

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Kristen Flaherty	:	
	:	
v.	:	C-2025-3057707
	:	
Columbia Gas of Pennsylvania, Inc.	:	

INITIAL DECISION

Before
Katrina L. Dunderdale
Administrative Law Judge

INTRODUCTION

This Initial Decision grants Respondent’s Motion to Dismiss and Preclude Further Informal or Formal Complaints Due to Abuse of Process and Frivolous Litigation because Complainant failed to appear at the initial hearing to prosecute her case and because Complainant abused the Commission’s complaint processes by filing frivolous litigation against Respondent.

HISTORY OF THE PROCEEDING

On September 29, 2025, Kristen Flaherty (Complainant) filed a Formal Complaint (Complaint) with the Pennsylvania Public Utility Commission (Commission) against Columbia Gas of PA Inc. (Respondent or Columbia). The Complaint concerns natural gas service provided to Complainant at the service address located in McDonald, Washington County, Pennsylvania. Complainant alleged Columbia threatened to shut off

service or had already shut off gas service at the service address. For relief, Complainant requested a payment arrangement.

In the Complaint, Complainant selected the option to receive all communications from the Commission via eService through an eFiling account she registered with the Commission. Complaint ¶ 9.

On November 3, 2025, the Office of Administrative Law Judge (OALJ) issued a Call-In Telephone Hearing Notice, which scheduled an initial hearing to be conducted on January 8, 2026, with Administrative Law Judge Katrina L. Dunderdale (presiding officer). The Hearing Notice provided the parties with the Toll-Free Bridge Number and the PIN to call and participate in the telephonic hearing. The Hearing Notice further stated as follows:

FAILURE TO APPEAR: You may lose the case if you do not take part in this hearing and present evidence on the issue(s) raised. Your case may be dismissed “with prejudice” which means that you will be barred from filing another complaint raising the same claim(s) and issue(s) presented in the dismissed complaint.

CONTINUANCES. You may request a continuance of the hearing if you have a good reason. All continuances will be granted only for good cause. To request a continuance, you must submit a written request (a “motion”) at least five (5) days before the hearing. Your motion should include: 1) The case name, number, and hearing date; 2) The reason for the request; and 3) Whether the other party agrees (or if you do not know).

On November 5, 2025, the presiding officer served a Prehearing Order on the parties which reminded the parties of the date and time of the hearing. The Prehearing Order again stated the failure to appear warning. Additionally, the Prehearing

Order informed the parties about the applicable procedural rules and again included the procedure to follow when requesting a continuance.

The Hearing Notice and Prehearing Order were eServed to Complainant in the ordinary course of the Commission's business to the email address Complainant registered with the Commission. Neither the Hearing Notice nor the Prehearing Order were returned to the Commission as undeliverable.

On December 4, 2025, Respondent filed an Answer in which Respondent admitted it provides natural gas distribution service to Complainant and admitted sending Complainant a notice of pending termination of service in October 2025 due to Complainant's repeated and persistent failure to pay monthly bills in full and on time. Respondent noted it provided Complainant with multiple payment arrangements. In addition, Respondent averred Complainant filed three separate informal complaints, six formal complaints and received three Commission payment arrangements from the Commission's Bureau of Consumer Services (BCS) since 2019.

Respondent further alleged there was a substantial arrearage on Complainant's account with Columbia in an amount exceeding \$3,300. Respondent requested the Commission order Complainant to pay \$909 to bring current the most recent company payment arrangement or, in the alternative, authorize Respondent to proceed with termination of service. Respondent asserted Complainant has received three Commission payment arrangements and she is not entitled to another payment arrangement.

Also, on December 4, 2025, Respondent filed a Motion for Leave to File *Answer Nunc Pro Tunc* (Motion *Nunc Pro Tunc*) in which counsel requested the Commission accept the Answer of Columbia as if timely filed. Counsel indicated an Answer to the Complaint herein was filed by Columbia on October 22, 2025, but was

filed erroneously in another proceeding after Columbia referenced an incorrect docket number. The Motion noted a hearing was scheduled for January 8, 2026, and granting the Motion would not delay the adjudication. Ms. Flaherty did not respond to the Motion *Nunc Pro Tunc*.

