

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	
	:	
v.	:	G-2025-3056022
	:	R-2018-2647577
Columbia Gas of Pennsylvania, Inc.	:	

INITIAL DECISION

Before
Jeffrey A. Watson
Chad L. Allensworth
Administrative Law Judges

INTRODUCTION

This Initial Decision (1) treats the Joint Motion for Judgment on the Pleadings, filed by the Office of Consumer Advocate and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, as a Motion to Dismiss; (2) dismisses the Affiliated Interest Agreement Letter filed by Columbia Gas of Pennsylvania, Inc., without prejudice; and (3) strikes the June 30, 2025 Letter filed at Docket No. R-2018-2647577.

HISTORY OF THE PROCEEDING

June 30, 2025 AIA Letter at Docket No. G-2025-3056022

On June 30, 2025, Columbia Gas of Pennsylvania Inc. (Columbia or Company) filed a letter seeking approval for an Affiliated Interest Agreement (AIA) under Section 2102 of the Public Utility Code (Code).¹ Columbia characterizes its filing as a verified summary of an AIA between the Company and its affiliate, NiSource Development Company, Inc. (NDC), for Commission review and approval under Section 2102 of the Code.²

In Columbia's *June 30, 2025 AIA Letter*, Columbia indicated that it is seeking Commission approval of an affiliate agreement with NDC, whereby the Company will provide and be compensated for certain billing services related to NDC's Marketing and Licensing Agreement (M&L Agreement) with Pivotal Home Solutions, LLC (Pivotal), a non-affiliated third party.³

The *June 30, 2025 AIA Letter* stated that, under an agreement between NDC and Pivotal, Pivotal will offer warranty service plans, products, and services to Columbia's customers, that NDC will grant a non-exclusive right and license for service marks to be used to market Pivotal's products,⁴ and the agreement would permit NDC to receive a revenue share percentage for the purchase of Pivotal's products by Columbia's customers.⁵ Columbia's *June 30, 2025 AIA Letter* further indicates that NiSource

¹ 66 Pa.C.S. § 2102; *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa. Inc.*, Docket No. G-2025-3056022 (*June 30, 2025 AIA Letter*).

² 66 Pa.C.S. § 2102; Columbia's Response to Joint Motion for Judgment on the Pleadings at 3.

³ *June 30, 2025 AIA Letter*.

⁴ *Id.*

⁵ *Id.*

Corporate Services Company⁶ (NSCS), on behalf of Columbia, will provide “billing services for warranty service plans and products and services offered by Pivotal” to Columbia customers in exchange for Pivotal’s payment of certain fees, including annual and monthly service fees.⁷

June 30, 2025 Letter at Docket No. R-2018-2647577

On June 30, 2025, Columbia filed a letter with the Commission under Columbia’s 2018 Rate Case, at Docket No. R-2018-2647577 (2018 Rate Case), to serve as notice of its plan to implement the practice of on-bill billing for Columbia customers.⁸ (*June 30, 2025 Base Rate Letter*).

Columbia submits that it filed its Notice Filing in the 2018 Rate Case because that proceeding addressed Columbia’s billing practices for non-commodity services offered by third parties. According to Columbia, the Notice Filing on June 30, 2025, was intended to alert the Commission and all parties to the 2018 Rate Case of the Company’s intent to permit on-bill billing for non-basic services consistent with the requirements set forth in the Commission’s December 6, 2018 Order in the 2018 Rate Case (*Dec. 6, 2018 Order*).⁹

On August 5, 2025, the Pennsylvania Office of Consumer Advocate (OCA) filed a Protest and Public Statement at Docket Nos. R-2018-2647577 and G-2025-3056022.

⁶ NSCS is the administrative and operational support arm of NDC.

⁷ *Id.*; Columbia’s Response to Joint Motion for Judgment on the Pleadings at 3-4.

⁸ *Pa. Pub. Util. Comm’n v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-2647577, Letter (June 30, 2025) (*June 30, 2025 Base Rate Letter*).

⁹ Columbia’s Response to Joint Motion for Judgment on the Pleadings at 2.

On August 25, 2025, Columbia filed an Answer to the OCA's Protest.

On August 29, 2025, the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania (CAUSE-PA) filed a Protest at Docket Nos. R-2018-2647577 and G-2025-3056022.

On September 18, 2025, Columbia filed an Answer to CAUSE-PA's Protest.

