

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Gadsden Ridge Holdings, LLC	:	
a/k/a Treval, LLC	:	
	:	C-2024-3049516
v.	:	
	:	
PPL Electric Utilities Corporation	:	

**INITIAL DECISION**

Before  
Jeffrey A. Watson  
Administrative Law Judge

**INTRODUCTION**

This Initial Decision dismisses the Formal Complaint filed by Gadsden Ridge Holdings, LLC a/k/a Treval, LLC against PPL Electric Utilities Corporation because the LLC failed to secure representation by legal counsel, as required by Commission regulations and orders by the presiding officer.

**HISTORY OF THE PROCEEDINGS**

Gadsden Ridge Holdings, LLC a/k/a Treval, LLC (Complainant or Gadsden) filed a Formal Complaint (Complaint) dated June 11, 2024, against PPL Electric Utilities Corporation (PPL, Company, or Respondent) averring that Respondent has a right-of-way on Complainant’s property and damaged improvements made to Complainant’s property. Complainant further averred that Respondent ran bulldozers up and down his asphalt

driveway and buried over 2,000 feet of stone access roads constructed by Complainant. Complainant also averred Respondent has not returned dozens of phone calls, detailed emails and requests for meetings. As relief, Complainant averred he wants his roads replaced back with stone, the topsoil piles returned to a contour that he can mow, the garbage cleaned up, the driveway repaved, and stated that his damages exceed \$100,000.

PPL filed an Answer and Preliminary Objections on July 2, 2024. In its Answer, Respondent admitted it has a right-of-way on Complainant's property and denied it exceeded the scope of its right of way. Respondent further denied it was negligent or that it damaged or destroyed improvements made to Complainant's property or his asphalt driveway. Respondent further denied it buried access roads, left garbage on Complainant's property, or left dirt on the property which allowed erosion to occur.

The Preliminary Objections dated July 2, 2024, included a notice to plead advising Complainant it may file a response to the Preliminary Objections within 10 days of service of the Preliminary Objections.

Complainant did not file a Response to Preliminary Objections.

On October 23, 2024, an Interim Order was entered granting the Preliminary Objections of Respondent, to the extent that Complainant was seeking an award by the Commission of monetary damages to be paid by Respondent, and striking any specific request for payment of monetary damages. The Preliminary Objections of PPL were denied to the extent that the Preliminary Objections sought to prohibit Complainant from introducing any testimony or exhibits at any evidentiary hearing regarding the alleged damages and service-related claims, subject to any objections raised prior to or raised at the hearing in this proceeding.

In addition, the Preliminary Objections of Respondent were granted, to the extent that Complainant specifically sought a determination of the scope and validity of PPL's easement and whether PPL exceeded the scope of its right-of-way, as specifically set forth in the Order. The Preliminary Objections of PPL were denied to the extent that the Preliminary Objections sought to prohibit Complainant from providing evidence or advancing its claims that Respondent damaged improvements made to his property, ran bulldozers up and down his asphalt driveway and buried over 2,000 feet of stone access roads constructed by Complainant, left garbage on his property and related claims and that Respondent has not returned dozens of phone calls, detailed emails and requests for meetings.

On October 25, 2024, an Interim Order was entered directing that Complainant, Gadsden Ridge Holdings, LLC a/k/a Treval, LLC cause its legal counsel to enter his or her appearance with the Commission in accordance with the provisions of 52 Pa.Code § 1.24(b), in writing, filed with the Commission Secretary, under the Pennsylvania Public Utility Commission's rules, not later than November 25, 2024. The Order also provided that the failure of Complainant to fully comply with the terms of the Order, in a full and timely manner, may result in a decision being entered against the Complainant, and in favor of the Respondent, without a hearing or further notice in this proceeding. No attorney entered an appearance on behalf of Complainant.

