



CAPTION

Charles Johnson and Laura Johnson, Appellees
 v.
 Pennsylvania Public Utility Commission, Appellant

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal
 Case Status: Active
 Journal Number:
 Case Category: Administrative Agency Case Type(s): Public Utility Commission

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

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Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 39 WAP 2025

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May 20, 2026

SUPREME COURT INFORMATION

Appeal From: the Order of the Commonwealth Court at No. 192 CD 2024 dated April 15, 2025, Reversing and Vacating the decision of the Public Utility Commission at No. C-2022-3032695 dated February 21, 2024.

Probable Jurisdiction Noted: Docketed Date: December 31, 2025

Allocatur/Miscellaneous Granted: December 31, 2025 Allocatur/Miscellaneous Docket No.: 191 WAL 2025

Allocatur/Miscellaneous Grant Order: AND NOW, this 31st day of December, 2025, the Petition for Allowance of Appeal is GRANTED. The issues, as stated by petitioners, are:

(1) Did the Commonwealth Court commit an error of law by concluding that a regulated public utility's conduct in providing notice regarding siting of a proposed transmission line and eminent domain to an affected property owner is not within the Commission's jurisdiction under Section 1501, 66 Pa. C.S. § 1501, of the Pennsylvania Public Utility Code?

(2) Did the Commonwealth Court abuse its discretion by precluding the Commission from enforcing its own regulations concerning transmission line siting (see 52 Pa. Code §§ 57.71-57.77) and disclosure of eminent domain power for the purpose of acquiring a transmission right-of-way (see 52 Pa. Code § 57.91) and instead permitting a trial court to make determinations as to the reasonableness of a public utility's conduct related to these issues?

We also hereby direct the parties to address the following additional issue in their briefs to this Court:

Whether the Commonwealth Court had jurisdiction to consider the propriety of the common pleas court's referral decision, where the Commission did not decide the question referred to it by the common pleas court and, instead, marked the matter closed after the complainants failed to proceed with their complaint?

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
03/10/2026	2nd Motion for Extension of Time	10.00	03/10/2026	2026-SUP-W-001151	10.00

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Commonwealth Docket Number: 192 CD 2024
 Date of Order: April 15, 2025 Rearg/Recon Disp Date: June 16, 2025
 Rearg/Recon Disposition: Denied.

Judge(s): McCullough, Patricia
 Fizzano Cannon, Christine
 Leavitt, Mary Hannah

Intermediate Appellate Court Action: Reversed/Vacated.

Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Public Utility Commission
 County: Division: Public Utility Commission
 Date of Agency/Trial Court Order: February 1, 2024
 Docket Number: C-2022-3032695
 Judge(s): OTN:
 Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Original Record	December 31, 2025	****Filed Electronically****

Record Remittal:



BRIEFING SCHEDULE

Appellant Pennsylvania Public Utility Commission Brief Due: April 8, 2026 Filed: April 8, 2026 Reply Brief Reproduced Record Due: April 8, 2026 Filed: April 8, 2026	Appellee Duquesne Light Company Brief Due: April 8, 2026 Filed: April 8, 2026 Reproduced Record Johnson, Charles Brief Due: June 8, 2026 Filed: Johnson, Laura Brief Due: June 8, 2026 Filed:
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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
December 31, 2025	Allocatur Granted		Per Curiam
Comments: AND NOW, this 31st day of December, 2025, the Petition for Allowance of Appeal is GRANTED. The issues, as stated by petitioners, are: (1) Did the Commonwealth Court commit an error of law by concluding that a regulated public utility's conduct in providing notice regarding siting of a proposed transmission line and eminent domain to an affected property owner is not within the Commission's jurisdiction under Section 1501, 66 Pa. C.S. § 1501, of the Pennsylvania Public Utility Code? (2) Did the Commonwealth Court abuse its discretion by precluding the Commission from enforcing its own regulations concerning transmission line siting (see 52 Pa. Code §§ 57.71-57.77) and disclosure of eminent domain power for the purpose of acquiring a transmission right-of-way (see 52 Pa. Code § 57.91) and instead permitting a trial court to make determinations as to the reasonableness of a public utility's conduct related to these issues? We also hereby direct the parties to address the following additional issue in their briefs to this Court: Whether the Commonwealth Court had jurisdiction to consider the propriety of the common pleas court's referral decision, where the Commission did not decide the question referred to it by the common pleas court and, instead, marked the matter closed after the complainants failed to proceed with their complaint?			
December 31, 2025	Commonwealth Court Record Received		Commonwealth Court of Pennsylvania
January 9, 2026	Praecipe for Appearance Duquesne Light Company	Appellee	Myers, Karl Stewart
January 14, 2026	Praecipe for Appearance Duquesne Light Company	Appellee	Stobbe, Nicholas Alexander
January 14, 2026	Application for Extension of Time to File Brief - First Request	Appellant	Pennsylvania Public Utility Commission



