

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Kurt Knapp o/b/o The Remembrance Trust	:	
	:	
v.	:	F-2025-3058237
	:	
Philadelphia Gas Works	:	

INITIAL DECISION

Before
Barbara Shadie Nause
Administrative Law Judge

INTRODUCTION

This Initial Decision dismisses the Formal Complaint filed by Kurt Knapp (Complainant) on behalf of The Remembrance Trust for the failure of Complainant to comply with an Order of the Presiding Officer to have an attorney enter his or her appearance on its behalf.

HISTORY OF THE PROCEEDING

On October 27, 2025, Kurt Knapp (Mr. Knapp or Complainant) filed a Formal Complaint¹ against Philadelphia Gas Works (PGW) with the Pennsylvania Public Utility Commission (Commission) concerning utility service provided to The

¹ This Complaint is a timely appeal of the informal decision issued by the Commission's Bureau of Consumer Services at BCS Case No. 4084462. A timely BCS appeal is subject to *de novo* review. 52 Pa. Code § 56.173(a).

Remembrance Trust. Complaint ¶ 1. The Complaint placed checkmarks in boxes indicating the following allegations: that the utility is threatening to shut off or has already shut off service; that he would like a payment arrangement; that there are incorrect charges on his bill; that there is a reliability, safety or quality problem with the utility service; and “other”. Complaint ¶ 4. For relief, Complainant requested the following: (1) that the shut off by PGW be immediately reversed; (2) that PGW provide regulation documentation regarding the formal process prior to shutting off his utility; (3) a payment plan; (4) reimbursement for re-doing stagnant hot water piping and plumbing; (5) reimbursement for bird heaters and bird cleaner spray; (6) reimbursement for increased electricity costs; (7) reimbursement for human therapy sessions; (8) full explanation for billing errors; (9) lost wages; and (10) reimbursement for “loss of life” of heating equipment. Complaint ¶ 5.

On November 19, 2025, PGW filed an Answer with New Matter to the Complaint. In its Answer, PGW stated that on August 6, 2025, the service at 129 E. Allen Street, Philadelphia, PA (Service Address) was terminated, and that Complainant seeks a payment arrangement. PGW denied that there are incorrect charges on the bill for the service at the Service Address and denied that there is a reliability, safety or quality problem with the utility service at the Service Address. Answer ¶ 4.

In its New Matter, properly endorsed with a Notice to Plead, PGW asserted that to the extent that Mr. Knapp seeks an award of damages against PGW for his claim seeking reimbursement in an unspecified amount for damaged personal property, for pet supplies, and for human and avian therapy sessions, such relief is beyond the power of the Commission to order. PGW concluded its Answer with New Matter by requesting dismissal of the Complaint.

Complainant did not file an Answer to PGW's New Matter.

Also on November 19, 2025, PGW filed a Preliminary Objection to the Complaint, properly endorsed with a Notice to Plead. In its Preliminary Objection, PGW seeks dismissal of the Complaint's claims for damages, pursuant to 52 Pa. Code § 5.101(a)(1) and (a)(2), arguing that the Commission lacks authority to award monetary damages.

Complainant did not file an Answer to PGW's Preliminary Objection.

By Order dated January 20, 2026, I granted PGW's Preliminary Objection filed in the above matter and the portions of the Formal Complaint seeking reimbursement for damaged personal property, for pet supplies, and for human and avian therapy sessions were dismissed.

By Hearing Notice dated January 27, 2026, an Initial Call-In Telephonic Hearing was scheduled for Friday, March 13, 2026, at 10:00 a.m. Of relevance, the Hearing Notice states the following:

REPRESENTATION. If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*. Only an attorney may represent someone else.

January 27, 2026, Hearing Notice.

On January 30, 2026, a Prehearing Order was issued to the parties, providing the parties with the procedural rules that would govern the hearing. Of relevance, the Prehearing Order states the following:

7. REPRESENTATION. If you are an individual, you may represent yourself or you may have an attorney represent you. All others, including a partnership, corporation, trust, association, or governmental agency or subdivision, must be represented by an attorney licensed to practice law in Pennsylvania, or admitted *pro hac vice*. And, unless you are an attorney, you may not represent someone else.

January 30, 2026, Prehearing Order.

By email dated March 9, 2026, Mr. Knapp requested a continuance to seek legal representation. Complainant's March 9, 2026 email was sent to Counsel for Philadelphia Gas Works, who had no objection to the continuance request. Pursuant to 52 Pa. Code § 1.15(b), Complainant's Motion for a Continuance was granted.

