

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Daniel Hooven

v.

Drew Moves LLC

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C-2026-3060048

INITIAL DECISION

Before
Ann Quimby
Administrative Law Judge

INTRODUCTION

This decision grants Drew Moves, LLC’s Motion to Dismiss the Formal Complaint of Daniel Hooven for lack of standing.

HISTORY OF THE PROCEEDING

On January 25, 2026, Daniel Hooven (Complainant) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Drew Moves, LLC (Respondent). Mr. Hooven used the standard Formal Complaint form provided by the Commission for the convenience of customers wishing to file a complaint against a public utility. Regarding the reason for his Complaint, Mr. Hooven checked the “other” box, averring that the Complaint was based on “false sworn certifications and evidence of unauthorized operations.” Complaint ¶ 4.

On January 29, 2026, Respondent filed a Motion to Dismiss Formal Complaint (Mot. to Dismiss). Respondent averred Complainant has never been a customer of Respondent, did not request relief that “pertains to himself,” and has a vendetta against Respondent’s owner (Owner). Mot. to Dismiss ¶¶ 1, 4. Respondent asserted Complainant is a disgruntled former client of Miracle Movers of Pittsburgh (Miracle) and previously filed a complaint against Miracle. Mot. To Dismiss ¶¶ 1, 2. Respondent notes Owner is a former employee of Miracle. Respondent further avers Respondent has a pending application to operate as a motor common carrier of household goods in use at Docket No. A-2025-3058207, to which Complainant has filed a protest, and Complainant has also filed other documents in that case. Respondent asserted Complainant’s instant Complaint is a collateral attack, and disputes that he has standing in this Complaint. Mot to Dismiss ¶¶ 5, 6. Respondent requested that the instant Complaint be dismissed. Respondent did not file an answer to the Complaint.¹

On February 1, 2026, Complainant filed an Answer to the Motion to Dismiss (Answer to Motion). Complainant asserts he is “a Pennsylvania consumer who was victimized financially and personally by [Owner]’s conduct, not as an agitator or bad-faith complainant.” Answer to Motion ¶ 1. Complainant further averred his Complaint “is about compliance with [Commission] requirements and whether an applicant has knowingly misrepresented his operations” to the Commission. Answer to Motion ¶ 2. Complainant further indicated “(t)he central issue in this complaint is that Drew Moves LLC is actively advertising, soliciting, and operating as a full-service

¹ Section 5.61 of the Commission’s regulations, 52 Pa. Code §5.61, directs that answers to complaints shall be filed with the Commission within 20 days after the date of service. Respondent only filed the Motion to Dismiss, and did not file an answer, which is not the preferred practice and is procedurally defective. Nonetheless, Complainant filed a Response to the Motion to Dismiss. The procedural defect did not affect Complainant’s substantive rights, and he had notice and the opportunity to be heard in relation to the Motion. A defect in procedure that does not affect parties’ substantive rights can be disregarded under Section 1.2, 52 Pa. Code § 1.2 (a), and will be disregarded in this case.

moving and storage company despite lacking [Commission] household goods authority.”
Answer to Motion ¶ 3.

On February 6, 2026, the Commission issued a Motion Judge Assignment Notice, and the matter was assigned to me as the presiding officer.

FINDINGS OF FACT

1. Complainant is Daniel Hooven.
2. Respondent is Drew Moves, LLC.
3. Respondent has an application to operate as a motor common carrier of household goods in use pending before the Commission at Docket No. A-2025-3058207, and Complainant has filed a protest in that case.
4. On January 25, 2026, Complainant filed the instant Formal Complaint against Respondent, based on allegations of “false sworn certifications and evidence of unauthorized operations.” Complaint ¶ 4.
5. On January 29, 2026, Respondent filed a Motion to Dismiss.
6. On February 1, 2026, Complainant filed an Answer to the Motion to Dismiss.
7. There are no allegations in the Complaint which involve Respondent’s public utility service to Complainant.

DISCUSSION

The Public Utility Code at Section 701 provides, in pertinent part, that a person:

having an interest in the subject matter, or any public utility concerned, may complain in writing, setting forth any act or thing done or omitted to be done by any public utility in violation, or claimed violation, of any law which the commission has jurisdiction to administer, or of any regulation or order of the commission.

66 Pa.C.S. § 701.

To properly bring a complaint, a complainant must demonstrate that the complainant has the appropriate interest, or standing, to maintain the action. *Nye v. Erie Ins. Exch.*, 470 A.2d 98, 100 (Pa. 1983). Standing requires that a party has an interest in the matter that is substantial, direct and immediate. *William Penn Parking Garage, Inc. et al. v. City of Pittsburgh*, 346 A.2d 269 (Pa. 1975). *See also, George v. Pa. Pub. Util. Comm'n*, 735 A.2d 1282 (Pa. Cmwlth. 1999) (citing *Ken R. ex rel. C.R. v. Arthur Z.*, 546 Pa. 49, 682 A.2d 1267 (1996)). These factors are further defined as follows:

A ‘substantial’ interest is an interest in the outcome of the litigation which surpasses the common interest of all citizens in procuring obedience to the law. A ‘direct’ interest requires a showing that the matter complained of caused harm to the party's interest. An ‘immediate’ interest involves the nature of the causal connection between the action complained of and the injury to the party challenging it and is shown where the interest the party seeks to protect is within the zone of interests sought to be protected by the statute or the constitutional guarantee in question.