On October 8, 2025, a Prehearing Conference Notice and a Prehearing Conference Order were issued scheduling a telephonic Prehearing Conference on November 12, 2025, and the Office of Administrative Law Judge assigned the matter to the undersigned presiding officers.

On October 20, 2025, the Retail Energy Supply Association (RESA) filed a Petition to Intervene at Docket Nos. R-2018-2647577 and G-2025-3056022.

On November 6, 2025, OCA and CAUSE-PA filed a Joint Motion for Judgment on the Pleadings (Joint Motion) seeking dismissal of the matter. In the Joint Motion, OCA and CAUSE-PA note that Columbia filed a letter with the Commission on June 30, 2025, under Columbia's 2018 Rate Case, at Docket No. R-2018-2647577, to serve as notice of its plan to implement the practice of on-bill billing for Columbia customers.¹⁰ OCA and CAUSE-PA submit that in 2018, Columbia was directed to discontinue its practice of on-bill billing or bring its practice into compliance with Sections 1502 and 2203(4) of the Public Utility Code within 60 days of the entry date of the Order.¹¹ Subsequently, Columbia was directed by the Commission to end on-bill

¹⁰ *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-2647577, Letter (June 30, 2025) (*June 30, 2025 Base Rate Letter*).

¹¹ *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-

billing in the 2018 Rate Case docket.¹² OCA and CAUSE-PA further assert in their Joint Motion the following relevant activity took place in the 2018 Rate Case:¹³

- A. The Commission found that, as Columbia permitted two third-party entities to participate in “on-bill” billing but disallowed a third entity from participating, Columbia violated the prohibition on discrimination in provision of service under Sections 1502 and 2204 of the Public Utility Code.^[14]
- B. On March 18, 2019, Columbia filed a report with the Commission stating that, rather than bring its on-bill billing practice in compliance with Section 1502 and 2203(4) of the Public Utility Code, it would end its practice of “on bill” billing. *Pa. PUC v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-2647577, Report (March 18, 2019) (*March 18, 2019 Report*).
- C. In its *March 18, 2019 Report*, Columbia stated that, in accord with its plan to discontinue “on-bill” billing, Columbia would not renew the contracts for the two entities participating in the practice wherein one contract would end in September 2019, and the second contract would end in January 2023.^[15]
- D. On August 8, 2019, the Commission issued an Order rejecting Columbia’s plan to allow the two third-party contracts to run their course and required Columbia to end its “on-bill” billing practice with the two third party entities within two customer billing cycles. *Pa. PUC v. Columbia*

2647577, Order at 54 (Order entered Dec. 6, 2018) (*Dec. 6, 2018 Order*), citing 66 Pa.C.S. §§ 1502, 2203(4).

¹² *Pa. Pub. Util. Comm’n v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-2647577, (Order entered Aug. 8, 2019) (*2018 Rate Case*).

¹³ Joint Motion ¶ 3.

¹⁴ *Dec. 6, 2018 Order* at 50.

¹⁵ *Pa. Pub. Util. Comm’n v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-2647577, Report (March 18, 2019) (*March 18, 2019 Report*).

Gas of Pa. Inc., Docket No. R-2018-2647577, Order at 11-12 (Aug. 8, 2019) (*August 8, 2019 Order*).

- E. In its *August 8, 2019 Order*, the Commission stated, “the plan presented in Columbia’s Compliance Report does not bring Columbia’s ‘on bill’ billing practice into compliance with the Commission’s December 6 Order or Sections 1502 and 2203(4) of the Public Utility Code in a timely manner.”^[16]
- F. On November 7, 2019, Columbia filed a report with the Commission stating that the two contracts with the third-party entities had ended in compliance with the August 8, 2019, Order, and that Columbia discontinued its “on-bill” billing practice. *Pa. PUC v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-2647577, Report (Nov. 7, 2019).
- G. In the *June 30, 2025 Letter*, Columbia stated that it filed the letter “[i]n compliance with the Commission’s December 6, 2018, Order” and that Columbia would permit all entities that wish to participate in “on-bill” billing on a non-discriminatory basis.¹⁷ OCA and CAUSE-PA assert Columbia provided scant details in its *June 30, 2025 Letter* for how this new on-bill billing program will operate, and it is unclear whether and to what extent entities were notified of the filing.

On November 7, 2025, Prehearing Memoranda were filed by Columbia, OCA, CAUSE-PA, and RESA in accordance with the Prehearing Conference Order.

