

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pennsylvania Public Utility Commission	:	R-2025-3059523
Office of Consumer Advocate	:	C-2026-3060342
Office of Small Business Advocate	:	C-2026-3060353
Coalition for Affordable Utility Services and Energy Efficiency in Pennsylvania	:	C-2026-3060448
Thomas J. Nagies	:	C-2026-3060116
Mustafa Kirisci	:	C-2026-3060190
Daniel J. Luce II	:	C-2026-3060290
Rik Bhattacharyya	:	C-2026-3060305
Josh Durham	:	C-2026-3060434
Serafima Zhuravska	:	C-2026-3060439
Roberta Zeek	:	C-2026-3060442
Cassandra Price	:	C-2026-3060450
Nathan Bahn	:	C-2026-3060451
Robert L. Spradley, Jr.	:	C-2026-3060452
Joseph Kohler	:	C-2026-3060526
Brian Dugas	:	C-2026-3060745
Kevin Clinebell	:	C-2026-3061011
Shannon Brown	:	C-2026-3060947
David E. Gundrum	:	C-2026-3061018
Barbara Dunn	:	C-2026-3061385
William Davis	:	C-2026-3061439
Roxann E. Curran	:	C-2026-3061856
Mary E. Hibbard	:	C-2026-3061794
Carl Reichart	:	C-2026-3061125
	:	
v.	:	
	:	
UGI Utilities, Inc. – Gas Division	:	

**ORDER DENYING SHANNON BROWN’S MOTION TO DISMISS FORMAL
COMPLAINT AND SHANNON BROWN’S AMENDED OBJECTIONS AND MOTION
TO AMEND PROTECTIVE ORDER**

Abbreviated procedural history

On January 28, 2026, UGI Utilities, Inc. – Gas Division (UGI), filed Supplement No. 63 to UGI Gas Tariff – Pa. P.U.C. Nos. 7 and 7S to become effective March 29, 2026.

Through this tariff, UGI is proposing to increase its rates to produce \$99.368 million in additional annual revenues.

On February 19, 2026, the Pennsylvania Public Utility Commission by Order instituted an investigation into the lawfulness, justness, and reasonableness of the proposed rate increase (Suspension Order). Pursuant to Section 1308(d) of the Public Utility Code, 66 Pa.C.S. § 1308(d), the filing was suspended by operation of law until October 29, 2026, unless permitted by Commission Order to become effective at an earlier date. In addition, the Commission ordered that the investigation include consideration of the lawfulness, justness and reasonableness of UGI's existing rates, rules, and regulations. The matter was assigned to the Office of Administrative Law Judge for the prompt scheduling of hearings culminating in the issuance of a Recommended Decision.

In accordance with the Commission's February 19, 2026 Suspension Order, the matter was assigned to Administrative Law Judges F. Joseph Brady and Alphonso Arnold III.

On February 19, 2026, an Initial Telephonic Prehearing Conference Notice was issued scheduling a prehearing conference for March 6, 2026.

On February 20, 2026, a Prehearing Conference Order was issued. This Order, amongst other things, explained that parties to this proceeding would be classified as either active or inactive parties and the difference between the two categories. Prehearing Conference Order, ¶ 6. The Order explained that active parties were to file prehearing conference memorandum in advance of the scheduled conference and to participate in the conference. Prehearing Conference Order, ¶¶ 4, 6.

On March 5, 2026, UGI, the Office of Consumer Advocate (OCA), the Office of Small Business Advocate (OSBA), the Commission's Bureau of Investigation and Enforcement, the Coalition for Affordable Utility Services in Pennsylvania (CAUSE-PA), and the Retail Energy Supply Association (RESA) filed prehearing conference memorandum.

On March 6, 2026, the prehearing conference was held as scheduled. The following parties were represented by counsel: UGI, OCA, OSBA, I&E, CAUSE-PA, and RESA. Also in attendance was *pro se* Complainant Serafima Zhuravska, who requested to be an inactive party to this proceeding.

