

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Tanya Mack	:	
	:	
v.	:	C-2025-3055045
	:	
PPL Electric Utilities Corporation	:	

INITIAL DECISION

Before
Eranda Vero
Administrative Law Judge

INTRODUCTION

This Initial Decision denies the Formal Complaint of Tanya Mack because the Complainant failed to appear at the scheduled hearing and prosecute her Complaint. In addition, this decision precludes Tanya Mack from filing further complaints with the Pennsylvania Public Utility Commission, whether of an informal or formal nature, regarding the arrearages on her electric account with PPL Electric Utilities Corporation until all such arrearages are paid in full.

HISTORY OF THE PROCEEDING

On May 8, 2025, Tanya Mack (Complainant or Ms. Mack) filed a Formal Complaint (Present Complaint) against PPL Electric Utilities Corporation (PPL, Respondent, or Company) with the Pennsylvania Public Utility Commission (Commission). In her Present Complaint, Ms. Mack alleged that PPL is threatening to shut off her electric

service or has already shut off her service. As relief, the Complainant requests that her “account be adjusted for incorrect billing” and her “payment plan ... be lowered.” Present Complaint ¶ 5.

On May 28, 2025, the Respondent filed an Answer denying all material allegations of fact and conclusions of law in the Present Complaint. Along with the Answer, PPL filed a New Matter in which it alleged that the Present Complaint is Ms. Mack’s eighth Complaint against PPL, in which she re-raises the same issues that were resolved in the third, fourth, and fifth Complaint proceedings by the Certificates of Satisfaction, to which the Complainant never filed Objections. In addition, PPL stated that as of the date of the Answer and New Matter, the Complainant had a total balance of \$22,838.08 owed to the Company. PPL requested that the Complainant be barred from filing further Informal or Formal Complaints against PPL until the entire outstanding account balance has been paid in full.

An Initial Call-in Telephonic Hearing Notice dated July 2, 2025, notified the parties that an initial call-in telephone hearing was scheduled for August 29, 2025 at 1:30 p.m. and that the matter was assigned to me. The Hearing Notice stated, “You may lose the case if you do not take part in this hearing and present evidence on the issue(s) raised.”

On July 2, 2025, I issued a Prehearing Order. The Prehearing Order directed the parties to comply with various procedural requirements, reminded them of the time, and date of the hearing and provided instructions for calling in to the hearing. In addition, the Prehearing Order warned in bold type: **“You may lose the case if you do not take part in this hearing and present evidence on the issues raised.”** (Emphasis in the original).

The Hearing Notice and the Prehearing Order were eServed on the Complainant at the email address registered with the Commission by the Complainant.¹ None of the emails sent by the Commission to the Complainant were returned as undeliverable.

The hearing was convened as scheduled on August 29, 2025. Alice Wade, Esq., appeared representing the Respondent. The Complainant failed to call in to the hearing. The Complainant was given an additional 10-15 minutes to call in but failed to do so. Attorney Wade moved that the Complaint be dismissed for lack of prosecution pursuant to 52 Pa. Code § 5.245. In addition, she requested that I take judicial notice of the seven prior Complaints filed by Ms. Mack against PPL, at Docket Nos. C-2017-2624386, C-2018-3002133, C-2019-3010470, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622. Tr. 10-11. I granted her request. Attorney Wade also requested that the Complaint be dismissed with prejudice because the Complainant has abused the Commission's administrative process to avoid termination of service, and that the Complainant be precluded from filing more informal or Formal complaints with the Commission until her large outstanding balance is settled in full. Tr. 9-10. She presented the testimony of Tami Roland, who is a Senior Customer Representative with PPL. The Respondent sponsored two exhibits (PPL Exhibits 1 and 3) which were admitted into the record.

The record in this matter closed on September 17, 2025, upon receipt of the hearing transcript. To date, there has been no contact or communication from Ms. Mack with me or anyone else at the Commission regarding her failure to appear at the August 29, 2025 hearing.

¹ Both the Complainant and Respondent have elected to enroll in the Commission's e-Filing Subscription Service (eService) and were served via eService. *See Complaint ¶ 9.*

On October 20, 2025, Attorney Wade informed me, via email, that a review of the hearing transcript had revealed a discrepancy between Ms. Roland's testimony and one of the exhibits submitted into the record. She requested permission to submit a transcript correction to correct the record. At the time, I denied her request as unnecessary.