On December 22, 2025, the presiding officer issued the First Interim Order which granted Columbia's Motion *Nunc Pro Tunc*. The Order also specified that the initial hearing scheduled to be conducted telephonically on January 8, 2026, would proceed as indicated in the Hearing Notice dated November 3, 2025, and the Prehearing Order dated November 5, 2025.

On January 8, 2026, the presiding officer convened the hearing as scheduled. Larry R. Crayne, Esquire, appeared on behalf of Respondent along with one witness and was ready to proceed. The court reporter was also present. Complainant was not present at the start of the hearing and the hearing proceeded in Complainant's absence, after taking a recess until 10:17 a.m. Respondent noted it made attempts to communicate with Complainant after filing the Complaint and prior to the hearing, but the attempts were unsuccessful. Respondent noted it last spoke with Complainant in June 2025.

Respondent requested to put on testimony in support of its averments in the Answer. Accordingly, Respondent presented the testimony of Iola Lee, Lead Regulatory Compliance Specialist, and presented, marked and identified four exhibits – Columbia Exhibits 1 through 4.¹ In lieu of making an oral motion to dismiss the Complaint for Complainant's failure to appear and prosecute her Complaint, Respondent noted it would file an appropriate motion after the hearing that incorporates its final statement and moves to preclude Complainant from filing any future complaint, due to abuse of the

¹ Respondent inadvertently did not move for the admission of the four exhibits.

administrative process, until after Complainant pays the entire unpaid balance. The presiding officer adjourned the hearing at 10:39 a.m.

On January 13, 2026, Respondent filed its Motion for Admission of Exhibits (Motion to Admit). Respondent served a copy of the Motion to Admit on Complainant and attached a copy of the four exhibits. On February 4, 2026, the presiding officer issued the First Post Hearing Order which granted Respondent's request to admit Columbia Exhibits 1 through 4 into the hearing record.

On January 13, 2026, the Commission received the transcript from the January 8, 2026 hearing, which consisted of 26 pages.

On February 12, 2026, Respondent filed the Motion to Dismiss Formal Complaint and to Preclude Further Informal or Formal Complaints Due to Abuse of Process and Frivolous Litigation (Motion to Dismiss and Preclude), which included a Notice to Plead within twenty (20) days. Respondent alleged the Commission should preclude Complainant from filing any complaint involving her service account with Columbia in the future until Complainant pays the outstanding balance in full and makes recurring monthly payments in compliance with the terms of the company payment plan entered into between Complainant and Respondent on June 23, 2025.

Respondent noted Complainant received three Commission payment arrangement plans, and five company payment arrangement plans, between August 28, 2019 and June 23, 2025. (Columbia Exhibit 2). Columbia pointed out Complainant filed three informal complaints and seven formal complaints against Columbia between August 28, 2019 and September 29, 2025. Respondent noted Complainant did not comply with any payment arrangement plan or show any good faith effort to make payments on her monthly bills. Lastly, Columbia asserted the arrearage on Ms. Flaherty's account totaled \$3,961.14, as of January 8, 2026. Of the arrearage, Columbia

asserted Complainant owed \$1,791.00 on the latest payment plan which required \$303 monthly payments. Tr. at 10, 15.

Complainant has not contacted the Commission to explain why her failure to appear at the hearing was unavoidable. Complainant has not contacted the Commission to object to or agree with Columbia's Motion to Dismiss and Preclude. The last day for Complainant to object or comment on the Motion to Dismiss and Preclude was March 4, 2026.

On March 24, 2026, the presiding officer issued the Interim Order Closing the Hearing Record.

