

Dontissa Wilmer
10918 Nandina Lane
Philadelphia PA. 19116
Dontiswil@aol.com
March 3, 2026

VIA E-FILING

Matt Homsher, Secretary
Pennsylvania Public Utility Commission
400 North Street, 2nd Floor
Harrisburg, PA 17120

RE: Dontissa Wilmer v. PECO Energy Company

Docket No. C-2024-3050153

(Related to Commonwealth Court Dockets 1375 C.D. 2025 and
1380 C.D. 2025)

Dear Secretary Homsher,

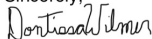
Please accept this letter as the Cover Letter for the enclosed filing
regarding the above-referenced matter.

Enclosed for electronic filing is Petitioner's Emergency Application for
Stay and for Sanctions Due to Spoliation of Evidence, along with the
required Certificate of Service.

As noted in the application, this filing includes a Statement of
Concurrence pursuant to Pa.R.A.P. 3707, confirming that Petitioner
attempted to confer with counsel for Respondent and the Commission
on February 23, 2026.

Thank you for your attention to this matter.

Sincerely,



Dontissa Wilmer, Petitioner

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DONTISSA WILMER,
Petitioner

v.

PECO ENERGY COMPANY,
Respondent

Docket No. C-2024-3050153
Related to Commonwealth Court
Docket's (1375 C.D. 2025)
(1380 CD 2025)

**PETITIONER'S EMERGENCY APPLICATION FOR STAY AND
FOR SANCTIONS DUE TO SPOILIATION OF EVIDENCE**

I. STATEMENT OF CONCURRENCE (Pa.R.A.P. 3707)

1. Pursuant to Pa.R.A.P. 3707 and the Commonwealth Court's Order dated February 20, 2026, Petitioner conferred with counsel for Respondent PECO Energy Company (PECO) and the Public Utility Commission (PUC) via electronic mail on **February 23, 2026, at 8:01 AM.**

2. Petitioner provided a reasonable time for a response; however, as of the time of this filing, counsel has not responded to Petitioner's inquiry regarding their position on the relief sought herein.

3. Accordingly, this Application is filed without the concurrence of Respondent or the PUC.

II. GROUNDS FOR STAY (Pa.R.A.P. 1781)

4. Per the Court's Order in **1375 C.D. 2025**, Petitioner hereby seeks an order from the PUC to stay all non-emergency utility work at the subject properties.

III. PRIOR RECORD OF COMPROMISED INFRASTRUCTURE

5. **Compromised State of Infrastructure:** Petitioner has previously testified to the "compromised" and "unsafe" state of the electrical infrastructure at **210 and 212 Tomlinson Road** (C.R. 0113a:11-12); C.R. 0123a:24-25) (Exhibit A, B).

6. **Entanglement of Lines:** The Certified Record (C.R. 0252a-0264a) (Exhibit C) documents an "entanglement of lines (wires)" and multiple powerlines servicing a single residential property at **210 Tomlinson Road**.

7. **Unauthorized Electrical Diversion:** Petitioner specifically identified **10920 Nandina Lane, 10916-10906 Nandina Lane, and 210-212 Tomlinson Road** as the specific addresses involved in unauthorized electrical diversion and compromised powerlines (C.R. 0123a:23-25; 0124a:1) (Exhibit D, E).

8. **Evidence at 10920 Nandina Lane:** Specific evidence regarding the compromised electrical infrastructure involving **10920 Nandina Lane** is contained within the record at (C.R. 0282a-0298a) (Exhibit F1 - F17).

9. Photographic Evidence of 10916–10906 Nandina Lane:

The Certified Record contains photographic evidence of compromised electrical wires at **10916–10906 Nandina Lane** located between pages C.R. 0165a and C.R. 0181a (Exhibit G1 - G15).

10. Lacking a Certified Record (C.R.) Page Stamp: While these photographs of **10916–10906 Nandina Lane** are physically present in the record, they **lack a Certified Record (C.R.) page stamp**. This omission of the official numerical stamp is currently the subject of Petitioner’s **Motion to Correct the Certified Record** filed with the **Pennsylvania Commonwealth Court** at **No. 1375 C.D. 2025** and **No. 1380 C.D. 2025**.

