

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Matterns Floral	:	
c/o Michelle Valentino Bedford	:	
	:	C-2025-3056200
v.	:	C-2025-3056208
	:	
UGI Utilities Inc.	:	

INITIAL DECISION

Before
Eranda Vero
Administrative Law Judge

INTRODUCTION

This Decision dismisses with prejudice the consolidated Formal Complaints of Matterns Floral c/o Michelle Valentino Bedford, because the Complainant failed to appear at the scheduled hearing and prosecute the Formal Complaints.

HISTORY OF THE PROCEEDING

Formal Complaint at Docket No. C-2025-3056208 – Gas Complaint

On July 3, 2025, Michelle Valentino Bedford filed a Formal Complaint (Gas Complaint) with the Pennsylvania Public Utility Commission (Commission) on behalf of Matterns Floral (Complainant) against UGI Utilities, Inc. (UGI or Respondent) alleging that the utility is refusing to issue a payment arrangement for the gas service at

Account Nos. ending in 9681 and 9921. The Complainant further averred that the Respondent is continuously requesting prohibitive security deposits in order to maintain service while not applying any of the previously paid security deposits towards the outstanding balance. As relief, the Complainant requested that the Commission establish a payment arrangement and ensure that any previous security deposits paid to the Respondent be applied towards the outstanding balance. The Complainant also requested that the Commission order UGI to stop requiring prohibitive security deposits to keep the service on.

On July 29, 2025, UGI filed an Answer with New Matter. In its Answer, the UGI admitted in part, and denied in part the averments in the Gas Complaint. Specifically, the Respondent averred that the name on the account which this Complaint concerns is Matterns Floral Co LLC. Answer ¶ 1. In its New Matter, UGI requested that the Commission require the Complainant to have legal representation in this proceeding following the filing of UGI's Answer and New Matter, pursuant to the Commission's regulations at 52 Pa. Code §§ 1.21-1.23.

Formal Complaint at Docket No. C-2025-3056200 – Electricity Complaint

On July 8, 2025, Michelle Valentino Bedford filed a Formal Complaint (Electricity Complaint) with the Commission on behalf of Matterns Floral against UGI alleging that the utility is refusing to issue a payment arrangement for her electric service at Account No. ending in 1585. The Complainant further averred that the Respondent is continuously requesting prohibitive security deposits to maintain service while not applying any of the previously paid security deposits towards the outstanding balance. As relief, Complainant requested that the Commission establish a payment arrangement and ensure that any previous security deposits paid to the Respondent be applied towards the outstanding balance. The Complainant also requested that the Commission order UGI to stop requiring prohibitive security deposits to keep the service on.

On July 29, 2025, UGI filed an Answer with New Matter. In its Answer, the UGI admitted in part, and denied in part the averments in the Electricity Complaint. Specifically, the Respondent averred that the name on the account which this Complaint concerns is Matterns Floral Co LLC. Answer ¶ 1. In its New Matter, UGI requested that the Commission require the Complainant to have legal representation in this proceeding following the filing of UGI's Answer and New Matter, pursuant to the Commission's regulations at 52 Pa. Code §§ 1.21-1.23.

By Hearing Notice¹ dated August 28, 2025, a telephonic hearing was scheduled for October 22, 2025, and the matter was assigned to me. 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 August 28, 2025, a Prehearing Order was served on the parties which reminded them of the date and time of the hearing. The Prehearing Order also stated the potential consequences if a party failed to appear at the hearing. Additionally, the

¹ The Hearing Notice included the Docket Numbers for both the Gas and the Electricity Complaints.

Prehearing Order informed the parties about the applicable procedural rules and again included the procedure to follow for hearing continuances.

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

On October 1, 2025, UGI filed a Motion to Consolidate the Electricity Complaint with the Gas Complaint.

By email dated October 3, 2025, counsel for UGI requested a continuance of the hearing scheduled for October 22, 2025. As reason for requesting the continuance, counsel cited a conflict in her schedule.

By email dated October 10, 2025, Michelle Bedford objected to UGI's request for continuance.

On October 15, 2025, I issued an Order granting UGI's request for a continuance of the hearing.

By Hearing Cancellation/Reschedule Notice dated October 15, 2025, the telephonic hearing was rescheduled for December 2, 2025. The Hearing Cancellation/Reschedule Notice again provided the parties with the Toll-Free Bridge Number and the PIN to call and participate in the telephonic hearing.

On October 16, 2025, I issued an Interim Order consolidating the Electricity Complaint at Docket No. C-2025-3056200 with the Gas Complaint at Docket No. C-2025-3056208. The Interim Order instructed the Complainant, Matterns Floral, to

obtain legal representation in this matter if Matterns Floral is a limited liability company (LLC) or a corporation.

On November 11, 2025, UGI's counsel filed a Motion for Continuance of the hearing scheduled for December 2, 2025. As reason for requesting the second continuance, counsel for UGI cited the unavailability of one of its witnesses.