By Order dated November 17, 2025, I reopened the record and set the matter for a further hearing. The Order notified Tanya Mack that judicial notice was about to be taken of dockets of her seven prior Complaints against PPL, at Docket Nos. C-2012-2624386, C-2018-3002133, C-2019-301047, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622. It also instructed Ms. Mack that, if she failed to appear at the further hearing, she would waive the opportunity to show that the facts are not properly noticed or that alternative facts should be noticed.²

A Further Call-in Telephonic Hearing Notice dated November 18, 2025, notified the parties that a further call-in telephone hearing was scheduled for December 19, 2025 at 1:00 p.m. The Further Hearing Notice stated, "You may lose the case if you do not take part in this hearing and present evidence on the issue(s) raised."

On November 19, 2025, I issued a second Prehearing Order. The second Prehearing Order directed the parties to comply with various procedural requirements, reminded them of the time and date of the hearing and provided instructions for calling in to the hearing. The second Prehearing Order warned in bold type: "**You may lose the case if you do not take part in this hearing and present evidence on the issues raised.**" (Emphasis in the original).

² For a more detailed explanation of the reasons for reopening the record, see Order issued on November 17, 2025 in this matter.

The Order dated November 17, 2025, the Further Hearing Notice and the second Prehearing Order were eServed on the Complainant at the email address registered with the Commission by the Complainant. None of the emails sent by the Commission to the Complainant were returned as undeliverable.

The hearing was convened as scheduled on December 19, 2025. Alice Wade, Esq. appeared representing the Respondent. The Complainant failed to call in to the hearing. The Complainant was given an additional 10-15 minutes to call in but failed to do so. Attorney Wade moved that the Present Complaint be dismissed for lack of prosecution pursuant to 52 Pa. Code § 5.245. Attorney Wade also renewed her request that the Present Complaint be dismissed with prejudice because the Complainant has abused the Commission's administrative process to avoid termination of service, and that the Complainant be precluded from filing more informal or Formal complaints with the Commission. Tr. 71. She presented the testimony of Kelly Bell, who is a Customer Service Representative with PPL. The Respondent sponsored seven additional exhibits (PPL Exhibits 2, 4, 5, 6, 7, 8, and 13) which were admitted into the record.

The record in this matter closed on January 19, 2026, upon receipt of the transcript for the further hearing. To date, there has been no contact or communication from Ms. Mack with me or anyone else at the Commission regarding her failure to appear at the December 19, 2025 further hearing.

FINDINGS OF FACT

1. Complainant is Tanya Mack, who currently receives gas service at 3926 E. Grant Street, Slatedale, PA 18079 (Service Address). Tr. 9.
2. Respondent is PPL Electric Utilities Corporation.

3. Ms. Mack established electric service at the Service Address with PPL on July 16, 2019. Tr. 17.

4. From July 19, 2019, to the date of the further hearing, Ms. Mack made only two payments to her account with PPL: one on July 2, 2021, for \$102.00 and another on November 30, 2021, for \$356.00. Tr. 16, 49-50; PPL Exhibits 1, 13.

5. As of the date of the further hearing, Ms. Mack has accumulated an outstanding balance of \$25,270.32 in her electric residential hearing account with PPL. Tr. 49; PPL Exhibits 1, 2, 13.

6. From August 25, 2021, to the date of the further hearing, Ms. Mack has filed five informal complaints with the Commission’s Bureau of Consumer Services (BCS). These informal complaints are:

	PUC Informal complaints	Date filed	Date closed	Claim	Outcome
1	BCS Case No. 3800603	8/25/2021	9/15/2021	Seeking PAR to avoid termination of service.	PAR ³ issued as a Level 1 income customer.
2	BCS Case No. 3832648	4/22/2022	5/24/2022	Seeking PAR	Case dismissed. pursuant to 52 Pa.Code § 56.166 (1) ⁴ .

³ Payment Arrangement (PAR).

⁴ Commission regulations at 52 Pa.Code § 56.166 (1) require a customer to contact the utility to resolve the problem before filing an informal complaint with the Commission.