On March 16, 2026, a Corrected Rescheduled Initial Telephonic Hearing Notice was issued, and the hearing was rescheduled for Wednesday, May 13, 2026, at 10:00 a.m.

On March 31, 2026, the Commission issued my Order which granted Complainant's Motion for Continuance and which directed Complainant to have an attorney enter his or her appearance on its behalf on or before April 14, 2026.

On April 20, 2026, the Commission issued a Cancellation Notice cancelling the May 13, 2026 evidentiary hearing.

On April 21, 2026, the Commission issued my Order Closing the Record, wherein I closed the evidentiary record in this proceeding.

This matter is ready for resolution. For the reasons discussed below, the Complaint will be dismissed.

FINDINGS OF FACT

1. Kurt Knapp is the Trustee of The Remembrance Trust.
2. Respondent is Philadelphia Gas Works.
3. On October 27, 2025, Kurt Knapp, Trustee, filed a Complaint on behalf of The Remembrance Trust with the Commission against PGW.
4. Kurt Knapp did not state that he was an attorney on the Complaint form.
5. No attorney was listed on paragraph 10 of the Complaint form, titled “Legal Representation.” Complaint ¶ 10.
6. On November 19, 2025, PGW filed an Answer with New Matter to the Complaint.
7. On November 19, 2025, PGW filed Preliminary Objections to the Complaint.
8. On January 20, 2026, PGW Energy Company’s Preliminary Objection was granted and the portions of the Formal Complaint seeking reimbursement

for damaged personal property, for pet supplies and for human and avian therapy sessions were dismissed.

9. On January 27, 2026, the Commission issued an Initial Telephonic Hearing Notice scheduling an evidentiary hearing for March 13, 2026.

10. On January 30, 2026, the Commission issued my Prehearing Order which explained the procedural rules that would govern the evidentiary hearing.

11. The Hearing Notice and Prehearing Order informed the parties that only individuals could represent themselves, and that all others must be represented by an attorney.

12. By email dated March 9, 2026, Mr. Knapp requested a continuance to seek legal representation, which was unopposed by PGW.

13. On March 31, 2026, the Commission issued my Order which directed The Remembrance Trust to have an attorney enter his or her appearance on its behalf on or before April 14, 2026.

14. The March 31, 2026 Order warned that failure to comply with the Order would result in cancellation of the hearing and dismissal of the Complaint.

15. Mr. Knapp, Trustee of The Remembrance Trust, selected to be served documents electronically from the Commission via the email address provided to the Commission. Complaint ¶ 9.

16. Mr. Knapp, Trustee of The Remembrance Trust was electronically served, via the email address provided to the Commission, the Hearing Notice, Prehearing Order, and my March 31, 2026 Order.

17. The Hearing Notice, Prehearing Order, and the March 31, 2026 Order were not returned to the Commission as undeliverable.

18. No attorney entered their appearance on behalf of The Remembrance Trust in this matter.

19. On April 20, 2026, the Commission issued a Cancellation Notice cancelling the May 13, 2026 hearing.

20. On April 21, 2026, the Commission issued my Order Closing the Record, which closed the evidentiary record in this matter.

DISCUSSION

Legal Standards

Attorney representation

The Remembrance Trust is not represented by an attorney in this matter. The Commission's Regulations provide specific requirements concerning representation before the Commission, as set forth in 52 Pa. Code §§ 1.21-1.24. Specifically, the Commission's Regulations provide that while individuals may represent themselves, "persons" in adversarial proceedings must be represented in accordance with 52 Pa. Code § 1.22 (relating to appearance by attorneys and legal interns). 52 Pa. Code § 1.21(a), (b). The term "person" is defined as "individuals, corporations, partnerships, associations,

joint ventures, other business organizations, trusts, trustees, legal representatives, receivers, agencies, governmental entities, municipalities or other political subdivisions.” 52 Pa. Code § 1.8. Further, the term “adversarial proceeding” is defined as “[a] proceeding initiated by a person to seek authority, approvals, tariff changes, enforcement, fines, remedies or other relief from the Commission which is contested by one or more other persons, and which will be decided on the basis of a formal record.” *Id.*