On November 12, 2025, the Prehearing Conference was held as scheduled. Columbia, OCA, CAUSE-PA, and RESA¹⁸ appeared, were represented by counsel and participated.

¹⁶ *Pa. Pub. Util. Comm’n v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-2647577, Order at 11-12 (Order entered Aug. 8, 2019) (*Aug. 8, 2019 Order*).

¹⁷ *See June 30, 2025 Base Rate Letter*.

¹⁸ RESA did not take a position on the Joint Motion filed by OCA and CAUSE-PA.

On November 26, 2025, Columbia filed its Response to the Joint Motion filed by OCA and CAUSE-PA.

On March 9, 2026, the undersigned presiding officers issued an Interim Order Closing Record.

FINDINGS OF FACT

1. On June 30, 2025, Columbia Gas of Pennsylvania, Inc. filed a letter with the Commission under Columbia's 2018 Rate Case, at Docket No. R-2018-2647577, to serve as notice of its plan to implement the practice of on-bill billing for Columbia customers. (*June 30, 2025 Base Rate Letter*).

2. On June 30, 2025, Columbia also filed a letter seeking approval for an Affiliated Interest Agreement (AIA) under Section 2102 of the Public Utility Code, 66 Pa.C.S. § 2102. *Pa. Pub. Util. Comm'n v. Columbia Gas of Pa. Inc.*, Docket No. G-2025-3056022. (*June 30, 2025 AIA Letter*).

3. The *June 30, 2025 AIA Letter* stated that, under an agreement between NDC and Pivotal, Pivotal will offer warranty service plans, products, and services to Columbia's customers and that NiSource Dev. Co. will grant a non-exclusive right and license for service marks to be used to market Pivotal's products, and the agreement would permit NDC to receive a revenue share percentage for the purchase of Pivotal's products by Columbia's customers. (*June 30, 2025 AIA Letter*).

4. Columbia's *June 30, 2025 AIA Letter* further indicates that NCSC, on behalf of Columbia, will provide billing services offered by Pivotal to Columbia

customers in exchange for Pivotal's payment of certain fees, including annual and monthly service fees. (*June 30, 2025 AIA Letter*).

5. On July 1, 2025, the Commission ordered the 30-day deadline for disposition of the AIA to be extended until further Order of the Commission pursuant to 66 Pa.C.S. § 2102(b); and on July 24, 2025, to assist in the Bureau of Technical Utility Services' review of the AIA, Columbia submitted a supplemental filing in the AIA Proceeding.

6. On August 5, 2025, the OCA filed a Protest and Public Statement at Docket Nos. R-2018-2647577 and G-2025-3056022.

7. On August 25, 2025, Columbia filed an Answer to the OCA's Protest.

8. On August 29, 2025, CAUSE-PA filed a Protest at Docket Nos. R-2018-2647577 and G-2025-3056022.

9. On September 18, 2025, Columbia filed an Answer to CAUSE-PA's Protest.

10. On October 8, 2025, a Prehearing Conference Notice and a Prehearing Conference Order were issued scheduling a telephonic Prehearing Conference on Wednesday, November 12, 2025.

11. On October 20, 2025, the RESA filed a Petition to Intervene at Docket Nos. R-2018-2647577 and G-2025-3056022.

12. On November 6, 2025, OCA and CAUSE-PA filed a Joint Motion For Judgment On The Pleadings.

13. On November 12, 2025, the Prehearing Conference was held as scheduled with Columbia, OCA, CAUSE-PA, and RESA present.

14. On November 26, 2025, Columbia filed its Response to the Joint Motion.

DISCUSSION

Given the novel issues raised in Columbia's newly proposed on-bill billing program, Columbia must file a formal request with the Commission to implement the new program. This must be done through either a Petition or an Application under the unique circumstances presented in this proceeding. Columbia's filing does not meet the criteria pursuant to Sections 5.11, 5.12 and 5.41 of the Commission's regulations.¹⁹

Legal standards

There are several Commission regulations relevant to this matter. Section 5.11(a) concerns applications in general and provides:

§ 5.11. Applications generally.

- (a) Applications for authorization or permission filed with the Commission should conform to the requirements of this chapter. To the extent practicable, applications

¹⁹ 52 Pa. Code §§ 5.11, 5.12, 5.41; Joint Motion ¶ 13.

should conform to the requirements of § 3.551 (relating to official forms).^[20]

Section 5.12 concerns the requirements of the content of applications and provides:

§ 5.12. Contents of applications.