	PUC Informal complaints	Date filed	Date closed	Claim	Outcome
3	BCS Case No. 3858975	8/22/2022	10/19/2022	Billing dispute	Case dismissed. Customer responsible for total account balance of \$10,252. No PAR issued pursuant to 66 Pa.C.S.§1405(d).
4	BCS Case No. 3983211	5/1/2024	6/13/2024	Seeking PAR	Case dismissed. No PAR issued pursuant to 66 Pa.C.S.§1405(d). Billing dispute dismissed pursuant to 52 Pa.Code § 56.166 (1).
5	BCS Case No. 4038207	01/09/2025	1/28/2025	Billing dispute	Case dismissed pursuant to 52 Pa.Code § 56.166 (1).

PPL Exhibits 4, 5, 6, 7, 8.

7. From September 14, 2017, to August 8, 2024, Ms. Mack filed seven Formal Complaints with the Commission, each following the receipt of shut-off notices from PPL. These Formal Complaints are:

	PUC Formal Complaints	Date filed	Date Closed	Claims	Outcome
1	C-2017-2624386	9/14/2017	10/10/2017	Utility is threatening to terminate service; Inability to pay; High billing dispute	Certificate of Satisfaction
2	C-2018-3002133	5/23/2018	11/28/2018	Utility threatening to terminate service; Inability to pay.	Final Order dismissing the Complaint for failure to appear at the hearing and prosecute the Complaint.
3	C-2019-3010470	6/11/2019	5/18/2021	Utility threatening to terminate service; Inability to pay	Final Order dismissing the Complaint for failure to appear at the hearing and prosecute the Complaint.
4	C-2019-3014189	11/8/2019	12/30/2020	Utility threatening to terminate service; Inability to pay	Final Order dismissing the Complaint for failure to appear at the hearing and prosecute the Complaint.
5	C-2022-3036792	11/15/2022	3/6/2023	Utility threatening to terminate service; Inability to pay; Incorrect charges	Certificate of Satisfaction

	PUC Formal Complaints	Date filed	Date Closed	Claims	Outcome
6	C-2023-3041953	7/28/2023	2/21/2024	Utility threatening to terminate service; Inability to pay; Incorrect charges	Certificate of Satisfaction
7	C-2024-3050622	8/8/2024	12/10/2024	Utility threatening to terminate service; Inability to pay; Incorrect charges	Certificate of Satisfaction

Tr. 29, 71.

8. On May 8, 2025, Ms. Mack filed the Present Complaint, her eighth Formal Complaint against PPL, alleging that the Company is threatening to shut off her electric service or has already shut off her service.

9. As relief, the Complainant requests that her “account be adjusted for incorrect billing” and her “payment plan ... be lowered.” Complaint ¶ 5.

10. On May 28, 2025, the Respondent filed an Answer denying all material allegations of fact and conclusions of law in the Present Complaint.

11. An Initial Call-in Telephonic Hearing Notice dated July 2, 2025, notified the parties that an initial call-in telephone hearing was scheduled for August 29, 2025 at 1:30 p.m.

12. The July 2, 2025, Hearing Notice stated, “You may lose the case if you do not take part in this hearing and present evidence on the issue(s) raised.” July 2, 2025, Initial Call-In Hearing Notice, p. 1.

13. A Prehearing Order dated July 2, 2025, directed the parties to comply with various procedural requirements, reminded them of the time and date of the hearing and provided instructions for calling in to the hearing.

14. The July 2, 2025, Prehearing Order warned in bold type: “**You may lose the case if you do not take part in this hearing and present evidence on the issues raised.**” July 2, 2025, Prehearing Order, ¶ 1 (emphasis in the original).

15. The Hearing Notice and the Prehearing Order were eServed on the Complainant at the email address registered with the Commission by the Complainant.

16. Neither the July 2, 2025, Hearing Notice, nor the July 2, 2025 Prehearing Order were returned as undeliverable.

17. The Complainant failed to appear at the August 29, 2025, hearing.

18. The Complainant did not request a continuance, withdraw the Complaint, or otherwise notify the Commission to explain why her failure to appear at the August 29, 2025 hearing was unavoidable.

19. The record in this matter closed on September 17, 2025 upon receipt of the hearing transcript.

20. By Order dated November 17, 2025, the record in this matter was reopened and the case was set for a further hearing. November 17, 2025 Order, Ordering Paragraph Nos. 1, 4.

