

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Madison Mullen

v.

Talen Energy Marketing, LLC

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C-2025-3058746

INITIAL DECISION

Before
Erin L. Gannon
Administrative Law Judge

INTRODUCTION

This Initial Decision dismisses the Formal Complaint of Madison Mullen against Talen Energy Marketing, LLC because she failed to file an amended complaint, in violation of the Order dated February 11, 2026.

HISTORY OF THE PROCEEDING

On November 20, 2025, Madison Mullen (Complainant) filed a Formal Complaint (Complaint) against Talen Energy Marketing, LLC (Talen Energy or Respondent). Ms. Mullen alleged that “Talen energy is putting tech giants before regular house holds by trying to force them into our area to destroy our land and drain our powerplants of energy they aren’t making enough of.” Complaint ¶ 2. For relief, Complainant requested that the Commission “enforce strong regulations and guidelines on any proposal to ai data centers or any industry trying to move into an area where the

community has made it abundantly clear they are not wanted.” Complaint ¶ 5. The Complaint was served on November 21, 2025.

In lieu of an answer, Talen Energy filed Preliminary Objections on December 10, 2025.¹ Talen Energy seeks dismissal of the Complaint due to legal insufficiency because the Complaint does not provide any factual or legal basis to support the allegations; insufficient specificity of the pleading because the Complainant failed to allege any action or conduct that Talen Energy has taken; and due to lack of standing because the Complainant did not allege any relationship with Talen Energy or any harm she has experienced. Preliminary Objections ¶¶ 12-14, 17-20, 21-25 (citing 52 Pa. Code § 5.101(a)(3)-(4), (7)). The Preliminary Objections were accompanied by a Notice to Plead.

The Complainant did not file an answer to the Preliminary Objections.

By Motion Judge Assignment Notice dated January 12, 2026, the Preliminary Objection was assigned to me for disposition.

On February 11, 2026, I issued an Order which granted the preliminary objection regarding insufficient specificity, in part, and directed Madison Mullen to file an amended complaint at Docket No. C-2025-3058746, no later than March 3, 2026. I denied Talen Energy’s objections regarding legal insufficiency and standing, as they both turned on the lack of support provided in the original Complaint, and the Complainant was directed to file an amended complaint.

The Order was eServed upon the Complainant at the email address that she provided to and registered with the Commission.

¹ As Talen Energy raised a preliminary objection regarding insufficient specificity, it was not required to file an Answer. *See* 52 Pa. Code § 5.101(e)(1).

As of the date of this Initial Decision, Ms. Mullen has not filed an amended complaint in accordance with the Order.

The record closed on March 13, 2026.² This matter is now ripe for a decision.

FINDINGS OF FACT

1. The Complainant is Madison Mullen.
2. The Respondent is Talen Energy Marketing, LLC, an electric generation supplier licensed by the Pennsylvania Public Utility Commission.
3. On November 20, 2025, the Complainant filed a Formal Complaint against the Respondent averring that Talen Energy is “putting tech giants before regular house holds by trying to force them into our area to destroy our land and drain our powerplants of energy they aren’t making enough of.” Complaint ¶ 2.
4. As a relief, the Complainant requested that the Commission “enforce strong regulations and guidelines on any proposal to ai data centers or any industry trying to move into an area where the community has made it abundantly clear they are not wanted.” Complaint ¶ 5.
5. On December 10, 2025, the Respondent filed Preliminary Objections in lieu of an Answer.

² The amended complaint was due March 3, 2026. However, I used my discretion to keep the record open for an additional 10 days after the amended complaint was due, given that the Complainant is unrepresented. 52 Pa. Code § 5.431(a).

6. In its preliminary objection regarding legal insufficiency, the Respondent averred that the Complaint does not provide any factual or legal basis to support the allegations; does not cite any statute, regulation, Commission order, or tariff that Talen Energy allegedly violated; and does not provide any factual or legal basis to support the requested resolution. Preliminary Objections ¶ 4.

7. The Complainant did not file an answer to the Preliminary Objections.

8. This matter was assigned to me by Motion Judge Assignment Notice dated January 12, 2026.

9. The February 11, 2026 Order directed Madison Mullen to file an amended complaint at Docket No. C-2025-3058746, no later than March 3, 2026.

10. The February 11, 2026 Order was eServed upon the Complainant at the email address that she provided to and registered with the Commission.

