Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 39 WAP 2025

November 19, 2026

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:	J-68-2026 October 14, 2026		
Case Category:	Administrative Agency	Case Type(s):	Public Utility Commission

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney:	Tran, Tiffany Loananh		
	Pennsylvania Public Utility Commission		
Address:	Pa Public Utility Commission		
	P.o. Box 3265		
	Harrisburg, PA 17105-3265		
Phone No:	(717) 783-5413		
Receive Mail:	Yes		
Receive EMail:	Yes	Email:	
Representing:	Pennsylvania Public Utility Commission, Appellant		
Pro Se:	No		
IFP/Waiver:			

Attorney:	Brown, Kriss E.		
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Representing:	Pennsylvania Public Utility Commission, Appellant		
Pro Se:	No		
IFP/Waiver:			

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COUNSEL INFORMATION

Attorney:	Screven, David E.
	Pennsylvania Public Utility Commission
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	P.o. Box 3265
	Harrisburg, PA 17105-3265
Phone No:	(717) 787-2126
Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Pennsylvania Public Utility Commission, Appellant
Pro Se:	No
IFP/Waiver:	

Attorney:	Thomas, Scott J.
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Receive EMail:	Yes Email:
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Pro Se:	No
IFP/Waiver:	

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	17 N Second St Fl 12
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Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Duquesne Light Company, Appellee
Pro Se:	No
IFP/Waiver:	

Attorney:	Stein, Stanley M.
	Stanley M. Stein, PC
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Phone No:	(412) 260-1947
Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Johnson, Charles, Appellee
Pro Se:	No
IFP/Waiver:	
Representing:	Johnson, Laura, Appellee
Pro Se:	No
IFP/Waiver:	

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COUNSEL INFORMATION

Attorney:	Andracchio, Laura M.	
Address:	2120 Lawnview Drive Elizabeth Township, PA 15135	
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Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Johnson, Charles, Appellee	
Pro Se:	No	
IFP/Waiver:		
Representing:	Johnson, Laura, Appellee	
Pro Se:	No	
IFP/Waiver:		

Attorney:	Kanagy, Anthony D. Post & Schell, P.C.	
Address:	17 N 2ND St Fl 12 Harrisburg, PA 17101-1638	
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Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Duquesne Light Company, Appellee	
Pro Se:	No	
IFP/Waiver:		

Attorney:	Rienzi, Karyn Dobroskey Post & Schell, P.C.	
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Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Duquesne Light Company, Appellee	
Pro Se:	No	
IFP/Waiver:		

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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 1, 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
06/01/2026	2nd Motion for Extension of Time	10.00	06/01/2026	2026-SUP-W-002563	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****

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Record Remittal:

BRIEFING SCHEDULE

Appellant

Pennsylvania Public Utility Commission

Brief

Due: April 8, 2026 Filed: April 8, 2026

Reply Brief

Due: July 27, 2026 Filed: July 27, 2026

Reproduced Record

Due: April 8, 2026 Filed: April 8, 2026

Appellee

Duquesne Light Company

Brief

Due: April 8, 2026 Filed: April 8, 2026

Reply Brief

Due: July 27, 2026 Filed: July 27, 2026

Reproduced Record

Johnson, Charles

Brief

Due: July 6, 2026 Filed: July 6, 2026

Johnson, Laura

Brief

Due: July 6, 2026 Filed: July 6, 2026

SESSION INFORMATION

Journal Number: J-68-2026
Listed/Submitted Date: October 14, 2026
Consideration Type: Oral Argument Supreme Ct.

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

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
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
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	**Praecipe for Appearance**		
	Duquesne Light Company	Appellee	Kawa, Erin Renee
	Duquesne Light Company	Appellee	Rienzi, Karyn Dobroskey
	Duquesne Light Company	Appellee	Kanagy, Anthony D.
March 20, 2026	**Application for Extension of Time to File Brief for Duquesne Light and PUC**		
		Appellant	Pennsylvania Public Utility Commission
		Appellee	Duquesne Light Company

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
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
March 24, 2026	**Praecipe for Withdrawal of Appearance**		
	Duquesne Light Company	Appellee	Myers, Karl Stewart
March 24, 2026	**Praecipe for Withdrawal of Appearance**		
	Duquesne Light Company	Appellee	Stobbe, Nicholas Alexander
March 25, 2026	**Praecipe 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	Johnson, Charles
		Appellee	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
June 1, 2026	**Application for Extension of Time to File Brief - Second Request**		
		Appellee	Johnson, Charles
		Appellee	Johnson, Laura
June 3, 2026	**Order Granting Application for Extension of Time to File Appellee Brief**		
			Ceraso, Betsy

Comments:
AND NOW, this 3rd day of June, 2026, the Application for Extension of Time to File Brief is GRANTED. Appellant's brief shall be filed on or before July 6, 2026. No further extensions of time shall be granted absent extraordinary circumstances.

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 3, 2026	**Order Exited**		
			Office of the Prothonotary
July 6, 2026	**Appellee's Brief**		
		Appellee	Johnson, Charles
		Appellee	Johnson, Laura
July 15, 2026	**Application for Extension of Time to File Reply Brief**		
		Appellant	Pennsylvania Public Utility Commission
July 16, 2026	**Application for Leave to File Reply Brief**		
		Appellee	Duquesne Light Company
July 17, 2026	**Order Granting Application for Extension of Time to File Reply Brief**		
			Gorman, Kaitlin A.
Comments: AND NOW, this 17th day of July, 2026, the "Unopposed Application for Extension of Time to File Appellant's Reply Brief" is GRANTED. Appellant's reply brief is now due in this Court on or before July 27, 2026.			
July 17, 2026	**Order Exited**		
			Office of the Prothonotary
July 20, 2026	**No Answer Letter**		
		Appellant	Pennsylvania Public Utility Commission
July 20, 2026	**No Answer Letter**		
		Appellee	Johnson, Charles
		Appellee	Johnson, Laura
July 20, 2026	**Order Granting Application for Leave to File Reply Brief**		
			Ceraso, Betsy
Comments: AND NOW, this 20th day of July, 2026, the Application for Leave to File Reply Brief on or before July 27, 2026, is GRANTED.			
July 20, 2026	**Order Exited**		
			Office of the Prothonotary
July 27, 2026	**Appellant's Reply Brief**		
		Appellant	Pennsylvania Public Utility Commission
July 27, 2026	**Appellee's Reply Brief**		
		Appellee	Duquesne Light Company
August 26, 2026	**Acknowledgement of Argument Notice**		
	Pennsylvania Public Utility Commission	Appellant	Thomas, Scott J.
August 26, 2026	**Acknowledgement of Argument Notice**		
	Duquesne Light Company	Appellee	Kawa, Erin Renee

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
August 31, 2026	**Acknowledgement of Argument Notice**		
	Johnson, Charles	Appellee	Andracchio, Laura M.
	Johnson, Laura	Appellee	Andracchio, Laura M.
October 14, 2026	**Argued**		
	Pennsylvania Public Utility Commission	Appellant	Thomas, Scott J.
	Johnson, Charles	Appellee	Andracchio, Laura M.
	Duquesne Light Company	Appellee	Kawa, Erin Renee

CROSS COURT ACTIONS

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

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