

PENNSYLVANIA PUBLIC UTILITY COMMISSION

JAMES SAMUEL DEFOGGI, Complainant,

v.

Docket No. C-2026-3061290

COLUMBIA GAS OF PENNSYLVANIA, INC., Respondent.

Served Upon : Emily Farah, Esq., Counsel for Respondent

[PROPOSED] ORDER

AND NOW, this _____ day of _____, 2026, upon consideration of Complainant's *Motion to Stay Proceedings Pending Correction of Case Caption*, and any response thereto, it is hereby **ORDERED** and **DECREED** that said Motion is **GRANTED**.

It is further **ORDERED** that:

1. All proceedings, discovery deadlines, scheduling orders, and procedural timelines in the above-captioned matter are hereby **STAYED** until further Order of this Commission.
2. The Commission's Secretary's Bureau is directed to immediately amend the official case caption and portal tracking system for Docket No. C-2026-3061290 to reflect the Complainant's true identity and fiduciary capacity as follows:
James Samuel Defoggi, Trustee for the Defoggi Family Irrevocable Living Trust v. Columbia Gas of Pennsylvania, Inc.
3. No substantive or procedural actions shall move forward in this matter until the case caption is formally corrected on the face of the record.

BY THE COMMISSION:

Administrative Law Judge / presiding officer

MOTION TO STAY PROCEEDINGS PENDING CORRECTION OF CASE

CAPTION

NOW COMES James Samuel Defoggi, Lawful Trustee for the Defoggi Family Irrevocable Living Trust (the "Trustee"), appearing specially in his fiduciary capacity and not individually, and respectfully moves this Commission and the presiding Administrative Law Judge to stay all proceedings in the above-captioned matter until such time as the case caption is formally amended to reflect the true identity, capacity, and standing of the Complainant. In support thereof, the Trustee states as follows:

1. Procedural Defect in Capacity The current case caption lists "James Samuel Defoggi" in an individual, individual-consumer capacity. This designation is factually and legally erroneous.

The true party in interest holding the account ledger under administrative dispute is the *Defoggi Family Irrevocable Living Trust*, managed exclusively by James Samuel Defoggi in his explicit capacity as Lawful Trustee.

2. Absolute Notice of Fiduciary Standing The Trustee has already placed on the public record a formal *Notice of Judicial Recognition of Fiduciary Capacity*. Despite this notice, the administrative portal and case docket continue to reflect a standard consumer designation.

3. Jurisdictional and Procedural Necessity A case caption is not a mere formality; it establishes the legal identity of the parties, defines the nature of the ledger under review, and dictates the applicable rules of law. Operating under an incorrect caption forces the Trustee to participate under a false consumer paradigm, which compromises the integrity of the Trust estate

and violates due process. Capacity must be settled on the face of the record before any substantive issues can be adjudicated.

4. Demand for Immediate Stay Consequently, the Trustee asserts that **nothing can move forward, and no further procedural steps, deadlines, or answers can be advanced** until this foundational defect is cured. The Commission cannot lawfully adjudicate a matter where the moving party's capacity is fundamentally mischaracterized on the docket header.

WHEREFORE, the Trustee respectfully requests that the Administrative Law Judge issue an Order to:

1. Immediately **STAY** all proceedings, deadlines, and tracking in this matter; and
2. Direct the Commission's Secretary Bureau to formally amend the case caption to read:
James Samuel Defoggi, Trustee for the Defoggi Family Irrevocable Living Trust v. Columbia Gas of Pennsylvania, Inc.
3. Order that no further substantive action occur until such correction is completed on the face of the record.

Presented by the Lawful Trustee:

Date: May 19, 2026

A handwritten signature in blue ink that reads "James Samuel Defoggi" followed by "TRUSTEE" written in all caps. The signature is written over a horizontal line.

By: James Samuel Defoggi, Trustee

103 Shanor Drive

New Brighton, Pennsylvania 15066

VERIFICATION

I, James Samuel Defoggi, state under penalty of perjury under the laws of the United States of America and the Commonwealth of Pennsylvania, that I am the Trustee for the Defoggi Family Irrevocable Living Trust; that I am authorized to make this verification; and that the facts set forth in the foregoing Motion are true and correct to the best of my personal knowledge, information, and belief.

Date: May 19, 2026

 - TRUSTEE

By: James Samuel Defoggi, Trustee

CERTIFICATE OF COMPLIANCE

I hereby certify that this filing complies with the provisions of the *Public Utility Commission Case Accessibility Policy* and the applicable rules of administrative procedure regarding public access to logs and security. No sensitive personal data or restricted identification metrics are unlawfully contained herein.

Date: May 19, 2026

A handwritten signature in blue ink, appearing to read "James Samuel Defoggi", written over a horizontal line.

By: James Samuel Defoggi, Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Motion, along with the Verification and Certificate of Compliance, has been served upon the Respondent via the PA PUC electronic filing portal, and additionally served via first-class mail to the designated legal counsel of record for Columbia Gas of Pennsylvania, Inc. as follows:

Columbia Gas of Pennsylvania, Inc.

Attn: Emily Farah, Esq., Counsel for Respondent

Legal Department – COLUMBIA GAS

121 Champion Way, Suite 100

Canonsburg, Pennsylvania 15317

Date: May 19, 2026

A handwritten signature in blue ink, appearing to read "James Samuel Defoggi - Trustee", written over a horizontal line.

By: James Samuel Defoggi, Trustee