

PENNSYLVANIA PUBLIC UTILITY COMMISSION

JAMES SAMUEL DEFOGGI, Trustee

DEFOGGI FAMILY IRREVOCABLE LIVING TRUST, Complainant,

v.

Docket No. C-2026-3061661

DUQUESNE LIGHT COMPANY, Respondent.

Served Upon: Sophia Al Rasheed, Esq., Counsel for Respondent

**COMPLAINANT'S FORMAL NOTICE OF OPPOSITION TO
RESPONDENT'S ATTEMPTED TERMINATION TRACKING**

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 submits this Formal Notice of Opposition to the position expressed by Respondent's counsel, Sophia Al Rasheed, Esq., on May 19, 2026, attempting to apply standard consumer collections and termination tracking to the Trust estate's ledger. In support thereof, the Trustee states as follows:

1. Rejection of Consumer Paradigm On May 19, 2026, Respondent's counsel issued an electronic communication attempting to categorize current accruals on Account No. 5020-972-597 as "undisputed" and subject to standard consumer shut-off procedures. The Trustee explicitly rejects this characterization. **THIS IS NOT A CONSUMER DISPUTE.**

2. Standing Established by Appellate Precedent The Respondent is hereby reminded that the Commonwealth Court of Pennsylvania has already established the standing of the Trustee in the public record. The Trustee's fiduciary status and capacity to manage and protect the Trust estate are matters of settled law, and the Respondent is legally bound to recognize and comply with this status. Respondent has no administrative authority to look behind or ignore appellate record realities.

3. Comprehensive Challenge to the Ledger As detailed in the *Motion to Stay Proceedings Pending Correction of Case Caption* filed concurrently today, the Trustee is actively challenging the foundational capacity of the parties, the identity of the true Complainant, and the administrative accounting method governing the entire account.

4. Absence of an "Undisputed" Balance Because the underlying paradigm of how Duquesne Light Company accounts for the Trust estate's ledger is under active, formal dispute before the Administrative Law Judge, *no portion of the ledger can be lawfully isolated as "undisputed."* To allow Respondent to advance a collection or termination action under standard residential utility tariffs while the core legal standing and capacity are being adjudicated violates due process.

5. Demand for Maintenance of Status Quo Any manual or automated attempt by Respondent to execute a shut-off action while this docket is pending, and while a formal Motion to Stay remains unanswered, constitutes a willful interference with the administration of justice. The Respondent must maintain a strict administrative hold and suppress all termination flags until the Commission rules upon the pending motions.

WHEREFORE, the Trustee places this Opposition on the face of the public record to provide absolute notice to the Commission and the Respondent that the entire account ledger is disputed, and that any termination action by Respondent during these proceedings will be subject to an immediate motion for administrative sanctions.

Presented by the Lawful Trustee:

Date: May 19, 2026

By: /s/ James Samuel Defoggi, Trustee

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 Formal Notice of Opposition are true and correct to the best of my personal knowledge, information, and belief.

Date: May 19, 2026

By: /s/ James Samuel Defoggi, Trustee

James Samuel Defoggi, Trustee

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Date: May 19, 2026

By: /s/ James Samuel Defoggi, Trustee

James Samuel Defoggi, Trustee

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this Formal Notice of Opposition, 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 direct electronic mail to the designated legal counsel of record for Duquesne Light Company as follows:

Sophia Al Rasheed, Esq. Regulatory Counsel IV, Regulatory Law

Duquesne Light Company

411 Seventh Ave., Mail Drop 15-7

Pittsburgh, Pennsylvania 15219

Counsel Electronic Mail: salrasheed@duqlight.com

Date: May 19, 2026

By: /s/ James Samuel Defoggi, Trustee

James Samuel Defoggi, Trustee