

**PENNSYLVANIA PUBLIC UTILITY COMMISSION
HARRISBURG, PENNSYLVANIA 17120**

**Amy Ostroski
v.
UGI Utilities Inc. (Gas)**

**Public Meeting of March 12, 2026
3055693-ALJ
Docket No. C-2025-3055693**

STATEMENT OF VICE CHAIR KIMBERLY BARROW

Before the Commission is the January 8, 2026 Initial Decision issued by Administrative Law Judge (ALJ) Marta Guhl. The Initial Decision dismisses the Formal Complaint, with prejudice, because Ms. Ostroski failed to attend the evidentiary hearing.

First, I want to highlight a few facts averred in the Formal Complaint and Answer. Ms. Ostroski sought a Commission-issued payment arrangement, noting medical and financial hardships which impacted her ability to work and pay her monthly bills. Notably, Ms. Ostroski averred that due to two temporary illnesses, she was unable to work full hours; but, she has resumed normal working hours and now makes approximately \$3,000-\$3,600 per month. She further provided the breakdown of her monthly expenses, totaling roughly \$2,810 per month, and attached documentation in support. Her outstanding balance was \$2,790.73.

While I acknowledge that Ms. Ostroski failed to attend the hearing and present her case, the facts averred in the pleadings show a change in circumstance and an outstanding balance that is very surmountable if a reasonable and appropriate payment arrangement is provided. Accordingly, I believe the matter should have been dismissed, without prejudice.

Second, in cases where there is no reason to suspect that the Commission's administrative process is being abused, dismissing without prejudice protects the complainant's right to due process while respecting the Commission's administrative process. I have previously expressed concern regarding the Commission's practice of dismissing pro se complaints, with prejudice, as being inconsistent with Section 1.2 of our Regulations, 52 Pa. Code § 1.2, and the Commission's own case precedent regarding due process.¹ The case should be dismissed, without prejudice.

March 12, 2026



Kimberly Barrow, Vice Chair

¹ This Commission has long recognized the mitigating effect pro se status confers upon litigants unlearned in the law when confronted with technical violations of its procedural rules. *Carlock v. The United Telephone Co. of Pa.*, Docket No. F-00163617 (July 14, 1993). Most important, from my perspective, the Commission has stated that it is in the public interest that all litigants, particularly pro se litigants, be afforded a meaningful opportunity to be heard. *Amir V. Williams v. PECO Energy Co.*, Docket No. C-2010-2190024 (January 13, 2011).