11. Timing of Activity: The timing of the subsurface activity currently observed by Petitioner at these specific addresses, occurring while the **Motion to Correct the Certified Record** is pending, risks the loss of the physical evidence required for this appeal.

**III. RECENT EVENTS AND ONGOING
MODIFICATION OF INFRASTRUCTURE**

12. Commencement of Subsurface Work: Petitioner observed that heavy equipment and street excavation within the **Tomlinson Road corridor** commenced in **December 2025 - January 2026**.

13. Continuous Nature of Spoliation: The combination of long-term excavation beginning in December and recent utility line modification in January constitutes a continuous effort to alter the forensic state of the infrastructure before a court-order inspection can occur.

14. **Recent Mechanical/Electrical Failure:** On Thursday, January 15, 2026, at approximately 6:48 p.m., a loud acoustic event (a "bang") occurred at the Petitioner's home rooftop, indicating a sudden mechanical or electrical failure within the infrastructure.

15. **PECO On-Site Documentation and powerlines modification:** On **January 21, 2026**, six days after the aforementioned acoustic event and while the appeal at **Docket No. 1375 C.D. 2025** remains active, Petitioner observed **PECO Lift Truck #55-252** at **utility pole #L981**, on Tomlinson road where technicians were actively modifying the overhead powerlines (See Exhibit H1 - H8) (I1 - I2).

16. **Location of Pole #L981** Exhibit I1 - I2) Utility pole L981 is located in front of the residence adjacent to **212 Tomlinson Road**. The power lines at 212, along with **210 Tomlinson Road**, were previously identified by Petitioner as being in a compromised state; and the power lines at 210 Tomlinson Road were noted as being "entangled."

17. **Proximity to Petitioner's Property:** Petitioner's residence is located directly behind the **210 Tomlinson Road** property, where they share a fence line. Petitioner's property also shares a corner fence with **212 Tomlinson Road**.

IV. FORMAL NOTICE OF LITIGATION

HOLD AND DUTY TO PRESERVE

18. **Duty to Preserve Evidence:** As a sophisticated litigant, Respondent PECO has an affirmative, common-law duty to preserve all evidence relevant to this pending matter.

19. **Request for Formal Litigation Hold:** Petitioner requests that the PUC/Court order a formal **Litigation Hold** on all physical components at the subject addresses, including but not limited to wires, connectors, and meter hardware.

20. **Immediate Risk:** Petitioner asserts that any modification to the utility lines in this specific area creates an immediate risk of altering or removing the physical record currently in dispute.

V. EVIDENCE OF BAD FAITH AND SPOILIATION

21. **Actual Suppression of Evidence:** Modification of this infrastructure while this matter is pending before the **Commonwealth Court** and while the **Application to Correct the Record** remains undecided constitutes intentional spoliation.

22. **Bad Faith and Tactical Advantage:** Pennsylvania courts find **bad faith** where a party intentionally alters evidence to gain a tactical advantage. Petitioner believes Respondent is acting to "sanitize" a scene they know is subject to a forensic dispute, severely prejudicing Petitioner's ability to prove her claims.

23. **Inference of Culpability:** Under the **Spoilation Doctrine**, the PUC may draw an **adverse inference**—meaning it may assume the evidence Respondent is removing would have been unfavorable to Respondent's position.

VI. IRREPARABLE HARM AND STATUTORY VIOLATIONS

24. **Permanent Destruction of Evidence:** Failure to issue an immediate **Stay** will result in the permanent destruction of the physical evidence necessary to substantiate claims of infrastructure hijacking and safety violations under **66 Pa. C.S. § 1501**.

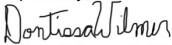
VI. RELIEF REQUESTED

25. Petitioner respectfully requests that this Public Utility Commission:

- A. **Issue an Emergency Stay** of all non-emergency work—
except in the event of a documented safety emergency—
within the Tomlinson Road corridor and surrounding area,
specifically including but not limited to:
**210–216 Tomlinson Road; The 10900 block of Lockart
Road; The intersection of Nandina Street and Lockart
Road; Nandina Street (limited to the areas between the
100 and 200 blocks); and The entirety of the 10900 block
of Nandina Lane.**

- B. **Order PECO to cease and desist** from disposing of any materials, conduits, or hardware removed from the site; and
- C. **Schedule a hearing for Sanctions** due to the alteration of record evidence.