- (a) Applications must conform to this section unless a form or other specific requirements are provided in Chapter 3 (relating to special provisions). Applications must:
 - (1) Be in writing.
 - (2) State clearly and concisely the authorization or permission sought.
 - (3) Cite by appropriate reference the statutory provisions, regulations or other authority under which the Commission authorization or permission is sought.
 - (4) Set forth, in the order indicated, the following-unless otherwise provided by this chapter or in Chapter 3 for the specific type of application involved:
 - (i) The exact legal name of the applicant.
 - (ii) The jurisdiction under the statutes of which the applicant was created or organized and the location of the principal place of business of the applicant, when the applicant is a corporation, trust, association or other entity.
 - (iii) The name, title, mailing address, telephone number and electronic mail address, if available, of the person to whom correspondence or communication in regard to the application is to

²⁰ 52 Pa. Code § 5.11(a).

be addressed. The Commission will serve, when required, notices, orders and other papers upon the person named, and service will be deemed to be service upon the applicant.^[21]

Section 5.41 contains similarly prescriptive requirements for a Petition, indicating:

§ 5.41. Petitions generally.

(a) *General requirements.* Petitions for relief under the act or other statute that the Commission administers, must be in writing, state clearly and concisely the interest of the petitioner in the subject matter, the facts and law relied upon, and the relief sought. Petitions for relief must comply with § 1.51 (relating to Instructions for service, notice, and protest).

(b) *Service.* A copy of the petition shall be served on all persons directly affected and on other parties whom petitioner believes will be affected by the petition. Copies of the petition shall be served upon the Office of Trial Staff, the Office of Consumer Advocate and the Office of Small Business Advocate. Service shall be evidenced with a certificate of service filed with the petition.^[22]

Additionally, petitions for relief under Section 2102 of the Code must be in writing, state clearly and concisely the interest of the petitioner in the subject matter, the facts and law relied upon, and the relief sought.²³ Petitions for relief must also comply with Section 1.51 of the Commission regulations, relating to instructions for service, notice, and protest.²⁴

²¹ 52 Pa. Code § 5.12 (a).

²² 52 Pa. Code § 5.41 (a)-(b).

²³ 66 Pa.C.S. § 2102.

²⁴ 52 Pa. Code § 1.51.

Moreover, Section 5.1 of the Commission regulations, “pleadings allowed,” provides, in pertinent part, as follows:

- (a) The pleadings in an action before the Commission include the following:
 - (1) Application and protest.
 - (2) Formal complaint, answer, new matter and reply to new matter.
 - (3) Order to show cause and answer.
 - (4) Petition and answer.
 - (5) Preliminary objections.
 - (6) Motions.^[25]

Parties’ positions

In their Joint Motion, OCA and CAUSE-PA submit both the Application and Petition process provide for public notice and the opportunity to be heard regarding the Company’s proposal.²⁶ According to OCA and CAUSE-PA, Columbia’s *June 30, 2025 AIA Letter* not only failed to provide proper notice, but the *June 30, 2025 AIA Letter* also fails to meet even the most basic requirements of an Application or Petition: to state the authorization or permission for the relief sought. OCA and CAUSE-PA contend that it appears that Columbia’s filing seems to assume that it does not need authorization or permission from the Commission to implement a new on-bill billing program.²⁷

²⁵ 52 Pa. Code § 5.1 (a).
²⁶ 52 Pa. Code §§ 5.14, 5.41.
²⁷ Joint Motion ¶ 18.

For its part, Columbia submits it is seeking Commission approval of an AIA with NDC to provide billing services for third-party service plans that would be available to Columbia customers. Columbia asserts it is not required to obtain Commission approval to provide on-bill billing services, and Columbia is not required to file an application or petition to obtain approval of this AIA.²⁸

Rather, Columbia submits Section 2102 of the Public Utility Code provides, in part:

[N]o...arrangement providing for the furnishing of management, supervisory, construction, engineering, accounting, legal, financial, or similar services, and no contract or arrangement for the purchase, sale, lease, or exchange of any property, right, or thing or for the furnishing of any service, property, right or thing other than those above enumerated...between a public utility and any affiliated interest shall be valid or effective unless and until such contract or arrangement has received the written approval of the commission.^[29]

According to Columbia, “the only mechanism for obtaining the requisite written approval – and the duty of every public utility company entering an arrangement that triggers Section 2102 – is ‘to file with the commission a verified copy of any such contract or arrangement, or a verified summary as described in subsection (a) of any such unwritten contract or arrangement.’”³⁰ Columbia submits it met all of the procedural and substantive requirements of Section 2102 with its June 30, 2025, Affiliate Interest Filing that initiated this matter at Docket No. G-2025-3056022.³¹

²⁸ Answer to Joint Motion at 1.