11. As of the date of this Initial Decision, Ms. Mullen has not filed an amended complaint in compliance with the February 11, 2026 Order.

DISCUSSION

Section 701 of the Public Utility Code, 66 Pa.C.S. § 701, provides for complaints to be filed with the Commission setting forth “any act or thing done or omitted to be done by any public utility in violation, or claimed violation, of any law which the commission has jurisdiction to administer, or of any regulation or order of the commission.” The Commission’s regulations also require that formal complaints set forth a clear and concise statement of the relief sought. 52 Pa. Code § 5.22(a)(6).

A complaint must contain sufficient specificity and information to enable a respondent to understand the charges or allegations against it and conduct a meaningful investigation of the allegations, and to offer an appropriate response thereto. *Acosta v. PECO Energy Co.*, Docket No. F-2020-3015309 (Final Order entered Sept. 10, 2020). The Commission has held that a complaint filed with the Commission is adequate if it gives the respondent notice and an opportunity to defend; it need not be drawn with technical accuracy. *Green Cab Co. v. Hajducho*, 50 Pa.P.U.C. 745 (1977).

Ms. Mullen’s original complaint, in its entirety, stated:

Talen energy is putting tech giants before regular house holds by trying to force them into our area to destroy our land and drain our powerplants of energy they aren’t making enough of.

Complaint ¶ 2.

Under the heading “Requested Relief, ” the Complainant stated:

Enforce strong regulations and guidelines on any proposal to ai data centers or any industry trying to move into an area where the community has made it abundantly clear they are not wanted.

Complaint ¶ 5.

In the Order dated February 11, 2026, I found that the information contained in the Complaint is insufficient to enable Talen Energy to meaningfully respond or prepare a defense to the Complaint. It is not clear based on a reading of the Complaint what action Talen Energy has committed that led to the filing of the Complaint. The relief requested in the Complaint is also not clear. As a result, the Complaint failed to meet the minimum requirement for legal sufficiency in her pleading.

I granted the Respondent’s preliminary objection regarding legal insufficiency, in part,³ and directed the Complainant to file an amended complaint no later than March 3, 2026.⁴ The February 11, 2026 Order warned that if an amended complaint was not filed by March 3, 2026, the Complaint would be dismissed.

The February 11, 2026 Order was eServed upon the Complainant at the email address that she provided to and registered with the Commission.

The Commission has held that parties must comply with the orders of an administrative law judge, and a complainant’s failure to do so is a sufficient basis to support dismissal of the matter. *Snyderville Cmty. Dev. Corp. v. Phila. Gas Works*, Docket No. C-20055032 (Opinion and Order entered July 31, 2006). The Commission’s regulations specify certain sanctions that are available when a party fails to comply with an order of the Commission “as is just.” 52 Pa. Code § 5.372(a).

Under the Order dated February 11, 2026, the Complainant had to file the amended complaint by March 3, 2026. As of the date of this decision, the Complainant has not filed an amended complaint in compliance with the Order. As such, the Complainant has failed to comply with the Order dated February 11, 2026.

Because the Complainant failed to comply with the Order dated February 11, 2026, a hearing is not necessary. Therefore, it is just and appropriate to dismiss the Complaint.

³ I denied the objection, in part, because I did not grant Talen Energy’s request to dismiss the Complaint. February 11, 2026 Order at 4.

⁴ The Commission’s rules of procedure permit the Commission to direct a more specific pleading. 52 Pa. Code § 5.93; *see also* 52 Pa. Code § 5.101(e).

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the subject matter of this Complaint. 66 Pa.C.S. § 701.

2. The Commission has held that parties must comply with the orders of an administrative law judge, and a complainant's failure to do so is a sufficient basis to support dismissal of the matter. *Snyderville Cmty. Dev. Corp. v. Phila. Gas Works*, Docket No. C-20055032 (Opinion and Order entered July 31, 2006).

3. The Commission's regulations specify certain sanctions that are available when a party fails to comply with an order of the Commission "as is just." 52 Pa. Code § 5.372(a).

4. The Complainant has not complied with the Order dated February 11, 2026.

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint filed by Madison Mullen in *Madison Mullen v. Talen Energy Marketing, LLC*, at Docket No. C-2025-3058746, is hereby dismissed due to Complainant's failure to file an amended complaint by March 3, 2026, in violation of the Order dated February 11, 2026.