Respectfully,



Dontissa Wilmer, Petitioner
10918 Nandina Lane
Philadelphia PA. 19116
267-207-6377
dontiswil@aol.com

VERIFICATION

I, Dontissa Wilmer, hereby state that the facts set forth in the foregoing Emergency Application for Stay and for Sanctions are true and correct to the best of my knowledge, information, and belief.

I understand that false statements herein are made subject to the penalties of **18 Pa. C.S. § 4904**, relating to unsworn falsification to authorities.

Dated: February 27, 2026

Signature: 
Dontissa Wilmer, Petitioner

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DONTISSA WILMER,
Petitioner

v.

PECO ENERGY COMPANY,
Respondent

• **Docket No. C-2024-3050153**
• Related to Commonwealth Court
• Docket's (1375 C.D. 2025)
• (1380 CD 2025)
•
•
•

PROPOSED ORDER

AND NOW, this _____ day of _____, 2026, upon consideration of
Petitioner's **Emergency Application for Stay and for Sanctions Due to
Spoliation of Evidence**, it is hereby **ORDERED** that:

An Emergency Stay is GRANTED. All non-emergency utility work,
excavation, and infrastructure modifications—**except in the event of a
documented safety emergency**—is stayed in the following areas:

210–216 Tomlinson Road;

The 10900 block of Lockart Road;

The intersection of Nandina Street and Lockart Road;

Nandina Street (100 and 200 blocks); and

The 10900 block of Nandina Lane.

A Litigation Hold is hereby imposed. Respondent **PECO Energy
Company** shall cease and desist from altering, moving, or disposing
of any physical materials, hardware, or conduits removed from these sites.

Preservation of Evidence. Respondent shall preserve the current physical state of all utility infrastructure at these locations until further Order of this Public Utility Commission. Hearing on Sanctions. A hearing shall be scheduled to determine if Respondent's modifications to the infrastructure constitute spoliation of evidence and to determine appropriate sanctions.

BY THE Public Utility Commission:

Secretary / Administrative Law Judge

CERTIFICATE OF SERVICE

I hereby certify that I have this day **27th of February 2026**, I served a true copy of the foregoing **Emergency Application** upon the parties, listed below, in accordance with the requirements of **52 Pa. Code §**

1.54.

VIA ELECTRONIC MAIL:

- **Khadijah Scott, Esq.** (Counsel for PECO):
Khadijah.Scott@exeloncorp.com
- **PUC Law Bureau:** email

Dated: February 27, 2026

Signature: 

Dontissa Wilmer, Petitioner

BEFORE THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

DONTISSA WILMER,
Petitioner

v.

PECO ENERGY COMPANY,
Respondent

Docket No. C-2024-3050153
Related to Commonwealth Court
Docket's (1375 C.D. 2025)
(1380 CD 2025)

Exhibits List

A - (C.R. 0113a : 11-12)

B - (C.R.0123a : 24-25)

C - (C.R. 0252a - 0264a)

D - (C.R. 0123a - 23 - 25)

E. - (C.R. 0124a : 1)

F - (1-17) : C.R. 0282a - 0298a)

G - (1 - 15) : Petitioner's Photo's Exhibits that are

between (C.R. 165a - 0181a)

H - (1 - 8) Photo of PECO Lift Truck # 55-252)
and Technicians modifying Powerlines.

I - (1 - 2) Photo of Utility Pole # L981

Exhibit

A

Ex. A

1 possibly going down that whole line. I'm not sure. Does
2 RC mean how many neighbors are tapped into my line? I
3 don't know.

4 Q. Okay. So just so I have a picture in my head
5 of what your neighborhood is like, are they row homes?
6 Are they individual single-family homes?

7 A. I live in -- they're twin homes.

8 Q. Okay.

9 A. But, Judge, if you look at the photos that I
10 sent for the neighborhood, you can see -- I mean, even on
11 -- at 210 and 212 Tomlinson Road, the electric wires has
12 been compromised, and you don't have to know about
13 electrical wires to see that.