²⁹ *Id.* at 1-2 (citing 66 Pa.C.S. § 2102(a)).

³⁰ Answer to Joint Motion at 2 (quoting 66 Pa.C.S. § 2102(b)).

³¹ Answer to Joint Motion at 2.

Columbia also filed a letter on June 30, 2025, at Docket No. R-2018-2647577 (the 2018 Rate Case). Columbia submits the Notice Filing was intended only to alert the Commission and all parties to the 2018 Rate Case of Columbia’s intent to again permit on-bill billing for non-commodity services consistent with the requirements set forth in the Commission’s December 6, 2018 Order in that matter (Dec. 6, 2018 Order). According to Columbia, this was not a filing that required any Commission action.³²

OCA and CAUSE-PA argue “on-bill” billing is when regulated utility companies provide charges for non-commodity products or services offered by third-party entities on the utility bill and that Columbia’s proposal is brand new, and includes complex program features and factual assertions that require appropriate *de novo* review to determine the justness and reasonableness of Columbia’s on-bill billing program and its associated affiliated interest agreement.³³

OCA and CAUSE-PA request that the Notice Filing be dismissed, without prejudice, and requests that the Commission require Columbia to refile under a different procedural framework.³⁴

Disposition

It is important for the Commission to require the parties, where appropriate, to comply with applicable law and regulations and avoid filings and requests for relief

³² *Id.*

³³ See Joint Motion ¶ 19 (citing *Pa. Pub. Util. Comm’n v. Columbia Gas of Pa. Inc.*, Docket No. R-2018-2647577, RD at 106-107 (Sept. 18, 2018)); and Joint Motion ¶ 28.

³⁴ Joint Motion at 2. We note that no party filed an objection or a motion to strike the filing. However, OCA and CAUSE-PA filed a motion to dismiss, which would have the practical effect of striking the letter filed by Columbia at Docket No. R-2018-2647577.

and otherwise by informal letters, emails and similar filings. Proceedings before the Commission are formal legal proceedings involving significant public interest and the Commission rules and regulations generally serve to protect such interests. Here, Columbia failed to file a proper or adequate pleading and request for relief consistent with the Code or Commission's regulations.

We agree with OCA and CAUSE-PA that the Letter filing at Docket No. G-2025-3056022 is improper because it does not conform to the Commission's regulations. To re-institute any on-bill billing program and to seek relief from the Commission regarding the proposed affiliated interest agreement, Columbia is required to file a petition pursuant to Section 5.41 or other appropriate pleading.³⁵ Columbia could have simply addressed these matters in a proper pleading before the Commission, instead of filing facially inadequate letters at Docket Nos. G-2025-3056022 and R-2018-2647577.

The filing of an initial pleading in Commission proceedings serves an important purpose. Commission regulations and certain statutory provisions exist to ensure that adequate and proper notice of the claims and requests for relief are advanced in order to advance the public interest and to ensure that the due process rights of the parties are protected. As the Commonwealth Court explained, “[c]onsiderations of due process involve common-sense reasoning and fundamental fairness. Due process is a flexible concept incapable of exact definition, and is concerned with the procedural safeguards demanded by each particular situation in light of the legitimate goals of the applicable law.”³⁶

Here, based upon the insufficient and vague unverified initial filing by the Company at Docket No. G-2025-3056022, the specific claims and basis for the claims

³⁵ 52 Pa. Code § 5.41.

³⁶ *Commonwealth v. 2338 N. Beechwood St. Phila.*, 134 A.3d 507, 513 (Pa. Cmwlth. 2016) (internal citations and quotations omitted).

being advanced by Columbia, as well as the factual and legal basis to support such claims, are unclear. Accordingly, the parties are unable to prepare a defense to the claims advanced by the Company and the filing by the Company provides no notice to the public or Columbia's customers. As such, a hearing in this matter is not appropriate and is not in the public interest. Therefore, the merits of the filings will not be addressed in this decision.