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 21, 2026	Order Granting Application for Extension of Time to File Brief and Reproduced Record		Ceraso, Betsy
Comments: AND NOW, this 21st day of January, 2026, the application for extension of time is GRANTED. The Appellant's brief and reproduced record shall be served and filed on or before March 11, 2026.			
January 21, 2026	Order Exited		Office of the Prothonotary
February 12, 2026	Designation of Contents of Reproduced Record	Appellant	Pennsylvania Public Utility Commission
February 23, 2026	Counter Designation of Contents of Reproduced Record	Appellee	Duquesne Light Company
March 10, 2026	Application for Extension of Time to File Brief - Second Request	Appellant	Pennsylvania Public Utility Commission
March 11, 2026	Order Granting Second Application for Extension of Time to File Brief and Reproduced Record		Gorman, Kaitlin A.
Comments: AND NOW, this 11th day of March, 2026, the "Unopposed Second Application for Extension of Time to File Appellant's Brief" is GRANTED. The Appellant's brief and reproduced record shall be served and filed on or before March 25, 2026. No further extensions of time shall be granted absent extraordinary circumstances.			
March 11, 2026	Order Exited		Office of the Prothonotary
March 20, 2026	Praecepte for Appearance	Duquesne Light Company Duquesne Light Company Duquesne Light Company	Appellee Appellee Appellee
			Kawa, Erin Renee Rienzi, Karyn Dobroskey Kanagy, Anthony D.
March 20, 2026	Application for Extension of Time to File Brief for Duquesne Light and PUC	Appellant Appellee	Pennsylvania Public Utility Commission Duquesne Light Company
March 23, 2026	Order Granting Application for Extension of Time to File Brief for Duquesne Light and PUC		Ceraso, Betsy
Comments: AND NOW, this 23rd day of March, 2026, the Application for Extension of Time to File Brief filed by Duquesne Light Company, is GRANTED. Appellant's brief and reproduced record shall be filed on or before April 8, 2026. No further extensions of time shall be granted absent extraordinary circumstances.			
March 23, 2026	Order Exited		Office of the Prothonotary



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 24, 2026	Praeceptum for Withdrawal of Appearance Duquesne Light Company	Appellee	Myers, Karl Stewart
March 24, 2026	Praeceptum for Withdrawal of Appearance Duquesne Light Company	Appellee	Stobbe, Nicholas Alexander
March 25, 2026	Praeceptum for Withdrawal of Appearance Duquesne Light Company	Appellee	Gruin, Michael Alan
April 8, 2026	Appellee's Brief	Appellee	Duquesne Light Company
April 8, 2026	Appellant's Brief	Appellant	Pennsylvania Public Utility Commission
April 8, 2026	Appellant's Reproduced Record Filed	Appellant	Pennsylvania Public Utility Commission
April 27, 2026	Application for Extension of Time to File Brief - First Request	Appellee Appellee	Johnson, Charles Johnson, Laura
April 29, 2026	Order Granting Application for Extension of Time to File Appellee Brief		Ceraso, Betsy

Comments:

AND NOW, this 29th day of April, 2026, the application for extension of time is GRANTED. The Appellees' brief shall be served and filed on or before June 8, 2026.

April 29, 2026	Order Exited		Office of the Prothonotary
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CROSS COURT ACTIONS

Docket Number:	101 ET 2025
Docket Number:	191 WAL 2025
Docket Number:	192 CD 2024
Docket Number:	80 WT 2025