By email dated November 26, 2025, I informed the parties that UGI's request for a continuance of the December 2, 2025 hearing was granted.

By Hearing Cancellation/Reschedule Notice dated December 1, 2025, the telephonic hearing was rescheduled for January 27, 2026. The Hearing Cancellation/Reschedule Notice again provided the parties with the Toll-Free Bridge Number and the PIN to call and participate in the telephonic hearing. The December 1, 2025 Hearing Cancellation/Reschedule 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).

The two Hearing Cancellation/Reschedule Notices as well as the two Orders issued on October 15, 2026, and October 16, 2025, respectively, were eServed to

the Complainant in the ordinary course of the Commission's business to the email address that was registered with the Commission by Complainant. None of these documents were returned to the Commission as undeliverable

On January 27, 2026, I convened the hearing as scheduled. Hayley E. Wilburn, Esq., appeared on behalf of Respondent along with one witness and was ready to proceed. The court reporter was also present. Neither Ms. Bedford nor a legal representative for the Complainant was present at the start of the hearing. After a short recess to allow time for Complainant to appear, the hearing proceeded in Complainant's absence. No testimony was taken, and no exhibits were introduced into the record. At the hearing, Respondent moved to dismiss the Complaint with prejudice for Complainant's failure to appear and prosecute its Complaint. I took this motion under advisement.

Neither Ms. Bedford nor a legal representative² of the Complainant has contacted the Commission to explain why the Complainant's failure to appear at the hearing was unavoidable.

The record closed on February 20, 2026, upon receipt of the hearing transcript. This Decision grants the Respondent's Motion to Dismiss the Complaint.

FINDINGS OF FACT

1. The Complainant is Matterns Floral c/o Michelle Valentino Bedford.
2. The Respondent is UGI Utilities Inc.

² As of the date of this Initial Decision no attorney has entered his or her appearance on behalf of the Complainant.

3. On July 3, 2025, Michelle Valentino Bedford filed a Formal Complaint on behalf of Matterns Floral against UGI at Docket No. C-2025-3056208 alleging that the utility is refusing to issue a payment arrangement for the gas service at Account Nos. ending in 9681 and 9921 and is requesting prohibitive security deposits to maintain service.

4. As relief, Complainant requested that the Commission: 1) establish a payment arrangement; 2) ensure that any previous security deposits paid to the Respondent be applied towards the outstanding balance; and 3) order UGI to stop requiring prohibitive security deposits to keep the service on.

5. On July 29, 2025, UGI filed its Answer at Docket No. C-2025-3056208, averring that the gas accounts at the heart of the Complaint are in the name of Matterns Floral Co LLC.

6. On July 29, 2025, UGI filed New Matter at Docket No. C-2025-3056208, requesting that the Commission direct the Complainant to obtain legal representation in this proceeding.

7. On July 8, 2025, Michelle Valentino Bedford filed a Formal Complaint on behalf of Matterns Floral against UGI at Docket No. C-2025-3056200 alleging that the utility is refusing to issue a payment arrangement for electric service at Account No. ending in 1585 and is requesting prohibitive security deposits to maintain service.

8. As relief, Complainant requested that the Commission: 1) establish a payment arrangement; 2) ensure that any previous security deposits paid to the Respondent be applied towards the outstanding balance; and 3) order UGI to stop requiring prohibitive security deposits to keep the service on.

9. On July 29, 2025, UGI filed its Answer at Docket No. C-2025-3056200, averring that the electric account at the heart of the Complaint is in the name of Matterns Floral Co LLC.

10. On July 29, 2025, UGI filed New Matter at Docket No. C-2025-3056200, requesting that the Commission direct the Complainant to obtain legal representation in this proceeding.

11. On August 28, 2025, a Call-In Telephone Hearing Notice was served on the Complainant scheduling an initial telephonic hearing on October 22, 2025, at 10:00 a.m.

12. On August 28, 2025, a Prehearing Order for Telephone Hearing was served on Complainant providing additional information to the parties regarding the hearing.

13. Both the Hearing Notice and Prehearing Order were served by eService to the email address Complainant provided to and registered with the Commission

14. Both the Hearing Notice and Prehearing Order provided the 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.

15. Neither the Hearing Notice nor the Prehearing Order were returned to the Commission as undeliverable.

16. On October 1, 2025, UGI filed a Motion to Consolidate the Electricity Complaint at Docket No. C-2025-30056200 with the Gas Complaint at Docket No. C-2025-30056208.

17. By email dated October 3, 2025, counsel for UGI requested the continuance of the hearing scheduled for October 22, 2025, due to a conflict in schedule.

18. By email dated October 10, 2025, Michelle Valentino Bedford objected to UGI's request for continuance.

19. An Order issued on October 15, 2025, granted UGI's request for a continuance of the hearing.

20. By Hearing Cancellation/Reschedule Notice dated October 15, 2025, the telephonic hearing was rescheduled for December 2, 2025, at 10:00 a.m.