In addition to the formal Complaints filed by OCA, OSBA, and CAUSE-PA, various UGI customers filed formal Complaints against the rate filing.¹ Relevant to this Order, Shannon Brown filed a Formal Complaint on March 6, 2026, which was docketed at C 2026 3060947.

By Hearing Notice dated March 13, 2026, In-Person Evidentiary Hearings were scheduled for June 2-4, 2026.

On March 13, 2026, UGI filed a Motion for Protective Order.

On March 13, 2026, a Prehearing Order was issued granting the Petition to Intervene of RESA; establishing the active parties as UGI, OCA, OSBA, I&E, CAUSE-PA, and RESA; and adopting a litigation schedule.

On March 18, 2026, a Protective Order was issued, granting UGI's Motion for Protective Order. The Order lays out the procedure by which parties can gain access to confidential, highly confidential, and confidential security information (CSI), and how parties are to treat said information.

On March 20, 2026, Complainant Shannon Brown filed Objections and Motion to Amend the Protective Order. The amendment to the Protective Order that Ms. Brown is seeking is best explained in paragraph 9 of her Objections and Motion to Amend, which states the following:

¹ Please see the case caption for the Docket Nos. of the consumer complaints.

Plaintiff seeks amendment throughout the Order stating that any proprietary/classified materials of any type, except bona fide Confidential Security Information (see below), must be supplied, without prejudice, to any Party regardless of a Party's "attorney status"—specifically striking the predicate, "Party agreement" prejudice.

Objections and Motion to Amend the Protective Order, ¶ 9.

In support of her amendment request, Ms. Brown argued that: (1) she did not receive notice of UGI's Motion for Protective Order, and (2) the Protective Order "materially burdens, prejudices, and unjustifiability limits her access to proprietary/ classified materials without prior "agreement" of a disclosing party or intervention by this Court." Objections and Motion to Amend the Protective Order, ¶¶ 1-6.

On April 6, 2026, Shannon Brown filed a Petition for Leave to Withdraw her Complaint titled as a "Motion to Dismiss Formal Complaint."

On April 9, 2026, UGI filed an Answer in Opposition to Shannon Brown's Objections and Motion to Amend Protective Order.

On April 20, 2026, Ms. Brown filed Amended Objections and Motion to Amend Protective Order. This document includes a verification and a notice to plead, which were not included in the Objections and Motion to Amend filed on March 20, 2026. Otherwise, this document does not materially differ from Ms. Brown's Objections and Motion to Amend filed on March 20, 2026.

On April 21, 2026, Ms. Brown filed a Petition to Withdraw Motion to Dismiss.

On April 24, 2026, Ms. Brown filed a Reply to New Matter. In this document, Ms. Brown replies to UGI's Answer in Opposition to Shannon Brown's Objections and Motion to Amend Protective Order. The Commission's regulations do not permit replies to answers to motions. 52 Pa. Code §§ 5.61 – 5.66.

On April 27, 2026, UGI filed an Answer to Shannon Brown’s Motion to Dismiss and Objection to Shannon Brown’s Petition for Leave to Withdraw Complainant’s Motion to Dismiss. UGI argued that Ms. Brown’s Petition to Withdraw should be denied, because granting the withdraw is not in the public interest.

Discussion

First, we will address Ms. Brown’s Objections and Motion to Amend Protective Order. Ms. Brown’s first argument was that she did not receive notice of UGI’s Motion for Protective Order. Our Prehearing Conference Order outlined the procedures for a party to become an active party in this proceeding. Active parties were to file prehearing conference memorandum in advance of the scheduled conference and to participate in the conference. Prehearing Conference Order, ¶¶ 4, 6. Ms. Brown did not comply with these requirements. Therefore, Ms. Brown is an inactive party to this proceeding. The Prehearing Conference Order explains that only active parties will be served with all of the pleadings, filings, discovery requests, written testimony and orders and decisions served and issued in this proceeding. Prehearing Conference Order, ¶ 6c. In sum, while Ms. Brown is correct in that she did not receive notice of UGI’s Motion for Protective Order, this was because she was an inactive party to this proceeding.