FINDINGS OF FACT

1. Complainant is Kristen Flaherty.
2. Respondent is Columbia Gas of PA Inc.
3. On September 29, 2025, Complainant filed a Formal Complaint against Respondent concerning natural gas service provided to her at the service address located at 3998 Millers Run Road, McDonald, Washington County, Pennsylvania.
4. On December 4, 2025, Respondent filed its Answer.
5. On November 3, 2025, OALJ served a Call-In Telephone Hearing Notice on Complainant scheduling an initial telephonic hearing on January 8, 2026, at 10:00 a.m.

6. On November 5, 2025, the presiding officer served a Prehearing Order for Telephone Hearing on Complainant providing additional information to the parties regarding the hearing.

7. The Commission served both the Hearing Notice and Prehearing Order on Complainant by eService to the email address Complainant provided to and registered with the Commission.

8. Both the Hearing Notice and Prehearing Order provided Complainant with the toll-free bridge telephone number and PIN to call and participate in the hearing, and, *inter alia*, the procedure for requesting a continuance, and the possible consequences of failing to appear at the hearing.

9. Neither the Hearing Notice nor the Prehearing Order was returned to the Commission as undeliverable.

10. Complainant failed to appear and participate in the scheduled telephonic hearing on January 8, 2026.

11. The court reporter, counsel for Respondent and Respondent's witness were present and prepared to proceed at the January 8, 2026 hearing.

12. Complainant has not contacted the Commission or the presiding officer to explain why her failure to appear at the hearing was unavoidable.

13. On February 12, 2026, Respondent filed the Motion to Dismiss Formal Complaint and to Preclude Further Informal or Formal Complaints Due to Abuse of Process and Frivolous Litigation (Motion to Dismiss and Preclude), which included a Notice to Plead within twenty (20) days.

14. Complainant did not respond to Columbia's Motion to Dismiss and Preclude.

15. Between August 28, 2019 and September 29, 2025, Complainant filed three informal complaints and seven formal complaints with the Commission against Columbia.

16. Between August 28, 2019 and June 23, 2025, Complainant received three Commission payment arrangement plans, and five company payment arrangement plans.

17. Each informal and formal complaint filed by Complainant from August 28, 2019 to September 29, 2025, contained a request for a payment arrangement.

18. Since August 28, 2019, Complainant has not complied with any payment arrangement plan or shown any good faith effort to make payments to Columbia on her monthly bills.

19. As of January 8, 2026, the arrearage on Ms. Flaherty's account with Columbia totaled \$3,961.14.

DISCUSSION

Due Process and Notice

Administrative agencies, such as the Commission, are required to provide due process to the parties appearing before them. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984). This due process requirement is satisfied when the parties are provided notice and the opportunity to be heard. *Id.*

The record shows the Commission provided Complainant with notice and the opportunity to be heard. First, on November 3, 2025, Complainant was served a Hearing Notice which advised the parties of the date and time of the hearing, and how to participate. Second, on November 5, 2025, Complainant was served a Prehearing Order which reminded the parties of the date and time of the hearing, and how to participate.

Further, both documents advised the parties, *inter alia*, how to request a continuance prior to the hearing if needed. Finally, both documents advised Complainant that failure to appear may result in dismissal with prejudice, which means that Complainant would be barred from filing another complaint raising the same claim(s) and issues(s) presented in the dismissed complaints.

Both the Hearing Notice and Prehearing Order were eServed to Complainant at the email address she registered with the Commission. Neither was returned to the Commission as undeliverable. Notice eServed to a party's registered email address with no notification that service failed is presumed to have been received. *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).

In addition to the notices outlined above, Complainant received notice when Respondent filed its Motion to Admit, and later when Respondent filed the Motion to Dismiss and Preclude. Complainant did not contact the presiding officer or the Commission in response to these filings in addition to her failure to respond to the hearing notices and her failure to appear at the hearing.

Complainant had notice of the hearing and an opportunity to be heard in this proceeding. In addition, Complainant had multiple notices that the proceeding

continued despite her unexplained absence. Service of these documents was accomplished through Complainant's eService account. Therefore, Complainant's due process rights have been fully protected. *Sentner v. Bell Tel. Co. of Pa.*, Docket No. F-00161106 (Opinion and Order entered Oct. 25, 1993).

