

**IN THE SUPREME COURT OF PENNSYLVANIA  
EASTERN DISTRICT**

HIKO ENERGY, LLC,	:	No. 314 EAL 2017
	:	
Petitioner	:	
	:	
v.	:	Petition for Allowance of Appeal from
	:	the Order of the Commonwealth Court
	:	
	:	
PENNSYLVANIA PUBLIC UTILITY	:	
COMMISSION,	:	
	:	
Respondent	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 13<sup>th</sup> day of December, 2017, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by Petitioner, are:

- (1) Whether the \$1,836,125.00 penalty was so grossly disproportionate to the penalties the Commission has approved for similar or more egregious conduct as to violate the Excessive Fines Clause of the Pennsylvania and U.S. Constitutions.
- (2) Whether the \$1,836,125.00 penalty impermissibly punished HIKO for litigating the complaint for a civil penalty instead of settling it.
- (3) Whether the Commission abused its discretion in imposing an unprecedented civil penalty, which was not supported by substantial evidence.