George, 735 A.2d at 1286 (citations omitted).

A presiding officer may rule on a motion involving a question of standing and issue a final determination by issuing an initial decision. 52 Pa. Code §5.103(d)(3).

Complainant here alleged in his Complaint that Respondent engaged in unauthorized transportation of household goods and unlawful advertising, made false statements to the Commission in its application, and disregarded Commission authority. Complaint ¶ 4. In response to Respondent's Motion to Dismiss, Complainant indicated he was "victimized financially and personally" by Owner previously², but he also averred his Complaint was "not about past grievances," and was "about compliance with [Commission] requirements and whether an applicant has knowingly misrepresented his operations to this Commission." Answer to Motion.

The instant Complaint does not relate to personal service Complainant received or failed to receive from Respondent; it relates to Respondent's compliance with Commission requirements generally and alleged misrepresentations made to the Commission not specific to Complainant. To have a substantial interest in the subject matter complained of, Complainant's interest must have more than a general interest in Respondent's obedience to the law. *William Penn Parking Garage, Inc.*, 346 A.2d at 282. Complainant's interest as described in his Complaint does not rise to the level of a substantial interest and is merely a general interest. Similarly, Complainant's interest is not direct. To be a direct interest, the matter complained of must cause harm to Complainant's interest. *Id.* Here, there is no harm averred to his personal interest stemming from the alleged actions of Respondent. Finally, there is no causal connection between Respondent's alleged actions and any specific injury to Complainant, as required

² Complainant previously filed a complaint against Owner's former employer, a moving company, at Docket No. C-2025-3056319. In that complaint, Complainant averred Owner was the managing partner of the respondent moving company, and that Complainant's furniture was damaged and/or lost, and his new home was damaged by the respondent in that case. That complaint was sustained by Deputy Chief Administrative Law Judge Mark Hoyer on February 6, 2026.

by the immediate interest factor. *Id.* at 283. Complainant's interest amounts to a general interest in Respondent following the law and not a substantial, direct, or immediate interest. *George*, 735 A.2d at 1286. This interest is insufficient to confer standing.

Respondent also asserts the instant Complaint is a collateral attack on Respondent's application to operate as a motor common carrier of household goods in use, currently pending at Docket No. A-2025-3058207.³ As Complainant has been determined to lack standing in the instant matter such that his Complaint will be dismissed on that basis, the undersigned will not address whether the Complaint is a collateral attack as Respondent asserts.

Based on the foregoing, Respondent's Motion to Dismiss is granted; therefore, the Formal Complaint of Daniel Hooven is dismissed.

CONCLUSIONS OF LAW

1. A person having an interest in the subject matter may file a written complaint regarding any claimed violation of any law which the Commission has jurisdiction to administer, or of any regulation or order of the Commission. 66 Pa.C.S. § 701.

2. A person filing a complaint only has standing to bring and maintain a complaint against a public utility when the prospective party has an interest in the subject matter of the complaint that is substantial, direct and immediate. *William Penn Parking Garage, Inc. et al. v. City of Pittsburgh*, 346 A.2d 269 (Pa. 1975).

³ Complainant filed a protest to the application at Docket No. A-2025-3058207.

3. A substantial interest is an interest in the outcome of the litigation which surpasses the common interest of all citizens in procuring obedience to the law, a direct interest requires a showing that the matter complained of caused harm to the party's interest, and an immediate interest involves the nature of the causal connection between the action complained of and the injury to the party challenging it and is shown where the interest the party seeks to protect is within the zone of interests sought to be protected by the statute or the constitutional guarantee in question. *George v. Pa. Pub. Util. Comm'n*, 735 A.2d 1282 (Pa. Cmwlth. 1999).

4. The allegations in the Complaint amount to a general interest in whether Respondent is following the law, rather than a specific interest of Complainant. *William Penn Parking Garage, Inc. et al. v. City of Pittsburgh*, 346 A.2d 269 (Pa. 1975).

5. The Complaint is not properly before the Commission, as Complainant's interest in the outcome of the litigation is not substantial, direct, and immediate. *William Penn Parking Garage, Inc. et al. v. City of Pittsburgh*, 346 A.2d 269 (Pa. 1975).

6. A presiding officer may rule on a motion involving a question of standing and issue a final determination by issuing an initial decision. 52 Pa. Code §5.103(d)(3).

7. The Complaint is dismissed because of the lack of standing of Complainant.