Failure to Appear, Waiver and the "Unavoidable" Standard

Once a hearing is scheduled and the parties are duly notified by the Commission, it is the responsibility of the parties to appear and participate in the hearing. *Mumma v. PPL Elec. Utils. Corp.*, Docket No. C-00014869 (Opinion and Order entered Jan. 28, 2002). 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).

However, these provisions in the Code and in the Commission's regulations do not apply if the presiding officer determines that the party's failure to appear at the hearing was unavoidable and that the interests of the other parties and of the public would not be prejudiced by permitting the reopening or further examination. 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(b).

A party who failed to appear at the hearing has the burden of explaining why his/her failure to appear was unavoidable. 66 Pa.C.S. § 332(a); *Herr v. West Penn Power Co.*, Docket No. C-2021-3028202 (Opinion and Order entered Sept. 15, 2022). When there are no facts in the record that a party's failure to appear was unavoidable, a 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).

Complainant failed to appear for the hearing despite receiving notice from the Commission and from Respondent, and despite the undersigned allowing additional time at the hearing for Complainant to appear. To date, there has been no communication to OALJ or me by, or on behalf of, Complainant explaining why Complainant's failure to appear at the hearing was unavoidable.

Consequently, I find that Complainant waived the opportunity to participate in a hearing on the matters raised in the Complaint, Complainant's absence was not unavoidable, and the Complaint should be dismissed with prejudice.

Burden of Proof and Dismissal of Complaint

Section 332(a) of the Public Utility Code provides that the party seeking relief from the Commission has the burden of proof. 66 Pa.C.S. § 332(a). To establish a sufficient case and satisfy the burden of proof, a complainant must show that a respondent public utility is responsible or accountable for the problem described in a complaint. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa.P.U.C. 196 (1990); *Feinstein v. Phila. Suburban Water Co.*, 50 Pa.P.U.C. 300 (1976). Such a showing must be by a preponderance of the evidence. *Samuel J. Lansberry, Inc. v. Pa. Pub. Util. Comm'n*, 578 A.2d 600 (Pa. Cmwlth. 1990). A preponderance of the evidence is established by presenting evidence that is more convincing, by even the smallest amount, than that presented by the other party. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

As the proponent of any request for relief, Complainant bears the burden of proof. By failing to participate and proffer any evidence to support the Complaint,

Complainant has failed to meet this burden. In addition, Complainant has failed to respond and offer proof despite multiple filings, which were served on her through eService, and which requested a response from her. Thus, it is appropriate to dismiss the Complaint with prejudice. *Brown v. PECO Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered Apr. 22, 2022); *Williams v. PECO Energy Co.*, Docket No. C-2018-300734 (Opinion and Order entered Mar. 14, 2019) (citing *Jefferson v. UGI Utils., Inc.*, Docket No. Z-00269892 (Opinion and Order entered Dec. 26, 1995)). Accordingly, the merits of the Complaint will not be addressed.

Respondent's motion to dismiss with prejudice will be granted.

Precluding the Filing of Future Complaints

In addition to its request to dismiss the Complaint for failure to appear and prosecute the Complaint, Respondent presented evidence at the initial hearing in support of its claim Complainant should be prevented from filing any future complaint against Columbia until she pays the arrearage in full. Columbia averred Complainant intentionally abused the Commission's complaint procedures to avoid paying for the natural gas service provided at the service address.

Because Columbia did not aver the request to preclude future complaints in "New Matter" when it filed the Answer, Columbia requested permission at the initial hearing to present evidence in support of its claim. Columbia's request was granted contingent on Columbia submitting a written motion to preclude after the hearing which would notify Ms. Flaherty of the requirement to respond to the motion by including a Notice to Plead.

Columbia followed the directive from the presiding officer by submitting the Motion to Dismiss and Preclude on February 12, 2026. Accordingly, after providing

evidence at the initial hearing through testimonial and documentary evidence, Respondent requested the Commission issue an order which precludes Complainant from filing any complaint (informal or formal) with the Commission until such time as Complainant pays off the unpaid balance in full.

