

- 9. Denied.** It is denied that the Complaint should be dismissed under 52 Pa. Code § 5.101(a)(1) or (a) (2). While the Commission cannot issue a monetary check, the Commission maintains exclusive, primary jurisdiction to determine the *regulatory compliance* of the service blackout under the Public Utility Code.
- 10. Denied in part.** It is admitted that under *Feingold*, the Commission cannot award civil damages. However, it is strongly denied that monetary reimbursement is the "only relief sought." Complainant seeks an official regulatory adjudication determining that Verizon PA failed to provide safe, adequate, and continuous service under **66 Pa. C.S. § 1501**.
- Denial as a matter of law.** Paragraph 11 quotes historical case law out of context to manufacture an insulation from utility oversight.
- 12. Denied.** It is denied that the Commission lacks jurisdiction over the underlying subject matter of a 111-day commercial service interruption caused by field technician error.
- 13. Denied.** A formal evidentiary hearing is deeply in the public interest. Dismissing a commercial customer's complaint without a hearing where an active, multi-month infrastructure abandonment occurred would allow a public utility to bypass its statutory obligations under Section 1501. Under the landmark doctrine of primary jurisdiction established in *Elkin v. Bell of Pa.*, 420 A.2d 371 (Pa. 1980), a formal regulatory finding by the Commission is a prerequisite step before a consumer can successfully maintain a civil action for gross negligence.

[Ridgemont Motel c/o Linda Fessler C-2026-3062000](#)