On April 9, 2025, the initial telephone hearing was convened as scheduled. Trevor Walczak appeared at the hearing. Graig M. Schultz, Esquire appeared for Respondent along with his witnesses. Legal counsel did not appear for Complainant. Mr. Walczak stated he was a principal of Complainant and requested a continuance in order to have counsel represent Complainant. Respondent made an oral motion to dismiss the Formal Complaint for failure of Complainant to appear with counsel and to prosecute the Formal Complaint.

On June 20, 2025, an Interim Order was entered directing that Complainant, Gadsden Ridge Holdings, LLC a/k/a Treval, LLC, cause its legal counsel to enter his or her appearance with the Commission in accordance with the provisions of 52 Pa.Code § 1.24(b), in writing, filed with the Commission Secretary, under the Pennsylvania Public Utility Commission's rules, not later than July 21, 2025. In addition, Respondent's oral motion to dismiss was held in abeyance.

On September 29, 2025, a second Interim Order was entered directing that Complainant cause its legal counsel to enter his or her appearance with the Commission in accordance with the provisions of 52 Pa.Code § 1.24(b), in writing, not later than October 13, 2025. In addition, it was ordered that any dispositive motions including any written motions to dismiss be filed on or before October 31, 2025.

On October 14, 2025, Respondent filed a Motion to Dismiss that included a Certificate of Service indicating service was made on Complainant. A Notice to Plead was not attached to the Motion to Dismiss. No responsive pleading has been filed by Complainant and no dispositive motion was filed by Complainant.

On February 2, 2026, a third Interim Order was entered directing that Complainant cause its legal counsel to enter his or her appearance with the Commission in accordance with the provisions of 52 Pa.Code § 1.24(b), in writing, not later than February 6, 2026. In addition, Complainant was directed to file a written responsive pleading to the Motion to Dismiss filed by Respondent, if any, on or before February 6, 2026.

Complainant did not file a responsive pleading in response to the Motion to Dismiss or cause legal counsel to enter his or her appearance on behalf of Complainant.

The record closed by interim order entered on February 10, 2026.

## FINDINGS OF FACT

1. The Complainant is Gadsden Ridge Holdings, LLC a/k/a Treval, LLC.
2. The Respondent is PPL Electric Utilities Corporation, a jurisdictional public utility.
3. On June 11, 2024, Complainant filed a Formal Complaint against Respondent.
4. On July 2, 2024, Respondent filed an Answer and New Matter to the Complaint.
5. On October 25, 2024, an Interim Order was entered directing that Complainant cause its legal counsel to enter his or her appearance with the Commission in writing, not later than November 25, 2024. The Order also provided that the failure of Complainant to fully comply with the terms of the Order, in a full and timely manner, may result in a decision being entered against the Complainant, and in favor of the Respondent, without a hearing or further notice in this proceeding.
6. On April 9, 2025, an initial telephonic hearing was convened as scheduled. Trevor Walczak, a non-attorney, appeared at the hearing for Complainant. Graig M. Schultz, Esquire appeared for Respondent along with his witnesses.
7. Legal counsel did not appear for Complainant and Mr. Walczak stated he was a principal of Complainant and requested a continuance in order to have counsel represent Complainant, which request was granted.

8. On June 20, 2025, an Interim Order was entered directing that Complainant cause its legal counsel to enter his or her appearance with the Commission in writing, not later than July 21, 2025.

9. On September 29, 2025, another Interim Order was entered directing that Complainant cause its legal counsel to enter his or her appearance with the Commission, in writing, not later than October 13, 2025.

10. On October 14, 2025, Respondent filed a Motion to Dismiss which did not include a Notice to Plead.

11. On February 2, 2026, an Interim Order was entered directing that Complainant cause its legal counsel to enter his or her appearance with the Commission, in writing, not later than February 6, 2026. In addition, Complainant was directed to file a written responsive pleading to the Motion to Dismiss filed by Respondent, if any, on or before February 6, 2026.

12. Complainant did not file a responsive pleading in response to the Motion to Dismiss or cause legal counsel to enter his or her appearance on behalf of Complainant.