21. The November 17, 2025 Order notified Ms. Mack that judicial notice was about to be taken of her seven prior Formal Complaints against PPL, at Docket Nos. C-2017-2624386, C-2018-3002133, C-2019-301047, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622. November 17, 2025, Order, Ordering Paragraph No. 2.

22. The November 17, 2025 Order instructed Ms. Mack that if she failed to appear at the further hearing, she would waive the opportunity to show that the facts are not properly noticed or that alternative facts should be noticed. November 17, 2025, Order, Ordering Paragraph No. 3.

23. A Further Call-in Telephonic Hearing Notice dated November 18, 2025, notified the parties that a further call-in telephone hearing was scheduled for December 19, 2025 at 1:00 p.m.

24. The Further Hearing Notice stated, “You may lose the case if you do not take part in this hearing and present evidence on the issue(s) raised.” November 18, 2025, Further Call-In Hearing Notice, p. 1.

25. A second Prehearing Order issued on November 19, 2025, directed the parties to comply with various procedural requirements, reminded them of the time and date of the hearing, and provided instructions for calling in to the hearing.

26. The second Prehearing Order warned in bold type: “**You may lose the case if you do not take part in this hearing and present evidence on the issues raised.**” November 19, 2025, Prehearing Order, ¶ 1 (emphasis in the original).

27. The Order dated November 17, 2025, the Further Hearing Notice and the second Prehearing Order were eServed on the Complainant at the email address registered with the Commission by the Complainant.

28. The Order dated November 17, 2025, the Further Hearing Notice and the second Prehearing Order were not returned as undeliverable.

29. The Complainant failed to appear at the December 19, 2025 further hearing.

30. The Complainant did not request a continuance, withdraw the Complaint, or otherwise notify the Commission to explain why her failure to appear at the December 19, 2025 further hearing was unavoidable.

31. As of the date of the further hearing on December 19, 2025, Complainant’s outstanding balance with PPL totaled \$25,270.32. Tr. 49.

DISCUSSION

In this Initial Decision, I take judicial notice of the procedural history, pleadings and Commission rulings in Ms. Mack’s formal Complaints against PPL at Docket Nos. Nos. C-2017-2624386, C-2018-3002133, C-2019-3010470, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622. *See Ramos v. Pa Bd. of Prob. & Parole*, 954 A.2d 107, 110 (Pa. Cmwlth. 2008) (quoting *Falasco v. Pa Bd. of Prob. & Parole*, 521 A.2d 991, 995, n.6 (Pa. Cmwlth. 1987)). By Order dated

November 17, 2025, Ms. Mack was notified that judicial notice was about to be taken of the dockets of her seven prior Complaints against PPL, at Docket Nos. C-2012-2624386, C-2018-3002133, C-2019-301047, C-2019-3014189, C-2022-3036792, C-2023-3041953, and C-2024-3050622. November 17, 2025, Order, Ordering Paragraph No. 3. In addition, Ms. Mack was informed that if she failed to appear at the further hearing, she would waive the opportunity to show that the facts are not properly noticed or that alternative facts should be noticed. *Id.*, Ordering Paragraph No. 4.

Ms. Mack did fail to appear at the further hearing held on December 19, 2025. Consequently, Ms. Mack waived the opportunity to show that the facts included in the above-listed Docket Nos. are not properly noticed or that alternative facts should be noticed.

As the party seeking affirmative relief from the Commission, the burden of proof rests on the Complainant. 66 Pa.C.S. § 332(a).

Administrative agencies, like the Public Utility Commission, are required to provide due process to the parties appearing before them. This requirement is satisfied when the parties are afforded notice and the opportunity to appear and be heard. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984). Both Initial and Further Hearing Notices as well as the two Prehearing Orders were eServed to the email address registered with the Commission by the Complainant. None of the eServed documents were returned to the Commission as undeliverable. Accordingly, it must be presumed that these documents sent to Complainant were received by Complainant. *Skow v. Met. Edison Co.*, Docket No. F-2023-3042228 (Final Order May 7, 2024) (*Skow*); *Hu v. PECO Energy Co.*, Docket No. C-2019-3012075 (Order entered Dec. 19, 2019) (*Hu*); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Apr. 7, 2017) (*Zirkel*); *Morella v. PECO Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 24, 2017) (*Morella*).