The Commission’s regulations further provide that an attorney who signs an initial pleading in a representative capacity shall be considered to have entered an appearance in that proceeding, but that in all other instances shall file with the Secretary a written notice of appearance. 52 Pa. Code § 1.24(b)(1), (2). It is well-settled in Commission practice that participation in a formal adversarial proceeding before the Commission constitutes the practice of law. *See, e.g., Lesley A. Scheaffer for Leslie W. Scheaffer v. Pa. Pub. Util. Comm’n*, Docket No. F-2016-2577647 (Opinion and Order entered Apr. 3, 2018). As such, that participation is limited to those who either file as individuals and represent themselves or to attorneys who are representing others. *Id.* The Commission cannot empower an individual to engage in the unauthorized practice of law, which is conduct prohibited by Section 2524 of the Judicial Code, which states the following:

(a) General rule.--Except as provided in subsection (b), any person, including, but not limited to, a paralegal or legal assistant, who within this Commonwealth shall practice law, or who shall hold himself out to the public as being entitled to practice law, or use or advertise the title of lawyer, attorney at law, attorney and counselor at law, counselor, or the equivalent in any language, in such a manner as to convey the impression that he is a practitioner of the law of any jurisdiction, without being an attorney at law or a corporation complying with 15 Pa.C.S. Ch. 29 (relating to professional corporations), commits a misdemeanor of the third degree upon a first violation. A second or subsequent violation of this subsection constitutes a misdemeanor of the first degree.

42 Pa.C.S. § 2524(a).

Failure to comply with orders of presiding officers

The Commission has long held that failure to comply with an order issued by a presiding officer warrants dismissal of the application or complaint. *See, e.g., Application of Robert Bautista t/a Collado Luxury Ride, LLC*, Docket No. A-2015-2476824, (Final Order entered Feb. 1, 2016); *Application of And Ex Car*, Docket No. A-2012-2337848 (Final Order entered June 19, 2013); *New Fizon Catering, Inc. v. PGW Energy Co.*, Docket No., C-2008-2065498 (Opinion and Order entered June 24, 2009). More specifically, the Commission has dismissed complaints when a complainant failed to comply with an order of the presiding officer directing it to have an attorney enter his/her appearance on its behalf. *See Am. Housing Sols. v. York Water Co.*, Docket No. F-2023-3043623 (Final Order entered July 2, 2024); *Application of Home Concept Servs. LLC for approval to provide paratransit serv. in Phila., Montgomery, Bucks and Delaware Cntys.*, Docket No. A-2022-3034706 (Opinion and Order entered Apr. 20, 2023); *Yea Ryong Bakery c/o David Wong v. Metro. Edison Co.*, Docket No. C 2017- 2626578 (Final Order entered May 9, 2018).

Commission service

Regarding service of Commission documents, notice electronically served to a party with no notification that service failed is presumed received. *Hu v. PECO Energy Co.*, Docket No. C-2019-3012075 (Final Order entered Dec. 19, 2019) (*Hu*); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Apr. 7, 2017) (*Zirkel*); *Morella v. PECO Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 31, 2017) (*Morella*).

Analysis

The Complaint was filed by Mr. Knapp, Trustee, on behalf of The Remembrance Trust regarding PGW gas service provided to The Remembrance Trust. The Complaint became contested once PGW filed its Answer with New Matter to the Complaint. Therefore, once the Answer with New Matter was filed, this proceeding became an “adversarial proceeding” as defined by the Commission’s regulations. *See* 52 Pa. Code § 1.8. The Remembrance Trust is a “person” as defined by the Commission’s regulations. *See* 52 Pa. Code § 1.8. Persons in adversarial proceedings must be represented by an attorney or certified legal intern. 52 Pa. Code § 1.21(b). Mr. Knapp did not indicate that he was an attorney licensed to practice law in Pennsylvania in the Complaint; therefore, he cannot be permitted to represent The Remembrance Trust in this adversarial proceeding. Further, no attorney is identified in paragraph 10 of the Complaint form titled “legal representation” and no attorney has entered their appearance in this proceeding on behalf of The Remembrance Trust. Therefore, The Remembrance Trust is unrepresented in this adversarial proceeding.

Mr. Knapp, Trustee, was informed of the Commission’s attorney representation requirements in the December 27, 2025 Hearing Notice and the January 30, 2026 Prehearing Order. Both documents were electronically served to Mr. Knapp, Trustee, and neither document was returned to the Commission as undeliverable. Therefore, I must presume that Mr. Knapp, Trustee, received both documents. *Hu v. PGW Energy Co.*, Docket No. C-2019-3012075 (Order entered Dec. 19, 2019); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Apr. 7, 2017); *Morella v. PGW Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 31, 2017). Not only was Mr. Knapp informed that he was required to have legal representation, by email dated March 9, 2026, he requested a continuance for the sole purpose of securing legal representation.