14 Q. Okay. All right. I do have a number of
15 photographs, and I can see the neighborhood in those
16 photographs. I'm going to mark the photographs as a
17 packet, and those are going to be Complainant Exhibit
18 Number 1 for identification purposes.

19 (Whereupon, Complainant's
20 Exhibit 1 was marked for
21 identification.)

22 Q. All right. Ms. Wilmer, did you take these
23 pictures, or how were these pictures taken?

24 A. Yes, I took these pictures with my iPhone.

25 Q. Okay. And let me just go back and talk about

Exhibit

B

1 this letter from the Public Utility Commission, and I
2 verified that it did come from PECO. And I also received
3 the same letter -- well, not the same letter, but from
4 the Consumer -- the Office of Consumer Advocate that I
5 requested -- like I requested to discontinue my services.

6 Q. Okay. All right. Anything else, Ms. Wilmer,
7 that you want to present to me today?

8 A. Yeah, well, yeah. I want to know on my meters,
9 every time I record, it says -- it's different. It says
10 test mode A, and then sometimes it says test mode B.
11 Sometimes, it says test mode ABCDE. Also, the only
12 numbers that come up on my meter, Judge, is the numbers
13 for the total kilowatts used since the meter was
14 installed, and the other two numbers that pop up is just
15 all 8s, 888888. I think there's like three -- maybe it's
16 about four 8s. So I don't have a daily usage --

17 Q. Okay.

18 A. -- number popping up. I don't know if I'm
19 supposed to have one, but when I look online, it's
20 supposed to be like a daily usage. But maybe PECO will
21 use something else, but I'm just questioning why I don't
22 see that.

23 And also, you asked me who do I suspect is
24 stealing my electric, and all the addresses that I had
25 given you was the 10920 Nandina Lane, 10916 Nandina Lane

Exhibit

C

Ex. C

1 and on down, and then 210 and 212 Tomlinson Road. And I
2 think that's all I have to say for now, Judge. That's
3 all I have to say for now.

4 JUDGE GUHL: Okay. All right. Thank you.
5 At this point, Ms. Scott, do you have any
6 questions for the Complainant on cross-examination?

7 MS. SCOTT: Very briefly, Your Honor.

8 CROSS-EXAMINATION

9 BY MS. SCOTT:

10 Q. Good morning, Mrs. Wilmer. How are you?

11 A. Good morning.

12 Q. I just had one question. Did you ever hire an
13 electrician on your own to figure out why your outlets
14 were sparking?

15 A. No because it's not all my outlets. It's --
16 like I said, I never had this issue. Two years ago, we
17 had the electrician in there, who replaced our
18 receptacles, and then all of the sudden, starting in
19 June, that's when I noticed my lights flickering and
20 noticing when I plug things up, it was sparkling --
21 sparks.

22 Q. Okay. But you never called an electrician to
23 come out and see what was going on, right?

24 A. I never called an electrician because, right
25 now, I cannot afford an electrician. I am on disability.

Exhibit

D

Ex. D

1 this letter from the Public Utility Commission, and I
2 verified that it did come from PECO. And I also received
3 the same letter -- well, not the same letter, but from
4 the Consumer -- the Office of Consumer Advocate that I
5 requested -- like I requested to discontinue my services.

6 Q. Okay. All right. Anything else, Ms. Wilmer,
7 that you want to present to me today?

8 A. Yeah, well, yeah. I want to know on my meters,
9 every time I record, it says -- it's different. It says
10 test mode A, and then sometimes it says test mode B.
11 Sometimes, it says test mode ABCDE. Also, the only
12 numbers that come up on my meter, Judge, is the numbers
13 for the total kilowatts used since the meter was
14 installed, and the other two numbers that pop up is just
15 all 8s, 888888. I think there's like three -- maybe it's
16 about four 8s. So I don't have a daily usage --

17 Q. Okay.

18 A. -- number popping up. I don't know if I'm
19 supposed to have one, but when I look online, it's
20 supposed to be like a daily usage. But maybe PECO will
21 use something else, but I'm just questioning why I don't
22 see that.