As the Commission noted in *Strydio v. PPL Electric Utilities Corp.*, Docket No. C-2017-2633043 at 6 (Opinion and Order entered July 18, 2018), "[o]nce notice of a hearing and the opportunity to be heard have been provided by the Commission, it is the responsibility of the parties to appear and participate in the hearing." (citing, *Mumma v. PPL Elec. Utils. Corp.*, Docket No. C-00014869 (Opinion and Order entered Jan. 24, 2002)); *Sentner v. Bell Tel. Co. of Pa.*, Docket No. F-00161106 (Opinion and Order entered Oct. 25, 1993).

The Complainant was notified of the scheduled hearings and did not appear at either of them. Additionally, both Hearing Notices as well as the two Prehearing Orders advised the Complainant that the case could be dismissed for failure to call in and participate in the hearing. Both the Public Utility Code and the Commission's regulations provide that, after being notified, a party who fails to appear at a scheduled hearing shall be deemed to have waived the opportunity to participate in the hearing and shall not be permitted to later reopen the matter or be permitted to recall excused witnesses. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a). Thus, the Complainant has waived the opportunity to participate in the hearing by failing to appear. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a); *Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Opinion and Order entered Dec. 26, 1995).

Additionally, Section 332(a) of the Public Utility Code, 66 Pa.C.S. § 332(a), places the burden of proof upon the proponent of any request for relief. By failing to appear and proffer any evidence to support the Complaint, the Complainant has failed to meet this burden. Consequently, the Complaint will be dismissed on this basis as well. *Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Opinion and Order entered Dec. 26, 1995); *El-Ayazra v. W. Penn Power Co.*, Docket No. F-2015-2509292 (Opinion and Order entered June 30, 2016); 52 Pa. Code § 5.245.

Finally, the party who failed to appear at the hearing has the burden of explaining why his failure to appear was unavoidable. 66 Pa.C.S. § 332(a); *Herr v. W. Penn Power Co.*, Docket No. C-2021-3028202 (Opinion and Order entered Sept. 15, 2022). When there are no facts in the record that the party's failure to appear was unavoidable, the complaint should be dismissed. *Brown v. PECO Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered Apr. 22, 2022); *Little v. Pittsburgh Water & Sewer Auth.*, Docket No. F-2021-3027107 (Opinion and Order entered Feb. 7, 2022); *Williams v. PECO Energy Co.*, Docket No. C-2018-3000734 (Opinion and Order entered Mar. 14, 2019); *Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Opinion and Order entered Dec. 26, 1995); 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a). There are no facts on the record that suggest that Complainant's failure to appear was unavoidable. Therefore, the Complaint will be dismissed.

At the August 29, 2025 initial hearing and again at the December 19, 2025 further hearing, counsel for the Company requested that the Complaint be dismissed with prejudice. Counsel argued that the Complainant has abused the complaint process and should be barred from filing any more informal or formal complaints with the Commission until her outstanding balance is paid in full. Tr. 12, 71-72. In support of this position, Attorney Wade presented the testimony of Tami Roland and Kelly Bell, who are Customer Service Representatives with PPL. Ms. Roland and Ms. Bell sponsored exhibits which show that from September 17, 2017 to December 25, 2025, Ms. Mack has filed five informal and eight Formal Complaints against PPL. The complaints filed by Ms. Mack, the dates, claims and outcomes of each are as follows:

	Informal and Formal Complaints	Date filed	Date Closed	Claims	Outcome
1	C-2017-2624386	9/14/2017	10/10/2017	Utility is threatening to terminate service; Inability to pay; High billing dispute	Certificate of Satisfaction
2	C-2018-3002133	5/23/2018	11/28/2018	Utility threatening to terminate service; Inability to pay.	Final Order dismissing the Complaint for failure to appear at the hearing and prosecute the Complaint.
3	C-2019-3010470	6/11/2019	5/18/2021	Utility threatening to terminate service; Inability to pay	Final Order dismissing the Complaint for failure to appear at the hearing and prosecute the Complaint.
4	C-2019-3014189	11/8/2019	12/30/2020	Utility threatening to terminate service; Inability to pay	Final Order dismissing the Complaint for failure to appear at the hearing and prosecute the Complaint.
5	BCS Case No. 3800603	8/25/2021	9/15/2021	Seeking PAR to avoid termination of service.	PAR issued L1
6	BCS Case No. 3832648	4/22/2022	5/24/2022	Seeking PAR	Case dismissed. pursuant to pursuant to 52 Pa.Code § 56.166 (1).

