

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ashley Gerhart	:	
	:	
v.	:	C-2025-3057671
	:	
PPL Electric Utilities Corporation	:	

**INITIAL DECISION**

Before  
John M. Coogan  
Administrative Law Judge

**INTRODUCTION**

This Initial Decision denies a Formal Complaint that alleges incorrect charges because the Complainant failed to meet her burden of proving, by a preponderance of the evidence, that the electric utility violated the Public Utility Code, the Commission’s regulations, or an order of the Commission.

**HISTORY OF THE PROCEEDING**

On September 25, 2025, Ashley Gerhart (Ms. Gerhart or Complainant) filed a Formal Complaint with the Pennsylvania Public Utility Commission (Commission) against PPL Electric Utilities Corporation (PPL or Company). Ms. Gerhart alleged that she received a bill for the last 3½ years stating that the payments were returned and there were unauthorized charges to a bank she has never heard of; she paid her bill every month on time; and she is being told she owes 3½ years of bills which

is over \$5,000. Complaint ¶ 4. As relief, Ms. Gerhart requests to find out how a bank account she never heard of was put into her account and she wants the bill to be taken care of by PPL. *Id.* ¶ 5.

On October 15, 2025, PPL filed an Answer to Ms. Gerhart's Formal Complaint. PPL admitted that payments made to PPL were returned because the financial institution notified the Company that the payments were not authorized, which reversed the payments on the Complainant's PPL account. Answer ¶ 4. PPL denies that Complainant paid her bill on time in light of the fact that the payments were not authorized. *Id.* PPL lacks sufficient information or knowledge as to whether the unauthorized payments were from a bank the Complainant has never heard of. *Id.*

On October 20, 2025, the Commission issued an Initial Telephonic Hearing Notice setting a formal call-in telephonic hearing for this matter for December 17, 2025 at 1:00 p.m. and assigned me as the presiding officer. In anticipation of that hearing, I issued a Prehearing Order on October 20, 2025 setting forth various rules that would govern that proceeding.

On November 6, 2025, counsel for PPL filed a letter to the docket, stating that both the Company and Ms. Gerhart jointly request that this proceeding be transferred to the Commission's mediation unit to allow the parties time to engage in settlement negotiations.

On November 7, 2025, I issued an Order, cancelling the telephonic hearing scheduled for December 17, 2025, and referring this proceeding to the Commission's Mediation Unit for the Commission's mediation review process. Also on November 7, 2025, a Hearing Cancellation Notice was issued, cancelling the December 17, 2025 hearing.

On November 12, 2025, the Commission issued an Interim Order Setting Resolution Procedure. The case was not resolved in mediation.

On December 11, 2025, the Commission issued an Initial Telephonic Hearing Notice setting a formal call-in telephonic hearing for this matter for February 5, 2026 at 10:00 a.m. In anticipation of that hearing, I issued a Prehearing Order on December 11, 2025 setting forth various rules that would govern that proceeding.

The initial hearing was convened on February 5, 2026, as scheduled. Ms. Gerhart appeared on her own behalf. Ms. Gerhart did not move for admission of any exhibits into the record. Emily Grecu, Esquire, appeared at the hearing on behalf of PPL, along with two witnesses for PPL: Kelly Bell, Customer Service Representative, and Donna Webster, Lead Operations Specialist, Credit and Collections. The following nine exhibits were admitted into the record on behalf of PPL:

1. PPL Exhibit 1 – Account Activity Statement
2. PPL Exhibit 2 – Account Contact History
3. PPL Exhibit 3 – BCS Case No. 4069273
4. PPL Exhibit 4 – BCS Case No. 3886712
5. PPL Exhibit 5 – Letters to Ms. Gerhart
6. PPL Exhibit 6 – Returned Payments Receipt
7. PPL Exhibit 7 – Online Profile Activity
8. PPL Exhibit 8 – PPL Website Screenshots
9. PPL Exhibit 9 – Account Event Log Detail Report

The record in this case consists of the above-referenced exhibits and a transcript of 77 pages. The record closed on February 19, 2026, when the transcript was filed. For the reasons discussed below, the Formal Complaint will be denied.