Ms. Brown’s second argument was that the Protective Order “materially burdens, prejudices, and unjustifiability limits her access to proprietary/ classified materials without prior “agreement” of a disclosing party or intervention by this Court.” In issuing our Protective Order, we agreed that UGI met the Commission’s requirements for the issuance of a Protective Order. The Commission’s regulations state that the party seeking a protective order must demonstrate that the potential harm to the party of providing the information would be substantial and that the harm to the party if the information is disclosed without restriction outweighs the public’s interest in free and open access to the administrative hearing process. 52 Pa. Code § 5.365(a). Ms. Brown’s argument is not that UGI failed to meet above standard for issuance of a Protective Order. Instead, Ms. Brown seeks to remove the restrictions in the Protective Order regarding access to confidential and highly confidential information, and CSI. Restrictions on a party’s

ability to access such sensitive information, and requirements for how a party is to treat such information, are necessary due to the harm that can be caused by the disclosure of such information. If the amendments that Ms. Brown requests were to be made, the Protective Order in essence would become completely ineffective.

For the above reasons, Ms. Brown's Objections and Motion to Amend Protective Order will be denied.

Second, we will address Ms. Brown's "Motion to Dismiss Formal Complaint." Ms. Brown's "Motion to Dismiss Formal Complaint" is in essence a Petition for Leave to Withdraw her Complaint, filed pursuant to Section 5.94 of the Commission's regulations. 52 Pa. Code § 5.94. The Commission's regulations go on to state that after considering the petition, any objection thereto and the public interest, the presiding officer or the Commission will determine whether the withdrawal will be permitted. 52 Pa. Code § 5.94(a). Subsequent to the filing of this document however, Ms. Brown filed a Petition to Withdraw Motion to Dismiss, wherein she makes it clear that she no longer wishes to withdraw her Complaint.²

UGI argued that Ms. Brown's Motion to Dismiss Formal Complaint should be granted, and that her Complaint be dismissed with prejudice. UGI claimed that the conduct of Ms. Brown burdens the resources of the active parties, creates distraction and confusion, and injects turmoil into the proceedings. Further, UGI claimed that Ms. Brown's actions are inimical to the public interest and disrupts the orderly conduct of this case.³ While we acknowledge UGI's arguments, we do not find, at this time, that Ms. Brown has disrupted the orderly conduct of this proceeding. As Ms. Brown no longer wishes to withdraw her Complaint, it would not be in the public interest to grant Ms. Brown's Motion to Dismiss Formal Complaint.

² As Ms. Brown is self-represented and is not, to our knowledge, presently a licensed Pennsylvania attorney, her errors in procedure will be disregarded. 52 Pa. Code § 1.2. UGI had the opportunity, and did in fact, respond to Ms. Brown's Motion to Dismiss Formal Complaint and Petition to Withdraw Motion to Dismiss.

³ UGI also asserted that Ms. Brown was a Pennsylvania licensed attorney, and that an individual that has legal training and that has demonstrated a repeated pattern of disregarding the Commission's process should not be given such latitude regarding the defects in procedure.

For the above reasons, Ms. Brown's Motion to Dismiss Formal Complaint will be denied.

ORDER

THEREFORE,

IT IS ORDERED:

1. That Complainant Shannon Brown's Motion to Dismiss Formal Complaint filed on April 6, 2026, at Docket No. R-2025-3059523, et al., is denied.

2. That Complainant Shannon Brown's Amended Objections and Motion to Amend Protective Order, filed on April 20, 2026, at Docket No. R-2025-3059523, et al., is denied.

Date: April 30, 2026

/s/
F. Joseph Brady
Administrative Law Judge

/s/
Alphonso Arnold III
Administrative Law Judge

R-2025-3059523 - PENNSYLVANIA PUBLIC UTILITY COMMISSION v. UGI UTILITIES INC - GAS DIVISION

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