	Informal and Formal Complaints	Date filed	Date Closed	Claims	Outcome
7	BCS Case No. 3858975	8/22/2022	10/19/2022	Billing dispute	Case dismissed. Customer responsible for total account balance of \$10,252. No PAR issued pursuant to 66 Pa.C.S. §1405(d).
8	C-2022-3036792	11/15/2022	3/6/2023	Utility threatening to terminate service; Inability to pay; Incorrect charges	Certificate of Satisfaction
9	C-2023-3041953	7/28/2023	2/21/2024	Utility threatening to terminate service; Inability to pay; Incorrect charges	Certificate of Satisfaction
10	BCS Case No. 3983211	5/1/2024	6/13/2024	Seeking PAR	Case dismissed. No PAR issued pursuant to 66 Pa.C.S. §1405(d). Billing dispute dismissed pursuant to 52 Pa.Code § 56.166 (1).
11	C-2024-3050622	8/8/2024	12/10/2024	Utility threatening to terminate service; Inability to pay; Incorrect charges	Certificate of Satisfaction

	Informal and Formal Complaints	Date filed	Date Closed	Claims	Outcome
12	BCS Case No. 4038207	01/09/2025	1/28/2025	Billing dispute	Case dismissed pursuant to 52 Pa.Code § 56.166 (1).
13	C-2025-3055045 (Present Complaint)	5/8/2025		Utility threatening to terminate service; Inability to pay; Incorrect billing	

Tr. 21, 71; PPL Exhibits 4, 5, 6, 7, 8.

Upon careful review of the evidence submitted in this matter, I agree with Respondent that the effect of these repetitive filings has been to prevent the lawful termination of service by the Company despite the large balance accumulated in Complainant's account. The record in this case highlights a trend in which the Complainant uses this Commission's administrative proceedings to delay or evade the Company's termination procedures. The 13 informal and formal complaints filed by Ms. Mack in the last eight years follow a clear pattern: they are almost exclusively filed following receipt of termination notices from PPL. In addition, Ms. Mack has never prosecuted any of the eight Formal Complaints that she has filed with the Commission. Four of her Formal Complainants against PPL were resolved through settlement agreements prior to the hearings, and she failed to attend the hearings on the other four. Each of the informal and Formal Complainants filed, along with the winter moratorium mandated by the Commission regulation at 56 Pa. Code § 56.100(b),⁵ halted PPL's

⁵ Unless otherwise authorized by the Commission, during the period of December 1 through March 31, an electric distribution utility or natural gas distribution utility may not terminate service to customers with household incomes at or below 250% of the Federal poverty level. 56 Pa.Code § 56.100(b).

collection's activities on Ms. Mack's account and contributed to the accumulation of a large outstanding balance in her account.

As far as Ms. Mack's payment history is concerned, during the six-year period from July of 2019 to December of 2025, Ms. Mack made only two payments to her account with PPL: one on July 2, 2021, for \$102.00 and another on November 30, 2021 for \$356.00. Tr. 16, 49-50; PPL Exhibits 1, 13. Ms. Mack's almost complete lack of payments over a prolonged period of time has resulted in the accrual of an outrageous balance in her account with PPL in the amount of \$25,270.32.

In appropriate circumstances, the Commission may bar a complainant from filing further complaints until the outstanding balance has been paid, where the Commission determines that the complainant is abusing the Commission's administrative process in order to avoid termination of utility service. The Commission has held that when a complainant has used a variety of means to avoid termination and unnecessarily prolong the proceedings, the Commission must reach a point where it acts to protect the interests of the other ratepayers, who will otherwise ultimately bear the burden of that Complainant's growing arrearage. *See, Seidenstricker v Metro. Edison Co.*, Docket No. F-2008-2019388 (Opinion and Order entered July 28, 2009). In abuse of administrative-process cases, the Commission considers factors such as the number and the nature of complaints, the number of defaulted payments, the use of tactics to avoid payments and service terminations, and the history of payments. *See Hayes v. Phila. Gas Works*, Docket No. F-2023-3042824 (Opinion and Order entered Aug. 22, 2024) (*Hayes*); *Nestorick v. UGI Utils. Inc.*, Docket No. C-2019-3008476 (Initial Decision entered Oct. 7, 2019; Final Order entered Nov. 15, 2019) (*Nestorick*); *Potora v. UGI Penn Natural Gas, Inc.*, Docket No. C-2018-3003485 (Opinion and Order entered Aug. 8, 2019) (*Potora*).

