

FirstEnergy, Verizon Sued Over Motorcyclist's Fatal Pa. Ride

By **Matthew Santoni**

Law360 (May 27, 2026, 5:41 PM EDT) -- The family of a motorcyclist killed while riding down a Northampton County, Pennsylvania, road is seeking to hold FirstEnergy Corp., Frontier Communications and Verizon liable for low-hanging wires they say caused his death.

The suit, filed Tuesday in the Philadelphia Court of Common Pleas, claims that FirstEnergy, Frontier and their subsidiaries knew or should have known that the deactivated communications wires had been sagging below the 15.5-foot clearance required by the National Electrical Safety Code, and should have removed or raised them before Luis Fernandes fatally struck them at neck height the morning of May 4, 2025.

"Unbeknownst to Mr. Fernandes, dangerous and impermissibly low cables spanned across the entire roadway and were connected to wood utility poles. These cables were so low that they were about at neck height of a person riding a motorcycle," said the **complaint**, filed by his daughter, Elyse Koncz, as the administrator of his estate. "The low-hanging cables struck Mr. Fernandes at his neck and caused him to be ejected from his motorcycle."

The suit made claims of negligence and wrongful death against FirstEnergy as the alleged owner of the poles and Frontier as the owner of the cables, along with Verizon because it had completed its acquisition of Frontier shortly after the accident took place, and any other subsidiaries or yet-to-be-discovered companies that had a hand in the utility lines' upkeep.

According to the lawsuit, the wires were hanging across Ott Drive in Lower Mount Bethel Township and had formerly served customers who'd terminated their Frontier Communications services.

"Google Street View images taken in August 2024 and earlier show the at-issue cables crossing over and attached to the utility poles located on the north and south sides of Ott Drive. The cables were not securely attached to the poles as of this time," the complaint said, later adding, "Despite having no operational reason to maintain the cables over the roadway, the Frontier defendants failed to remove them and failed to ensure they were maintained in a safe condition, leaving them suspended across a public roadway at a dangerously low and unlawful height."

Fernandes, then 56, was out riding his motorcycle at about 6 a.m. May 4, 2025, the suit said. He was wearing a helmet and traveling at a safe speed, according to the complaint.

As he rode down Ott Drive, Fernandes struck the low-hanging cables and was yanked off his motorcycle, which continued without him for a distance and crashed into a residential yard, the suit said. Pennsylvania State Police investigated and immediately pointed to the cables as the cause; Fernandes was transported to a hospital and declared dead from blunt force trauma to the neck, the estate claimed.

The poles themselves were cracked and deteriorating, and the cables had been detached completely from the pole on the north side of the road, the suit said.

Though the cables allegedly belonged to Frontier, Verizon had announced that it was acquiring the company in September 2024, and completed its acquisition in January 2026. As a result, the suit said Verizon shared responsibility with Frontier either through controlling its assets and operations before the accident or by assuming its liabilities in its acquisition.

"Defendants knew, or with even minimal inspection would have known, that the at-issue cables had been abandoned after the customers they served terminated service, that the cables had been left suspended across a public roadway below the minimum vertical clearance required by law for a period of years before Mr. Fernandes' death, and that the cables posed an obvious and substantial risk of catastrophic injury or death to motorcyclists and other motorists using Ott Drive," the complaint said.

A spokesperson for FirstEnergy declined to comment on the suit Wednesday, and representatives for Verizon did not immediately respond to requests for comment.

"A motorcyclist should be able to ride down a Pennsylvania road without encountering a cable strung across it at neck height," said Koncz's attorneys in a statement to Law360. "We filed this case to get justice for Mr. Fernandes and his family, and to try and prevent it from happening to someone else."

Koncz and her father's estate are represented by Thomas R. Kline, Frank Mangiaracina, Michael A. Cavaliere and Kimberly M. Collins of Kline & Specter PC.

Counsel information for the defendants was not immediately available.

The case is Koncz v. FirstEnergy Corp. et al., case number 260503344, in the Court of Common Pleas for Philadelphia, Pennsylvania.

--Editing by Patrick Reagan.