23 And also, you asked me who do I suspect is
24 stealing my electric, and all the addresses that I had
25 given you was the 10920 Nandina Lane, 10916 Nandina Lane

Exhibit

E

Exhibit E

1 and on down, and then 210 and 212 Tomlinson Road. And I
2 think that's all I have to say for now, Judge. That's
3 all I have to say for now.

4 JUDGE GUHL: Okay. All right. Thank you.
5 At this point, Ms. Scott, do you have any
6 questions for the Complainant on cross-examination?

7 MS. SCOTT: Very briefly, Your Honor.

8 CROSS-EXAMINATION

9 BY MS. SCOTT:

10 Q. Good morning, Mrs. Wilmer. How are you?

11 A. Good morning.

12 Q. I just had one question. Did you ever hire an
13 electrician on your own to figure out why your outlets
14 were sparking?

15 A. No because it's not all my outlets. It's --
16 like I said, I never had this issue. Two years ago, we
17 had the electrician in there, who replaced our
18 receptacles, and then all of the sudden, starting in
19 June, that's when I noticed my lights flickering and
20 noticing when I plug things up, it was sparking --
21 sparks.

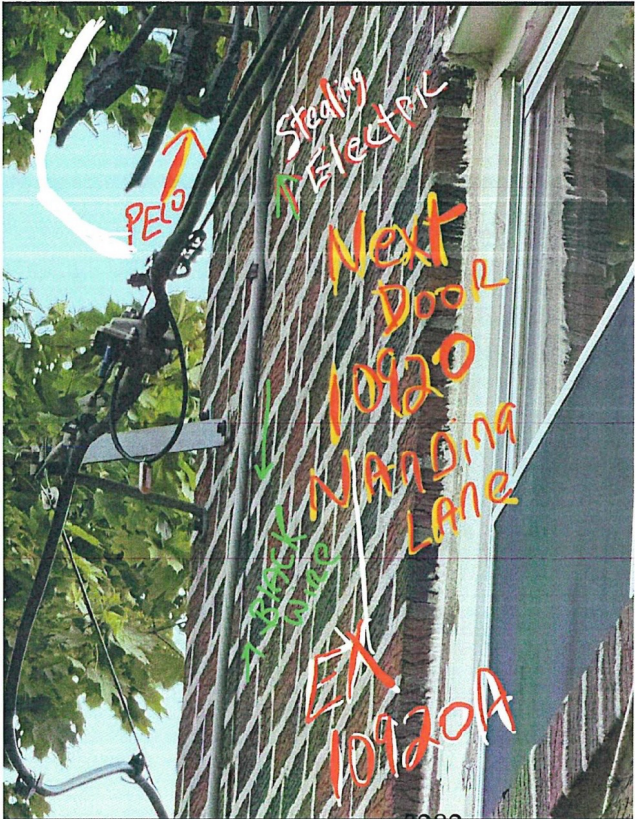
22 Q. Okay. But you never called an electrician to
23 come out and see what was going on, right?

