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Emily Farah
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March 16, 2026

VIA ELECTRONIC FILING

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building – 2nd Floor
400 North Street
Harrisburg, PA 17120


Re: Jaira Wells v. Columbia Gas of Pennsylvania, Inc.
Docket No. C-2026-3060619

Dear Secretary Homsher:

Enclosed is Columbia Gas of Pennsylvania, Inc.'s Preliminary Objections to the Formal Complaint of Jaira Wells. As indicated on the attached Certificate of Service, copies have been served in the manner indicated.

Please contact me at the above phone number should you have any questions.

Very truly yours,



Emily Farah

/kak

Enclosure

cc: Certificate of Service (w/enc.)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jaira Wells,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2026-3060619
	:	
Columbia Gas of Pennsylvania, Inc.,	:	
Respondent	:	

Notice to Plead

To: Jaira Wells
133 Evans St
Uniontown, PA 15401

Date: March 16, 2026

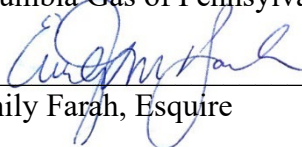
You are hereby notified, pursuant to 52 Pa. Code § 5.101, to file a written response to the enclosed Preliminary Objections within ten (10) days from service hereof or a judgment may be entered against you. The response must be e-filed or mailed to the Secretary of the Public Utility Commission:

Matthew L. Homsher, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

A copy of your response must also be **emailed** to:

Emily Farah, Esquire
121 Champion Way, Ste 100
Canonsburg, PA 15317
efarah@nisource.com

Respectfully submitted,
Columbia Gas of Pennsylvania, Inc.



Emily Farah, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jaira Wells,	:	
Complainant	:	
	:	
v.	:	Docket No. C-2026-3060619
	:	
Columbia Gas of Pennsylvania, Inc.,	:	
Respondent	:	

**PRELIMINARY OBJECTIONS OF COLUMBIA GAS OF PENNSYLVANIA, INC. TO
THE FORMAL COMPLAINT OF JAIRA WELLS**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code § 5.101, Columbia Gas of Pennsylvania, Inc. (“Columbia” or “the Company”) hereby submits these Preliminary Objections in response to the above-captioned Formal Complaint (“Complaint” or “Formal Complaint”) of Jaira Wells (“Complainant”), and in support thereof, states as follows:

I. BACKGROUND

1. On or about June 17, 2025, Complainant filed a Formal Complaint at the above caption. *See* Formal Complaint at ¶ 11.

2. Respondent is timely filing an Answer contemporaneously with the Preliminary Objections contained herein.

3. The Formal Complaint alleges that the Complainant is entitled to relief under the Truth and Fair Lending Act, 15 U.S.C. § 1601 *et seq.*, and the Uniform Commercial Code (“UCC,” which the Complaint refers to as the “Bills of Exchange Act”), which the Pennsylvania Public Utility Commission’s (“Commission”) does not have jurisdiction or authority to enforce. *See* Formal Complaint at ¶ 5.

4. The Formal Complaint also fails to assert any facts that could be construed as a violation of a Commission regulation, statute or order. *See* Formal Complaint at ¶¶ 4-5.

II. STANDARD OF REVIEW

5. Pursuant to the Commission regulations, 52 Pa. Code § 5.101(a), preliminary objections in response to a pleading may be filed the following bases:

- (1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.
- (2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.
- (3) Insufficient specificity of a pleading.
- (4) Legal insufficiency of a pleading.
- (5) Lack of a capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action.
- (6) Pendency of a prior proceeding or agreement for alternative dispute resolution.
- (7) Standing of a party to participate in the proceeding.

6. The moving party may not rely on its own factual assertions, but must accept for the purposes of disposition of the preliminary objection, all well-pleaded, material facts of the other party, as well as every inference fairly deducible from those facts. *County of Allegheny v. Commw. of Pa.*, 490 A.2d 402 (Pa. 1985).

7. In deciding on preliminary objections, the Presiding Officer must assume, for ruling purposes only, that the factual allegations of the Complaint are true. *Id.*

III. PRELIMINARY OBJECTIONS

A. PRELIMINARY OBJECTION No. 1 – LACK OF COMMISSION JURISDICTION

8. The foregoing paragraphs are incorporated herein as if fully set forth.

9. Commission regulations allow parties to file preliminary objections on the basis that the Commission lacks jurisdiction over the proceeding. 52 Pa. Code § 5.101(a)(1).

10. A formal complaint must set forth “the act or thing done or omitted to be done” by a 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.

11. The Commission may only exercise powers that are expressly conferred upon it by the legislature. *Feingold v. Bell of Pennsylvania*, 383 A.2d 791, 794 (1977).

12. Application and interpretation of federal law, namely, the Truth and Fair Lending Act, 15 U.S.C. § 1601 *et seq.* and the UCC are outside of the Commission’s express jurisdiction of Pennsylvania Code, Commission regulations, or Commission orders. *Alkhatib v. PECO Energy Co.*, Docket No. C-2011-2242125, 2012 WL 641672, at *5 (Jan. 12, 2012) citing 66 Pa. C.S. § 701. *See also Mark B. Aronson v. Duquesne Light Company*, 2000 WL 35799627, at *1 (Pa. P.U.C., 2000) (“DLC is exempted from the requirements of the Truth and Lending Act because of its status as a state-regulated public utility.”) citing *Mark B. Aronson v. The Peoples Natural Gas Company*, 180 F.3rd 558 (1999).

13. Consequently, because the Commission lacks jurisdiction over alleged violations of the Truth and Lending Act and the UCC, the Complaint must be dismissed pursuant to 52 Pa. Code § 5.101(a)(1).

B. PRELIMINARY OBJECTION No. 2 – LEGAL INSUFFICIENCY

14. The foregoing paragraphs are incorporated as if fully set forth herein.

15. Legal insufficiency of a pleading is an appropriate preliminary objection. *See* 52 Pa. Code § 5.101(a)(4).

16. Even if the Commission accepts all of the facts alleged in the Complaint as true, the Complainant is not entitled to relief as a matter of law.

17. The complaint fails to state a cognizable cause of action because it rests on a nonexistent legal relationship, i.e., a “principal” and agent relationship. *See* Formal Complaint at ¶¶ 4-5.

18. Simply, the Complaint does not set forth any facts that could be construed as a violation of a Commission regulation, statute or order.

19. As such, the Formal Complaint must be dismissed with prejudice.

WHEREFORE, Columbia Gas of Pennsylvania, Inc. respectfully requests that the Pennsylvania Public Utility Commission sustain these Preliminary Objections and dismiss the Formal Complaint of Jaira Wells with prejudice.

Respectfully submitted,
Columbia Gas of Pennsylvania, Inc.



Emily Farah (Atty ID 322559)
Assistant General Counsel
121 Champion Way, Ste. 100
Canonsburg, PA 15317
Tel.: (724) 416-6321
Email: efarah@nisource.com

Date: March 16, 2026


CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the foregoing document upon the participants, listed below, in accordance with the requirements of § 1.54 (*relating to service by participant*).

Via Electronic Mail Only

Jaira Wells
133 Evans St
Uniontown, PA 15401
Jairawells14@gmail.com

Dated this 16th day of March, 2026



(Attorney's Signature)