Respondent proved Complainant failed to make timely and complete payments on her natural gas service account over a period exceeding six years. Both Columbia and the Commission gave Complainant a total of ten payment arrangements, but Ms. Flaherty did not comply with any payment arrangement. Columbia provided sufficient evidence to show that Complainant would obtain a payment arrangement and would fail to comply with it but, when Columbia attempted to terminate service for non-payment, Complainant would file a complaint, which would stop the termination process.

The Commission's regulations at 52 Pa.Code § 56.181 provide, in pertinent part, for the relative duties of the parties (which herein are Ms. Flaherty and Columbia). This regulation provides the duty of a complainant to pay undisputed portions of bills. Specifically, the regulation states a complainant "shall be required to pay the undisputed portion of all bills" pending a final resolution of the dispute.

During the pendency of Complainant's informal and formal complaints, Ms. Flaherty was obligated to pay the portion of her bills which were not in dispute or reasonably disputed. Ms. Flaherty did not pay her bills in a timely manner or comply with the payment arrangements which she requested and which the company or the Commission granted to her.

Columbia makes an extraordinary request: to ban Ms. Flaherty from filing any future complaints against Columbia until the entire outstanding balance on the natural gas service account is paid in full. The reason for this request is because Ms.

Flaherty failed to comply with ten payment arrangements or to pay timely on her account, and Ms. Flaherty's repeated filing of complaints to stop terminations.

The Commission must give consideration to the rights and responsibilities of all parties to a proceeding. Ms. Flaherty is entitled to receive utility service consistent with the Public Utility Law, and the Commission's regulations and orders. However, a public utility is entitled to receive payment for the service it provides. If the utility does not receive payments from its customers, such as Ms. Flaherty, Ms. Flaherty's unpaid bills must be included in the utility's uncollectible expenses, which the utility's other customers must pay. *Bolt v. Duquesne Light Company*, Docket No. Z-8712758 (Order entered April 8, 1988).

Abuse of the Commission's administrative process can occur in various forms. In *Grossman v. Bell Telephone Company of Pennsylvania*, 67 Pa. PUC 714 (1988) (*Grossman*), the Commission held a complainant abused the regulatory process and his right to due process by frequently requesting hearing continuances after which he then failed to appear for the rescheduled hearings and when he failed to honor a settlement.

In *Manu v. Bell Telephone Company of Pennsylvania*, Docket No. F-09029141 (Order entered May 4, 1994) (*Manu*), a complainant and household members filed multiple complaints against Bell and other utilities. Hearing notices sent by certified mail were returned as unclaimed while hearing notices sent by regular mail were not returned. Hearing continuance requests were submitted. The Commission found Complainant Manu abused the Commission's administrative process and precluded Complainant Manu from filing further complaints until all the arrearages were paid in full.

The Commission considers the number and the nature of complaints filed by a complainant, the number of payments on which a complainant defaulted, a complainant's use of tactics to avoid payments and service terminations, and a complainant's history of payments when determining whether a complainant abused the Commission's process. In *DiFilippo v. PECO Energy Company*, Docket No. C-20027116 (Final Order dated October 3, 2002) (*DiFilippo*), the Commission agreed with a presiding officer who held a complainant had abused the Commission's complaint process by filing three previous complaints which were all dismissed with prejudice and by filing a fourth complaint which contained impertinent or scandalous matters.

More recently, in *Potora v. UGI Penn Natural Gas, Inc.* Docket No. C-2018-3003485 (Opinion and Order entered August 8, 2019), the Commission agreed with the presiding officer who found a complainant appeared to have a history of abusing the Commission's process. Complainant Potora had filed ten complaints with the Commission, requested multiple continuances and failed to appear at many of the scheduled hearings. Consequently, the Commission precluded Complainant Potora from filing further complaints against UGI, whether informal or formal, until Complainant Potora paid the account arrearages in full.