In *Hayes*, the Commission found that complainant Hayes had abused the Commission's process by filing nine informal and three formal complaints with the Commission, breaking four PGW-issued PARs and one Commission-issued PAR, and by only making 18 payments on his account since his account was opened in August 2013. As of the date of the scheduled hearing in *Hayes*, complainant Hayes had a customer assistance program balance of \$3,204 and a frozen arrears balance of \$1,400.61. In *Nestorick*, the Commission found that complainant Nestorick had abused the Commission's process by filing four informal and two formal complaints with the Commission, defaulting on two Commission-issued PARs and three UGI-issued PARs, filing four bankruptcy petitions, and by filing three medical certificates. In *Potora*, the Commission found that Complainant Potora had abused the Commission's process by filing ten complaints with the Commission, requesting multiple continuances, and by failing to appear at many of the scheduled hearings. In all of these cited cases, the Commission precluded the complainants from filing further complaints against their utility on their arrearages, whether informal or formal, until their account was paid in full.

Similar to the circumstances in the cases listed above, Ms. Mack's substantial balance, poor payment history, multiple complaint filings, and conduct in proceedings before the Commission constitutes a pattern of activity calculated to avoid or delay payment of her electric bill and termination of her utility service. PPL has the right to bill and receive payment for the utility service it has provided to Ms. Mack. 66 Pa.C.S. § 1303, *Neal v. Phila. Gas Works*, Docket No. Z-00871874 (Final Order entered Jan. 4, 2002); *Angie's Bar v. Duq. Light Co.*, 72 Pa.P.U.C. 213 (1990). PPL's request to preclude Ms. Mack from filing further complaints against PPL regarding the arrearages on her electric service account until her existing arrearages are paid in full will be granted in the Ordering paragraphs below.

Furthermore, because the record indicates that the Complainant has abused the administrative process to avoid paying her bills, it is appropriate to dismiss the

Complaint with prejudice. *See, e.g. Herr v. W. Penn Power Co.*, Docket No. C-2021-3028202 (Opinion and Order entered Sept. 15, 2022).

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter of and the parties to this proceeding. 66 Pa.C.S. § 701.

2. The Complainant received notice of the hearing. *Hu v. PECO Energy Co.*, Docket No. C-2019-3012075 (Order entered Dec. 19, 2019); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Apr. 7, 2017); *Morella v. PECO Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 31, 2017).

3. The due process rights of the Complainant have been fully protected in this proceeding and Complainant's failure to appear was not unavoidable. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984); 52 Pa. Code § 5.245(a).

4. As the party seeking affirmative relief from the Commission, the Complainant bears the burden of proof. 66 Pa.C.S. § 332(a).

5. The Complainant did not participate in the hearing, failed to appear for the hearing, did not present any evidence, and, therefore, failed to meet the Complainant's burden of proving eligibility for the relief sought from the Commission. 66 Pa.C.S. § 332(a).

6. If there are no facts in the record that a party's failure to appear at a hearing was unavoidable, the complaint should be dismissed. *Brown v. PECO Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered Apr. 22, 2022); *Little v.*

Pittsburgh Water & Sewer Auth., Docket No. F-2021-3027107 (Opinion and Order entered Feb. 7, 2022); 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a).

7. The Commission may preclude a party from filing further informal or formal complaints when the party has abused the Commission's complaint procedures in order to avoid the termination of his or her service. *Hayes v. Phila. Gas Works*, Docket No. F-2023-3042824 (Opinion and Order entered Aug. 22, 2024); *Nestorick v. UGI Utils. Inc.*, Docket No. C-2019-3008476 (Initial Decision entered Oct. 7, 2019, Final Order entered Nov. 15, 2019); *Potora v. UGI Penn Natural Gas, Inc.*, Docket No. C-2018-3003485 (Opinion and Order entered Aug. 8, 2019).