#### FINDINGS OF FACT

1. The Complainant is Ashley Gerhart.

2. The Respondent is PPL Electric Utilities Corporation.
3. The service address at issue in this proceeding is 340 E. Chestnut Street, Apt. 2, Lancaster, PA 17602 (Service Address). Complaint ¶ 1; Tr. 28.
4. Ms. Gerhart's PPL account for the Service Address was activated on April 9, 2022. Tr. 14; PPL Exhibit 2.
5. When Ms. Gerhart set up her PPL account, she entered her PNC bank account information as a payment option. Tr. 14.
6. Twenty-five payments totaling \$4,360.33 for the period May 19, 2023 to May 8, 2025, were returned to PPL as unauthorized. Tr. 29; PPL Exhibits 1, 6.
7. The unauthorized payments came from Truist Bank. Tr. 31, 47; PPL Exhibit 1.
8. Payments made prior to the returned payments came from Ms. Gerhart's account at PNC Bank. Tr. 31; PPL Exhibit 2.
9. Ms. Gerhart did not sign up for automatic payments for her PPL bills. Tr. 15.
10. No one else had access to Ms. Gerhart's PPL account to add an additional payment. Tr. 16.
11. PPL does not have access to customer profile information and editing or adding new account information is something that only the customer or someone with access to the customer's account can do. Tr. 31, 58, 64-65; PPL Exhibit 2.

12. Ms. Gerhart accessed her online PPL account on June 17, 2023, and viewed the bank account information associated with her account for paying bills. Tr. 50; PPL Exhibit 7.

13. The bank account associated with making payments is displayed when a customer accesses their PPL account online to make a payment. Tr. 55-58; PPL Exhibit 8.

14. Ms. Gerhart's PPL account for the Service Address is no longer active because she moved. Tr. 28; PPL Exhibit 2.

15. Ms. Gerhart's current unpaid balance on her PPL account for the Service Address is \$5,088.05. Tr. 28; PPL Exhibit 1.

### DISCUSSION

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). "Burden of proof" means a duty to establish a fact by a preponderance of the evidence, or evidence more convincing, by even the smallest degree, than the evidence presented by the other party. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950). As a matter of law, a complainant must show that the named utility is responsible or accountable for the problem described in the complaint in order to prevail. *Patterson v. Bell Tel. Co. of Pa.*, 72 Pa.P.U.C. 196 (1990). The offense must be a violation of the Public Utility Code, the Commission's regulations, or an outstanding order of the Commission. 66 Pa.C.S. §§ 332(a), 701. In this proceeding, Ms. Gerhart filed a Complaint against PPL. Therefore, Ms. Gerhart bears the burden of proof in this proceeding.

If a complainant establishes a *prima facie* case, the burden of going forward with the evidence shifts to the utility. If a utility does not rebut that evidence, the complainant will prevail. If the utility rebuts the complainant's evidence, the burden of going forward with the evidence shifts back to the complainant, who must rebut the utility's evidence by a preponderance of the evidence. The burden of going forward with the evidence may shift from one party to another, but the burden of proof never shifts; it always remains on a complainant. *Milkie v. Pa. Pub. Util. Comm'n*, 768 A.2d 1217 (Pa. Cmwlth. 2001) (*Milkie*); *see also, Burleson v. Pa. Pub. Util. Comm'n*, 443 A.2d 1373 (Pa. Cmwlth. 1982).

Any decision of the Commission must be supported by substantial evidence. 2 Pa.C.S. § 704. "Substantial evidence" is such relevant evidence that a reasonable mind might accept as adequate to support a conclusion. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk & W. Ry. Co. v. Pa. Pub. Util. Comm'n*, 413 A.2d 1037 (Pa. 1980); *Erie Resistor Corp. v. Unemployment Comp. Bd. of Rev.*, 166 A.2d 96 (Pa. Super. 1961); *Murphy v. Dept. of Pub. Welfare, White Haven Ctr.*, 480 A.2d 382 (Pa. Cmwlth. 1984). Further, mere bald assertions, personal opinions or perceptions do not constitute evidence to bolster a claim. *Pa. Bureau of Corrs. v. City of Pittsburgh*, 532 A.2d 12 (Pa. 1987).

Ms. Gerhart testified that she filed her Complaint because she made all her payments on time, but PPL told her that the last three years of her payments hadn't gone through because of unauthorized charges to a bank she had never heard of and is somehow in her account. Tr. 13. Twenty-five payments for the period May 19, 2023 to May 8, 2025, were returned to PPL totaling \$4,360.33. Tr. 29; PPL Exhibits 1, 6. Ms. Gerhart states that she is still working on resolving how this bank account that she's never heard of got into her PPL account because apparently every time she went to make a payment, it was coming from that account. Tr. 14. Ms. Gerhart stated that she only entered her PNC bank account information when she established her PPL account, and

that when she was paying her PPL bill online, she was unaware that payments were not being taken out of her PNC bank account. Tr. 14-15. When asked whether she noticed that PPL payments were not being taken out of her bank account, Ms. Gerhart responded that she pays hundreds of dollars of bills, and does not go in and make sure every single bill went through. Tr. 17, 22.

