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June 10, 2026

**VIA ELECTRONIC FILING**

Matthew L. Homsher, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building, 2<sup>nd</sup> Floor  
400 North Street  
P.O. Box 3265  
Harrisburg, PA 17105-3265

**Re: Macarena Lopez v. Duquesne Light  
Docket No. C-2026-3062665**

Dear Secretary Homsher:

Attached for filing please find the Preliminary Objections of Duquesne Light Company in response to the Complaint of Macarena Lopez in the above-referenced proceeding. Upon information and belief, the Complainant requires a Spanish-speaking interpreter for this proceeding. The Company respectfully requests a Spanish-speaking interpreter on behalf of the Complainant.

Copies are being provided as indicated in the Certificate of Service. Should you have any questions please contact me.

A handwritten signature in black ink that reads "Sophia Al Rasheed". The signature is written in a cursive, flowing style.

Sophia Al Rasheed

PA ID #325196

SAR/clk

Enclosure[s]  
CC: Certificate of Service

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant):

**VIA ELECTRONIC MAIL**

Macarena Lopez  
2405 Jane Street  
Pittsburgh, PA 15203  
Macarenany83@gmail.com

Date: June 10, 2026

*Sophia Al Rasheed*

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Sophia Al Rasheed

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Macarena Lopez,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2026-3062665
	:	
Duquesne Light Company,	:	
	:	
Respondent.	:	

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**NOTICE TO PLEAD**

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YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.101, YOU MAY FILE AN ANSWER TO THE ENCLOSED PRELIMINARY OBJECTIONS WITHIN TEN (10) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PRELIMINARY OBJECTION MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

*Sophia Al Rasheed*

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Sophia Al Rasheed  
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Pittsburgh, Pennsylvania 15212  
Phone: 412-925-9123  
salrasheed@duqlight.com

Date: June 10, 2026

Attorney for Duquesne Light Company

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Macarena Lopez,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2026-3062665
	:	
Duquesne Light Company,	:	
	:	
Respondent.	:	

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**PRELIMINARY OBJECTIONS OF  
DUQUESNE LIGHT COMPANY TO THE COMPLAINT OF  
MACARENA LOPEZ**

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TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code § 5.101, Duquesne Light Company files the following Preliminary Objections to the Formal Complaint (“Complaint”) of Linda Slick (“Complainant”). Pursuant to §§ 5.61, 5.62, and 5.101(d) of the Pennsylvania Public Utility Commission (“Commission” or “PUC”) regulations, Duquesne Light Company (“Duquesne Light” or the “Company”) filed an Answer and New Matter on this same date. The Company respectfully requests that the Formal Complaint of Macarena Lopez be dismissed.

In support thereof, Duquesne Light states as follows:

**I. BACKGROUND**

1. Duquesne Light is a “public utility,” an “electric distribution company,” and a “default service provider” as defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa. C.S. §§ 102, 2803.

2. On May 21, 2026, Duquesne Light was served with the above-captioned Formal Complaint filed by the Complainant.

3. According to Paragraph 5 of the Complaint, Complainant alleges she "...paid rent and utility-amounts directly to the property owner..." (Complaint ¶ 5).

4. Complainant's Complaint, in part, attempts to raise a landlord-tenant dispute claim before the Commission.

5. Duquesne Light herein files these Preliminary Objections to the Complaint. For the reasons explained below, Duquesne Light respectfully requests that the Commission summarily dismiss the portions of the Complaint that allege the Complainant's landlord is responsible for the electricity bill because the Commission lacks subject matter jurisdiction over landlord-tenant disputes .

## **II. LEGAL STANDARD.**

6. Pursuant to the Commission's regulations, preliminary objections in response to a pleading may be filed on several grounds, including:

- (1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.
- (2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.
- (3) Insufficient specificity of a pleading.
- (4) Legal insufficiency of a pleading.
- (5) Lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action.
- (6) Pendency of a prior proceeding or agreement for alternative dispute resolution.
- (7) Standing of a party to participate in the proceeding.

52 Pa. Code § 5.101(a) (emphasis added).

7. In ruling on preliminary objections, the Presiding Officer must accept as true all well-pled allegations of material facts as well as all inferences reasonably deducible therefrom. *Stilp v. Cmwlth.*, 910 A.2d 775, 781 (Pa. Cmwlth. 2006) (citing *Dep't of Gen. Servs. v. Bd. of Claims*, 881 A.2d 14 (Pa. Cmwlth. 2005)). However, the Presiding Officer need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. *Stanton-Negley Drug Co. v. Dep't of Pub. Welfare*, 927 A.2d 671, 673 (Pa. Cmwlth. 2007). For preliminary objections to be sustained, it must appear with certainty that the law will permit no recovery, and any doubt must be resolved in favor of the non-moving party. *Stilp*, 910 A.2d at 779 (Pa. Commw. Ct. 2006).

### III. PRELIMINARY OBJECTIONS

#### A. Lack of Commission Jurisdiction. The Commission Does Not Have Jurisdiction Over Landlord-Tenant Disputes.

8. Duquesne Light incorporates by reference Paragraphs 1 through 7, *supra*, as though fully set forth herein.

9. The Commission lacks subject matter jurisdiction over the portions of the Complaint referencing a landlord-tenant dispute (Complaint ¶ 4.)

10. As a creature of statute, the PUC has only those powers which are expressly conferred upon it by the Legislature and those powers which arise by necessary implication. *Feingold v. Bell of Pennsylvania.*, 477 Pa. 1, 383 A.2d 791, 794 (1977) (internal citations omitted).

11. The PUC does not have jurisdiction over cases involving disputes between landlords and tenants. See *Ace Check Cashing Inc. v. Philadelphia Gas Works, Eddie and Jennifer West, Indispensable Parties*, Opinion and Order, Docket No. C-2008-2056428.

12. Notably, in *Ace*, the Commission stated:

...While the Commission has jurisdiction over the regulation of utility companies and utility service, the Commission does not have jurisdiction to

adjudicate every dispute that involves a utility, e.g., personal injury case, discrimination case, etc., and does not have the authority to settle disputes on every contract to which a public utility is a party. Accordingly, the Commission does not have subject matter jurisdiction over a dispute between a property owner and a tenant – two non-utility parties. While such a dispute, 8 arguably, may involve utility rates, when the charges owed to the utility for past service are settled, the only issue to be decided is financial responsibility for the charges. That matter should be handled by the courts.

Ace at 5.

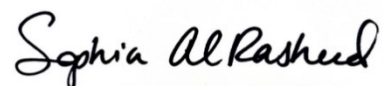
13. The Company respectfully requests that the portions of Complainant’s Complaint related to landlord tenant dispute be stricken from the Complaint.

14. Therefore, the Commission should dismiss the portions of the Complaint referencing her landlord alleged responsibility to pay electric bills pursuant to Section 101(a)(1) of the Commission’s regulations, because the Commission lacks subject matter jurisdiction over those claims. 52 Pa. Code § 5.101(a)(1).

**IV. CONCLUSION**

WHEREFORE, Duquesne Light Company respectfully requests that the Pennsylvania Public Utility Commission grant these Preliminary Objections.

Respectfully submitted,



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