8. When a complainant has used a variety of means to avoid termination and unnecessarily prolong the proceedings, the Commission must reach a point where it acts to protect the interest of the other ratepayers, who will otherwise ultimately bear the burden of that Complainant's growing arrearage. *Seidenstricker v Metro. Edison Co.*, Docket No. F-2008-2019388 (Opinion and Order entered July 28, 2009).

9. In abuse of administrative-process cases, the Commission considers factors such as the number and the nature of complaints, the number of defaulted payments, the use of tactics to avoid payments and service terminations, and the history of payments. *Hayes v. Phila. Gas Works*, Docket No. F-2023-3042824 (Opinion and Order entered Aug. 22, 2024); *Nestorick v. UGI Utilities Inc.*, Docket No. C-2019-3008476 (Initial Decision entered Oct. 7, 2019, Final Order entered Nov. 15, 2019); *Potora v. UGI Penn Natural Gas, Inc.*, Docket No. C-2018-3003485 (Opinion and Order entered Aug. 8, 2019).

10. A public utility has the right to bill and receive payment for the utility service it provides to its customers. 66 Pa.C.S. § 1303, *Neal v. Phila. Gas Works*, Docket No. Z-00871874 (Final Order entered Jan. 4, 2002); *Angie's Bar v. Duquesne Light Co.*, 72 Pa.P.U.C. 213 (1990).

11. Complainant's substantial outstanding balance, poor payment history, multiple similar complaint filings, and conduct in proceedings before the Commission constitute abuse of the Commission's administrative process. *Hayes v. Phila. Gas Works*, Docket No. F-2023-3042824 (Opinion and Order entered Aug. 22, 2024); *Nestorick v. UGI Utils. Inc.*, Docket No. C-2019-3008476 (Initial Decision entered Oct. 7, 2019, Final Order entered Nov. 15, 2019); *Potora v. UGI Penn Natural Gas, Inc.*, Docket No. C-2018-3003485 (Opinion and Order entered Aug. 8, 2019).

12. Because the record indicates that the Complainant has abused the administrative process to avoid paying her bills, it is appropriate to dismiss the Complaint with prejudice. *See, e.g. Herr v. W. Penn Power Co.*, Docket No. C-2021-3028202 (Opinion and Order entered Sept. 15, 2022).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint of Tanya Mack against PPL Electric Utilities Corporation at Docket No. C-2025-3055045 is dismissed with prejudice.

2. That Tanya Mack is precluded from filing further informal or formal complaints with the Commission regarding the arrearages on the account for electric service rendered by PPL Electric Utilities Corporation until such time as the outstanding arrearages in the amount of \$25,270.32 are paid in full, and that the filing of any complaint pertaining to those arrearages which are the subject of this proceeding shall be rejected without further proceedings.

3. That the filing of any other pleading related to this case concerning the same subject matter be, and hereby is, deemed not to stay implementation of this Order.

4. That Commission staff (including but not limited to the Bureau of Consumer Services and the Secretary's Bureau) shall reject any formal or informal complaint that is filed with the Commission by Tanya Mack, any member of her family, or any other person in the household, pertaining to the service address of 3926 E. Grant Street, Slatedale, PA 18079 until the outstanding arrearages in the amount of \$25,270.32 are paid in full.

5. That any filing of a new informal or formal complaint by Tanya Mack against PPL Electric Utilities Corporation must include proof that the arrearages in the amount of \$25,270.32 have been paid in full (e.g. billing statement, account statement, receipt of payment, cancelled check, bank statement, proof of discharge of the arrearages in bankruptcy, or correspondence with the utility confirming payment in full).

6. That, if proof that the outstanding arrearages have been paid in full is not provided, the Secretary's Bureau and Bureau of Consumer Services are directed to reject the complaint, without a hearing before the Office of Administrative Law Judge.

7. That the failure of Tanya Mack to pay the outstanding arrearages in the amount of \$25,270.32, in full, shall be grounds for PPL Electric Utilities Corporation to take any necessary steps and actions under the Pennsylvania Public Utility Code and Commission Regulations, including but not limited to, termination of service, to address Tanya Mack's outstanding balance.

8. That a copy of this decision/order shall be served to the Commission's Bureau of Consumer Services and the Secretary's Bureau.