Separately on March 31, 2026, I issued an Order directing The Remembrance Trust to have an attorney enter his or her appearance on its behalf in this proceeding. The Remembrance Trust failed to comply with this Order, as no attorney entered his or her appearance in this proceeding by the April 14, 2026 deadline. As failure to comply with an order of a presiding officer warrants dismissal of a complaint, the Complaint filed in this matter will be dismissed in the Ordering paragraphs below.

CONCLUSIONS OF LAW

1. The Commission has jurisdiction over the parties in this proceeding. 66 Pa.C.S. § 701.
2. Notice electronically served to a party with no notification that service failed is presumed received. *Hu v. PECO Energy Co.*, Docket No. C-2019-3012075 (Final Order entered Dec. 19, 2019) (*Hu*); *Zirkel v. Phila. Gas Works*, Docket No. C-2016-2561176 (Final Order entered Apr. 7, 2017) (*Zirkel*); *Morella v. PECO Energy Co.*, Docket No. C-2016-2553416 (Final Order entered Jan. 31, 2017) (*Morella*).
3. Persons in adversarial proceedings must be represented by legal counsel or a certified legal intern in proceedings before the Commission. 52 Pa. Code § 1.21(b).
4. An attorney who signs an initial pleading in a representative capacity shall be considered to have entered an appearance in that proceeding, but that in all other instances shall file with the Secretary a written notice of appearance. 52 Pa. Code § 1.24(b)(1), (2).

5. The term “person” is defined as “individuals, corporations, partnerships, associations, joint ventures, other business organizations, trusts, trustees, legal representatives, receivers, agencies, governmental entities, municipalities or other political subdivisions.” 52 Pa. Code § 1.8.

6. The term “adversarial proceeding” is defined as “[a] proceeding initiated by a person to seek authority, approvals, tariff changes, enforcement, fines, remedies or other relief from the Commission which is contested by one or more other persons, and which will be decided on the basis of a formal record.” 52 Pa. Code § 1.8.

7. It is well-settled in Commission practice that participation in a formal adversarial proceeding before the Commission constitutes the practice of law. *See, e.g., Lesley A. Scheaffer for Leslie W. Scheaffer v. Pa. Pub. Util. Comm’n*, Docket No. F-2016-2577647 (Opinion and Order entered Apr. 3, 2018).

8. The Pennsylvania Judicial Code prohibits an individual to engage in the unauthorized practice of law. 42 Pa.C.S. § 2524.

9. The Commission has long held that failure to comply with an order issued by a presiding officer warrants dismissal of the application or complaint. *See, e.g., Application of Robert Bautista t/a Collado Luxury Ride, LLC*, Docket No. A-2015-2476824 (Final Order entered Feb. 1, 2016); *Application of And Ex Car*, Docket No. A2012-2337848 (Final Order entered June 19, 2013); *New Fizon Catering, Inc. v. PGW Energy Co.*, Docket No. C-2008-2065498 (Opinion and Order entered June 24, 2009).

10. The Commission has dismissed complaints when a complainant failed to comply with an order of the presiding officer directing it to have an attorney enter his/her appearance on its behalf. *See Am. Housing Sols. v. York Water Co.*, Docket No. F-2023-3043623 (Final Order entered July 2, 2024), *Application of Home Concept*

Sers. LLC for approval to provide paratransit serv. in Phila., Montgomery, Bucks and Delaware Cntys, Docket No. A-2022-3034706 (Opinion and Order entered Apr. 20, 2023); *Yea Ryong Bakery c/o David Wong v. Metro. Edison Co.*, Docket No. C-2017-2626578 (Final Order entered May 9, 2018).

ORDER

THEREFORE,

IT IS ORDERED:

1. That the Formal Complaint filed on October 27, 2025, in the matter of Kurt Knapp, Trustee of The Remembrance Trust v. Philadelphia Gas Works, Docket No. F-2025-3058237, is dismissed.

2. That the Secretary's Bureau shall mark Docket No. F-2025-3058237 as closed.

Date: June 11, 2026

/s/
Barbara Shadie Nause
Administrative Law Judge