In conclusion, the Motion for Judgment On The Pleadings filed by OCA and CAUSE-PA will be treated as a Motion to Dismiss the *June 30, 2025 Base Rate Letter* filed at Docket No. R-2018-2647577 and the *June 30, 2025 AIA Letter* filed at Docket No. G-2025-3056022. The Motion to Dismiss is granted, without prejudice.

With regard to the letter filed by Columbia on June 30, 2025, in the 2018 Rate Case, the record suggests Columbia complied with the obligations related to its on-bill billing practices in the *2018 Rate Case* through its March 18, 2019 letter notifying the Commission that it was discontinuing its on-bill billing program. By order, the Commission provided Columbia with 60 days, two-times the default regulatory time frame of 30 days, to submit a notice of compliance with its order.³⁷ On March 18, 2019, Columbia filed a report with the Commission stating that Columbia opted to discontinue its on-bill billing practice rather than bring it into compliance. *March 18, 2019 Report*.³⁸ The Commission stated that Columbia failed to bring its on-bill billing into compliance in

³⁷ *Dec. 6, 2018 Order* at 50-51 (“As such, we shall require Columbia to report to this Commission’s Bureau of Technical Utility Services, within 60 days of the entry day of this Opinion and Order, its methodology for coming into compliance with Section 1502 of the Code.”).

³⁸ *Id.*

a “timely manner.”³⁹ Columbia’s June 30, 2025 Letter was submitted 2,368 days past the regulatory deadline for compliance filings in this proceeding.⁴⁰

It is unreasonable to conclude that the Commission’s orders in the *2018 Rate Case* permit or invite a subsequent compliance filing, nearly seven years later, and that would disrupt a long-resolved proceeding. The *June 30, 2025 Letter*, which contains scant details about the mechanics of a newly proposed on-bill billing program is not a “compliance filing” and will be stricken from Docket No. R-2018-2647577.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter and the participants in this case. 66 Pa.C.S. § 501.

2. “Considerations of due process involve common-sense reasoning and fundamental fairness. Due process is a flexible concept incapable of exact definition, and is concerned with the procedural safeguards demanded by each particular situation in light of the legitimate goals of the applicable law.” *Commonwealth v. 2338 N.*

³⁹ Also in the *August 8, 2019 Order*, the Commission rejected Columbia’s plan to discontinue on bill billing. *Aug. 8, 2019 Order*. The *Dec. 6, 2018 Order* provided two options: either discontinue “on bill” billing or bring the practice into compliance. *Dec. 6, 2019 Order*. In its *March 18, 2019 Report*, Columbia elected to discontinue “on bill” billing by letting the remaining contracts for third party services run their course and not renew. *March 18, 2019 Report*. In the *August 8, 2019 Order*, the Commission rejected Columbia’s plan and ordered it to end its contracts immediately. *Aug. 8, 2019 Order*. The 2018 R-Docket was never intended to be an open-ended docket for Columbia to make future compliance filings at a time of its choosing; see *Aug. 8, 2019, Order* at 8 (“We reiterate that in the December 6 Order, we directed Columbia to either provide access to the ‘on bill’ billing service to all entities that provide such non-basic services or discontinue the ‘on bill’ billing policy.”).

⁴⁰ 52 Pa. Code § 5.591(b); Joint Motion ¶ 12.

Beechwood St. Phila., 134 A.3d 507, 513 (Pa. Cmwlth. 2016) (internal citations and quotations omitted).

3. Although the Commission's regulations do not specifically provide for a motion to dismiss, the Commission's regulations allow that a request may be made by motion for relief desired. 52 Pa. Code § 5.103(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Motion for Judgment on the Pleadings filed by the Office of Consumer Advocate and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, at Docket No. G-2025-3056022, shall be treated as a Motion to Dismiss.

2. That the Motion for Judgment on the Pleadings filed by the Office of Consumer Advocate and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, at Docket No. R-2018-2647577, shall be treated as a Motion to Dismiss.

3. That the Motions to Dismiss the June 30, 2025 Base Rate Letter filed at Docket No. R-2018-2647577 and the June 30, 2025 Affiliated Interest Agreement Letter filed at Docket No. G-2025-3056022, filed by the Office of Consumer Advocate and the Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania, are hereby granted.

