense must be a violation of the Public Utility Code, the Commission's regulations, or an order of the Commission. 66 Pa.C.S. § 701.

7. Mere bald assertions, personal opinions or perceptions do not constitute evidence to bolster a claim. *Pa. Bureau of Corrs. v. City of Pittsburgh*, 532 A.2d 12 (Pa. 1987).

8. Complainant failed to satisfy her burden of proof to demonstrate that PPL violated the Public Utility Code, the Commission's regulations, or an order of the Commission. 66 Pa.C.S. § 332(a).