21. The October 15, 2025 Hearing Cancellation/Reschedule Notice provided the 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.

22. The October 15, 2025 Hearing Cancellation/Reschedule Notice was not returned to the Commission as undeliverable.

23. An Interim Order issued on October 16, 2025, consolidated the Electricity Complaint at Docket No. C-2025-3056200 with the Gas Complaint at Docket No. C-2025-3056208.

24. The Interim Order directed that, by no later than November 25, 2025, the Complainant obtain legal representation in this matter if Matterns Floral is an LLC or a corporation.

25. On November 11, 2025, UGI's counsel filed a Motion for Continuance of the hearing scheduled for December 2, 2025, due to the unavailability of a UGI witness.

26. By email dated November 26, 2025, the parties were informed that UGI's request for a continuance of the December 2, 2025 hearing was granted.

27. By Hearing Cancellation/Reschedule Notice dated December 1, 2025, the telephonic hearing was rescheduled for January 27, 2026, at 10:00 a.m.

28. The December 1, 2025 Hearing Cancellation/Reschedule Notice provided the 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.

29. The December 1, 2025 Hearing Cancellation/Reschedule Notice was not returned to the Commission as undeliverable.

30. Neither Ms. Bedford nor a legal representative for the Complainant appeared and participated in the scheduled telephonic hearing on January 27, 2026.

31. The court reporter, Counsel for Respondent and its witness were present and prepared to proceed at the January 27, 2026 hearing.

32. Neither Ms. Bedford nor a legal representative of the Complainant has contacted the Commission to explain why the Complainant's failure to appear at the hearing was unavoidable.

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 that Complainant was provided notice and the opportunity to be heard. On December 1, 2025, the Commission served the Complainant the second Hearing Cancellation/Reschedule Notice advising the parties of the date and time of the hearing, how to participate in it, and how to request a continuance prior to the hearing if needed. The same advice and instructions were included in the Hearing Notice dated August 28, 2025, the Prehearing Order dated August 28, 2025, and the first Hearing Cancellation/Reschedule Notice dated October 15, 2025. Importantly, all four documents advised Complainant that failure to appear may result in the dismissal of the Complaint 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 Complaint.

All the Hearing Notices and the Prehearing Order were eServed to the Complainant at the email address that it registered with the Commission. None of these documents were 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).

Complainant had notice of the hearing and an opportunity to be heard in this proceeding. 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).

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. 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 the party's failure to appear was unavoidable, the complaint should be dismissed. *Brown v. UGI Energy Co.*, Docket No. C-2019-

3009486 (Opinion and Order entered Apr. 2,2022); *Little v. Pittsburgh Water & Sewer Auth.*, Docket No. F-2021-3027107 (Opinion and Order entered Feb. 7, 2022); *Williams v. UGI 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 and despite the undersigned allowing additional time for Complainant to appear. To date, there has been no communication to the Office of Administrative Law Judge or me by, or on behalf of, Complainant explaining why its 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 Complaints, Complainant's absence was not unavoidable, and the consolidated Complaints should be dismissed.

Burden of Proof and Dismissal of the Consolidated Complaints

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 the respondent public utility is responsible or accountable for the problem described in the 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 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 Complaints, Complainant has failed to meet this burden. Thus, it is appropriate to dismiss the consolidated Complaints with prejudice. *Brown v. UGI Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered Apr. 2, 2022); *Williams v. UGI 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 consolidated Complaints will not be addressed.

Respondent's Motion to Dismiss the consolidated Complaints with prejudice will be granted.

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).

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, the complaint should be dismissed. *Brown v. UGI Energy Co.*, Docket No. C-2019-3009486 (Opinion and Order entered Apr. 2, 2022); *Little v. Pittsburgh Water & Sewer Auth.*, Docket No. F-2021-3027107 (Opinion and Order entered Feb. 7, 2022); *Williams v. UGI 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 Complaints, Complainant has failed to meet the burden of proof. 66 Pa.C.S. § 332(a).

ORDER

THEREFORE,

IT IS ORDERED

1. That UGI Utilities Inc.'s Motion to Dismiss with prejudice the consolidated Formal Complaints of Matterns Floral c/o Michelle Valentino Bedford at Docket Nos. C-2025-3056200 and C-2025-3056208 is granted.

2. That the consolidated Formal Complaints of Matterns Floral c/o Michelle Valentino Bedford in Matterns Floral c/o Michelle Valentino Bedford v. UGI Utilities Inc. at Docket Nos. C-2025-3056200 and C-2025-3056208 are dismissed with prejudice.

3. That Docket Nos. C-2025-3056200 and C-2025-3056208 be marked closed.

Date: May 14, 2026

_____/s/_____
Eranda Vero
Administrative Law Judge