Considering Ms. Flaherty's multiple informal complaint filings and formal complaint filings, the identical nature of her complaint in the multiple filings, the identical nature of her request for relief (i.e., a payment arrangement) in the multiple filings, her repeated failure to make payments on her account, her consistent failure to appear at hearings, and Complainant's amassing of an account balance totaling almost \$4,000, the presiding officer finds there are sufficient reasons to determine Ms. Flaherty took advantage of the Commission's complaint processes to avoid paying on her account and to avoid complying with payment arrangements. Ms. Flaherty should be restricted from filing further complaints against Columbia until such time as Complainant pays

those arrearages in full and complies with the last payment arrangement established in June 2025.²

Columbia met the burden of proving Complainant intentionally used the informal and formal complaint processes to avoid terminations and to avoid paying Respondent for the utility service provided by Respondent. Respondent's requests will be granted, and in the Ordering Paragraphs below Complainant will be precluded from filing any future complaint, whether informal or formal, until such time as the unpaid arrearage owed to Columbia is paid in full. 66 Pa.C.S. § 332(a).

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 Commission is required to provide due process to the parties appearing before them; this due process requirement is satisfied when the parties are provided notice and the opportunity to be heard. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984).

3. Notice eServed to a party's registered email address with no notification that service failed to be delivered to that email address is presumed to have been received. *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).

² See *Grossman, Manu, Di Filippo* and *Potora*, cited above.

4. 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).

5. If there are no facts in the record that a party's failure to appear at a hearing was unavoidable, a 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).

6. Complainant's due process rights have been fully protected and Complainant's failure to appear was not unavoidable. *Schneider v. Pa. Pub. Util. Comm'n*, 479 A.2d 10 (Pa. Cmwlth. 1984); 66 Pa.C.S. § 332(f); 52 Pa. Code § 5.245(a).

7. As the party seeking relief, Complainant bears the burden of proof by a preponderance of the evidence. 66 Pa.C.S. § 332(a); *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

8. By failing to participate in the hearing and proffer any evidence to support the Complaint, Complainant failed to meet the burden of proof. 66 Pa.C.S. § 332(a).

9. The number and the nature of complaints filed by a complainant, the number of a complainant's defaulted payments, the use of tactics to avoid payments and service terminations, and the history of payments may be considered in determining

whether a complainant has abused the Commission's process. *DiFilippo v. PECO Energy Company*, Docket No. C-20027116 (Final Order dated October 3, 2002).

10. Upon finding an abuse of its administrative process, the Commission may preclude a complainant from filing further complaints, until all the account arrearages are paid in full. *Manu v. The Bell Telephone Company of Pennsylvania*, Docket No. F-09029141 (Order entered May 4, 1994).

11. Columbia Gas of Pennsylvania, Inc. met the burden of proving Complainant intentionally used the informal and formal complaint processes to avoid paying Respondent for the natural gas service provided by Respondent to the service address.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Columbia Gas of Pennsylvania, Inc.'s Motion to Dismiss Formal Complaint and to Preclude Further Informal or Formal Complaints Due to Abuse of Process and Frivolous Litigation of Kristen Flaherty at Docket No. C-2025-3057707 is granted.

2. That the Formal Complaint filed by Kristen Flaherty in *Kristen Flaherty v. Columbia Gas of Pennsylvania, Inc.*, Docket No. C-2025-3057707 is hereby dismissed with prejudice.

3. That Kristen Flaherty is precluded from filing further informal or formal complaints with the Commission regarding the arrearages on the account for natural gas service rendered by Columbia Gas of Pennsylvania, Inc., until such time as the outstanding arrearages in the amount of \$3,961.14, 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

4. 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.

5. 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 Kristen Flaherty, any member of her family, or any other person in the household, pertaining to the service address of 3998 Millers Run Road, McDonald, Pennsylvania, until the outstanding arrearages in the amount of \$3,961.14 are paid in full.

6. That any filing of a new informal or formal complaint by Kristen Flaherty against Columbia Gas Company of Pennsylvania, Inc., must include proof that the arrearages in the amount of \$3,961.14 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).

7. 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.