24 A. I never called an electrician because, right
25 now, I cannot afford an electrician. I am on disability.

Exhibit

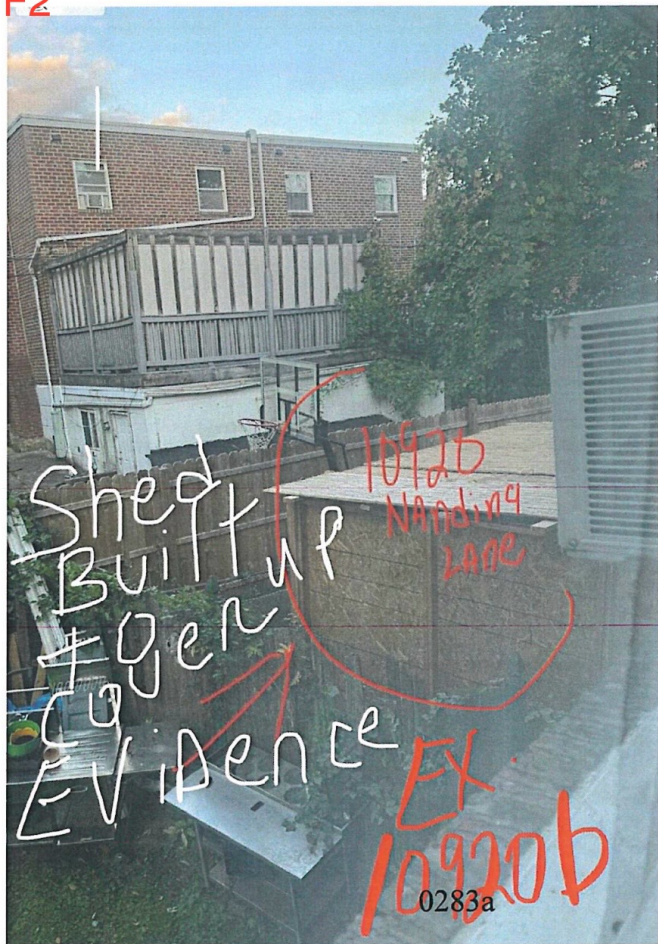
F1 - F17

F1



0282a

F2



F3



0284a



F5

EX
10420E

PECO
0286a

NOT

DO

10

1

Compromise

F6

Wire

EX 1092 OF

0287a

EX F7
104206

PECO
Compromise
Wires

0288a

F8

EX
10920H

0289a

F9

EX
10420 I

0290a

F10

Crop

PELO
Compromised
Wires

EX
10920

0291a

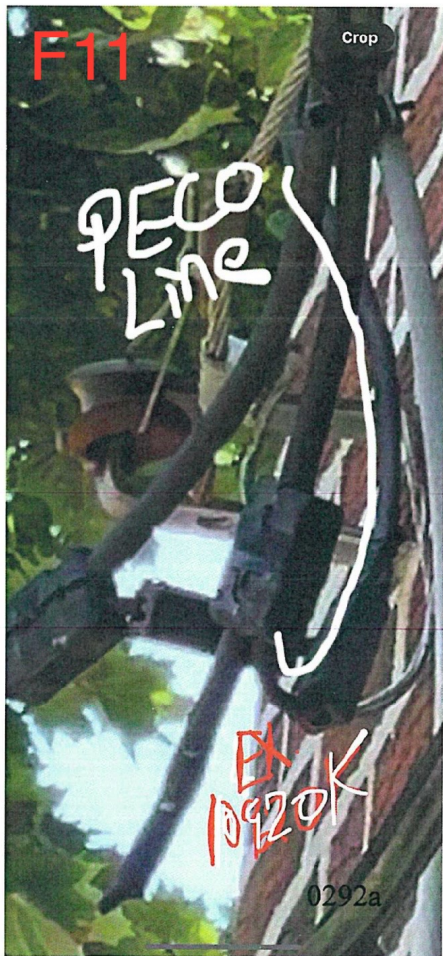
F11

Crop

PECO
Line

EX
10920K

0292a





October 16
9:06 PM

Edit



F12



F13

Crop

↑
PELO
Wire