### DISCUSSION

The Commission rules require that all non-individuals, including a limited liability company, be represented by counsel in adversarial proceedings.<sup>1</sup> Once the

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<sup>1</sup> 52 Pa. Code § 1.21; *see also Cars R Us c/o Holman Copeland v. Phila. Gas Works*, Docket No. C-2008-2033437 (Opinion and Order entered Feb. 4, 2010);

answer is filed, the proceeding becomes adversarial, which occurred in this case.<sup>2</sup> This rule is consistent with the Pennsylvania Bar Rules promulgated by the Supreme Court.<sup>3</sup>

Gadsden Ridge Holdings, LLC a/k/a Treval, LLC did not dispute that Complainant is a corporate entity. In fact, at the initial hearing, Complainant's non-attorney representative requested and was granted a continuance in order to be represented by legal counsel. Further, Complainant also did not respond to Respondent's Motion to Dismiss, to the Interim Orders requiring counsel to enter an appearance, or dispute the corporate status of the Complainant. Complainant was repeatedly advised that legal representation was required to continue its complaint in this proceeding, including notification in the October 25, 2024 Interim Order, the June 20, 2025 Interim Order, the September 29, 2025 Interim Order, and the February 2, 2026 Interim Order. In addition, after convening the initial hearing as scheduled on April 29, 2025, the hearing was continued at the request of Complainant to allow Complainant to obtain legal counsel.

The Pennsylvania Supreme Court explained that where the procedural rules require a party to be represented by counsel, the party cannot be permitted to continue the action.<sup>4</sup> That is, a tribunal cannot permit the unauthorized practice of law. The failure to secure representation is a "technical defect" that an unrepresented party should have an opportunity to cure.<sup>5</sup>

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*Torino Inc. v. PECO Energy Co.*, Docket No. C-2008-2034595 (Opinion and Order entered Feb. 2, 2010).

<sup>2</sup> *New Fizon Catering, Inc. v. PECO Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered June 24, 2009) (*New Fizon Catering*); see also 52 Pa. Code § 1.8.

<sup>3</sup> See *New Fizon Catering* at 7-8.

<sup>4</sup> *Bisher v. Lehigh Valley Health Network, Inc.*, 265 A.3d 383, 406 (Pa. 2021) (holding that the Court disapproved a line of cases to the extent they suggest the unauthorized practice of law implicates subject-matter jurisdiction) (*Bisher*).

<sup>5</sup> *Bisher* at 407.

The Commission cannot allow the unauthorized practice of law.<sup>6</sup> Gadsden Ridge Holdings, LLC a/k/a Treval, LLC, as a non-individual, must be represented by an attorney.<sup>7</sup> Complainant was provided with notice that Commission rules required representation and with ample opportunity to secure such representation, as outlined above. Accordingly, Complainant's due process rights have been adequately protected.

Respondent's Motion to Dismiss with prejudice will be granted. Complainant has had adequate time and opportunity to comply with the numerous interim orders and deadlines to obtain counsel and failed or refused to comply with such orders.

#### CONCLUSIONS OF LAW

1. All non-individuals, including a limited liability company, must have counsel to proceed in any legal action because such an entity may not represent itself. *New Fizon Catering, Inc. v. PECO Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered June 24, 2009); *Cars R Us c/o Holman Copeland v. Phila. Gas Works*, Docket No. C-2008-2033437 (Opinion and Order entered Feb. 4, 2010); *Torino Inc. v. PECO Energy Co.*, Docket No. C-2008-2034595 (Opinion and Order entered Feb. 2, 2010).

2. The failure to secure representation is a technical error. *Bisher v. Lehigh Valley Health Network, Inc.*, 265 A.3d 383 (Pa. 2021).

3. After providing an organization an opportunity to secure representation where representation is required, the Commission cannot permit

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<sup>6</sup> *Bisher*.

<sup>7</sup> 52 Pa. Code § 1.21.