Ms. Gerhart requests that PPL prove that the Company did not add the non-PNC bank account. Tr. 67. However, as is stated above, Ms. Gerhart has the burden of proof in this proceeding. I find that Ms. Gerhart failed to provide substantial evidence that PPL is responsible for the issues presented in this proceeding.

First, Ms. Gerhart did not establish that PPL was somehow responsible for the addition of an unauthorized bank account. Ms. Gerhart testified that no one else had access to her PPL account to add an additional payment. Tr. 16. PPL does not have access to customer profile information and editing or adding new account information is something that only the customer or someone with access to the customer's account can do. Tr. 31, 58, 64-65; PPL Exhibit 2. The evidence shows that only Ms. Gerhart had the ability to modify her banking information, not PPL.

Second, I am also unconvinced that Ms. Gerhart was either unaware or not provided adequate notice that her payments to PPL were not being withdrawn from her PNC bank account. Ms. Gerhart did not sign up for automatic payments, and PPL demonstrated that the bank account associated with making payments is displayed when a customer accesses their PPL account online to make a payment. Tr. 15, 55-58; PPL Exhibit 8. PPL also provided evidence that Ms. Gerhart accessed her online PPL account on June 17, 2023, and viewed the bank account information associated with her account

for paying bills. Tr. 50; PPL Exhibit 7.<sup>1</sup> Ms. Gerhart did not dispute that she could have accessed payment records through her PNC bank account to view whether payments to PPL were being withdrawn.

Finally, I note that Ms. Gerhart does not dispute the amounts she was billed by PPL for utility service, or that the unauthorized payments did not come from her bank account. PPL is essentially attempting to collect on undisputed bills for utility service that Ms. Gerhart has not yet paid. PPL has the right to bill and receive payment for the utility service it has provided to Ms. Gerhart. 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). Otherwise, unpaid customer bills are included in the utility's uncollectibles expense and, ultimately, paid for by the other remaining utility customers. *Potora v. UGI Utils., Inc.*, Docket No. C-2024-3050151 (Opinion and Order entered Apr. 30, 2025) (citing *Mill v. Pa. Pub. Util. Comm'n*, 447 A.2d (Pa. Cmwlth. 1982); *Scaccia v. West Penn Power Co.*, 55 Pa.P.U.C. 637 (1982)).

#### CONCLUSIONS OF LAW

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

2. The party seeking relief from the Commission has the burden of proof. 66 Pa.C.S. § 332(a).

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<sup>1</sup> PPL also provided evidence that Ms. Gerhart accessed her PPL account bank information between June 6, 2025 and September 22, 2025. Tr. 53-55; PPL Exhibit 9. However, this period is after the payment dates in dispute, and it is unclear how this evidence relates to what Ms. Gerhart should have been aware of during the period in dispute.

3. "Burden of proof" means a duty to establish a fact by a preponderance of the evidence, or evidence more convincing, by even the smallest degree, than the evidence presented by the other party. *Se-Ling Hosiery v. Margulies*, 70 A.2d 854 (Pa. 1950).

4. Any decision of the Commission must be supported by substantial evidence. 2 Pa.C.S. § 704.

5. "Substantial evidence" is such relevant evidence that a reasonable mind might accept as adequate to support a conclusion. More is required than a mere trace of evidence or a suspicion of the existence of a fact sought to be established. *Norfolk & W. Ry. Co. v. Pa. Pub. Util. Comm'n*, 413 A.2d 1037 (Pa. 1980); *Erie Resistor Corp. v. Unemployment Comp. Bd. of Rev.*, 166 A.2d 96 (Pa. Super. 1961); *Murphy v. Dept. of Pub. Welfare, White Haven Ctr.*, 480 A.2d 382 (Pa. Cmwlth. 1984).

6. The offense must be a violation of the Public Utility Code, the Commission's regulations, or an order of the Commission. 66 Pa.C.S. § 701.

7. Complainant failed to satisfy her burden of proof to demonstrate that PPL violated the Public Utility Code, the Commission's regulations, or an order of the Commission. 66 Pa.C.S. § 332(a).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint filed by Ashley Gerhart at Ashley Gerhart v. PPL Electric Utilities Corporation, Docket Number C-2025-3057671, is denied.
2. That the Secretary's Bureau shall mark this case as closed.

Dated: May 13, 2026

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/s/  
John M. Coogan  
Administrative Law Judge