EX 1097 OM

0294a

F14



PELO



A

et.
10920N
Line Compromis

0295a

F15



0296a

F16

PECO
Lines



EX.
10920



0297a

F17

10920 Q
Nandina LN

Shed built Attempting to
COVER UP EVIDENCE

0298a



Exhibit

G1 - G15

G1

10916

EX
45F

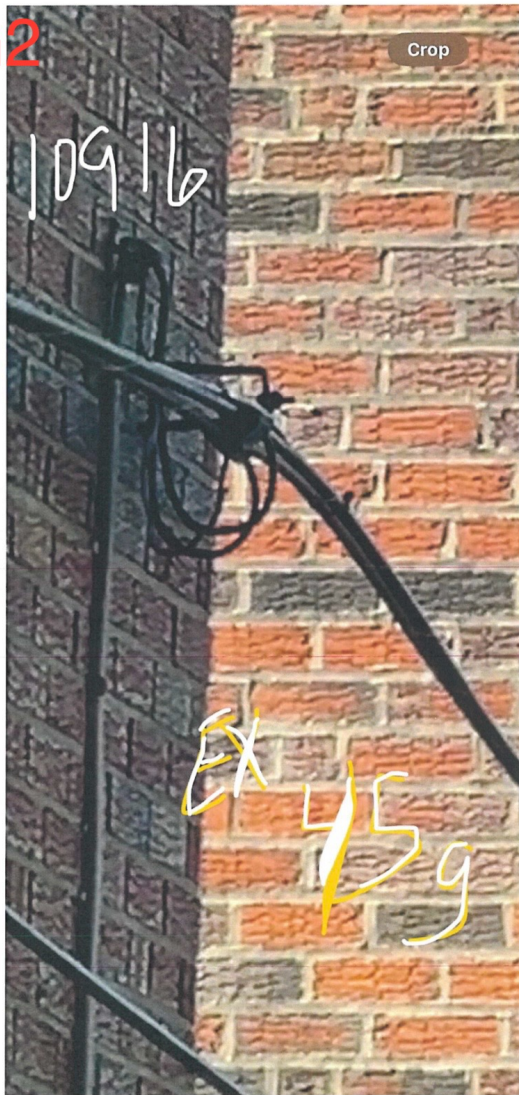


G2

Crop

10916

EX 45g



G3

10916

EX
45h



G4

Crop

10916

EX 451



G5

10916 Nandina
LN.

PECO LINE



10914

EX. 45b

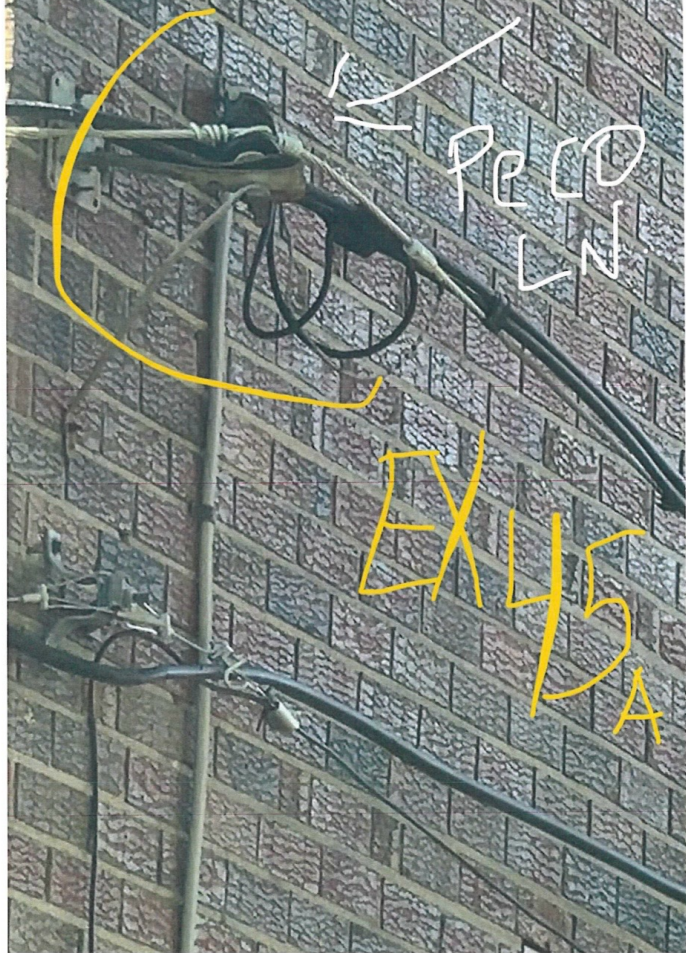
Nandina Lane

G6

10916 Nanding Lane

PECO
LN

EX 45
A



G7

10916

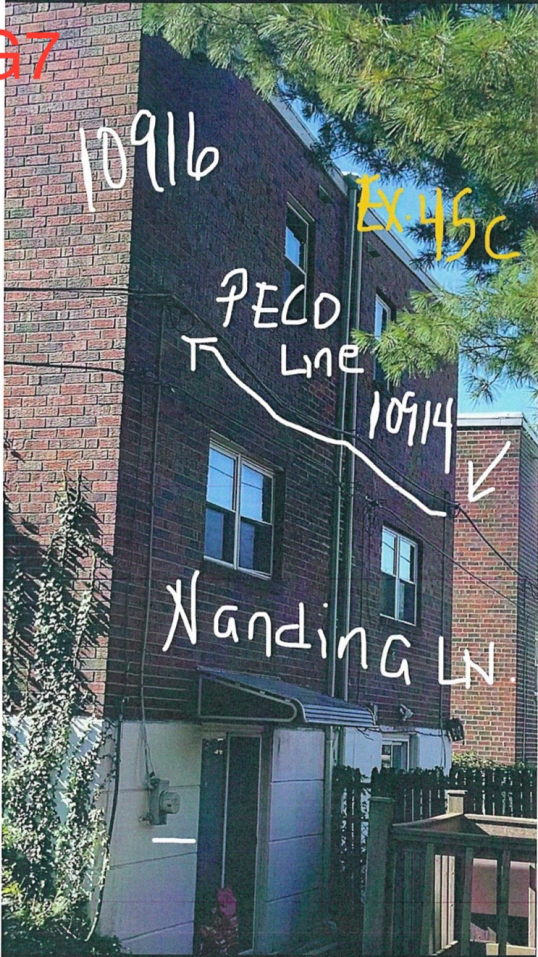
EX-45C

PECO
LINE

10914



Nandinga LN.



105-6

G8

10914

NANDING
LANE



PECO
Line

EX451

G9

10916

Nandina
LN.

PECO
Line

EX.

45E

G10

10910

EX. 45J

10908

PECO Line
↑
92

10906

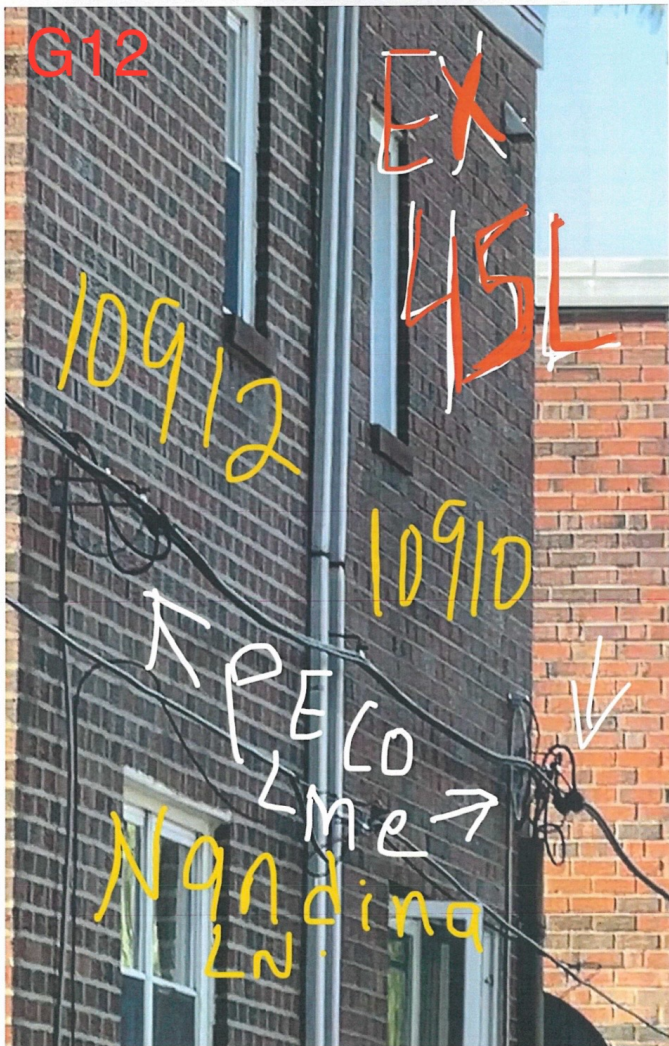
N ANDINA LN





Tuesday
9:39 AM

Edit



G13

EX 45M

10910

10908

↗
PECO
Line

↗

NANDINO
LH



G14

Crop

10910

EX 45 N

10908

NANDING
LN

Crop

G15

EX 450

10908



10906



NANDINA
LUNA

Exhibit

H1 - H8

H1



H2

Ex. D-2



H3



EX. D-4

H4



Ex. D-5

H5



H6

Ex.D-6



H7

Ex. D-7



H8

Ex. D-8



Exhibit

I-1 and I-2

L
9
8
1
.

1-1

RM 1



I-2

