

COMMONWEALTH OF PENNSYLVANIA
PUBLIC UTILITY COMMISSION

Rickie A. & Hanna M. Heller,
v.
PPL Electric Utilities
Corporation

Docket No.: C-20055448

IN-PERSON HEARING

Pages: 1 - 99

State Office Building
100 Lackawanna Avenue
Scranton, Pennsylvania

DOCUMENT
FOLDER

Tuesday, March 28, 2006
Commencing at 10:00 a.m.

BEFORE:

EMBER S. JANDEBEUR, Administrative Law Judge

APPEARANCES:

JOHN F. GROSS, Esquire
Gross, McGinley, LaBarre & Eaton, LLP
33 South Seventh Street
P.O. Box 4060
Allentown, PA 18105-4060
For the Complainant

Pro Se
For the Respondent

ORIGINAL

REPORTER: Rhonda K. Thorpe

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P R O C E E D I N G S

1
2 -----
3 JUDGE EMBER S. JANDEBEUR:

4 This is the time and place for the
5 in-person hearing in the matter of Rickie A. and Hanna
6 M. Heller versus PPL Electric Utilities Corporation
7 Docket C-20055448. Now, I assume that you are Hanna?

8 MRS. HELLER:

9 Yes.

10 JUDGE JANDEBEUR:

11 Okay. So I have Hanna Heller in the
12 courtroom representing herself, and I assume Rickie as
13 well?

14 MR. HELLER:

15 Yes.

16 JUDGE JANDEBEUR:

17 And I have John Gross, attorney for PPL
18 Electric Utilities Corporation. Now, Mrs. Heller, is
19 Mr. Corvalon (phonetic) still involved or no longer
20 involved?

21 MRS. HELLER:

22 He told me to come up here myself. A lot
23 of people are very afraid of the Public Utility
24 Commission and PPL and the telephone companies, big
25 corporate America anymore. I would have had people

1 also giving you notes, clients and relatives and
2 neighbors, and they just declined because I had
3 someone that had an incident at my house where they
4 got electrocuted from stray voltage.

5 ATTORNEY GROSS:

6 Your Honor?

7 MRS. HELLER:

8 They had gotten zapped and they refused
9 to come. So he said we should come up here and
10 explain this and go from there.

11 JUDGE JANDEBEUR:

12 Okay. Is Mr. Corvalon still representing
13 you in this matter or he is not representing you?

14 MRS. HELLER:

15 He still has papers and information on
16 it, yes.

17 MR. HELLER:

18 No, probably not.

19 JUDGE JANDEBEUR:

20 Okay. Well, it's either one or the
21 other.

22 MR. HELLER:

23 No, he's not here, so he's not
24 representing us.

25 JUDGE JANDEBEUR:

1 All right. Then let me do two things.
2 One, are there any preliminary matters that either you
3 or Mr. Gross want to address before we continue with
4 the actual hearing portion?

5 ATTORNEY GROSS:

6 I have nothing at this point.

7 MRS. HELLER:

8 I would just like to make sure that I
9 have an exhibit here and I also have some pictures,
10 that that's going to be taken care of. And I also
11 have some information, and I also have some questions
12 for them I want to make sure that I get to cover, and
13 also my bills.

14 JUDGE JANDEBEUR:

15 Okay. Then let's go off the record for a
16 minute, and I will give you an explanation of the
17 process.

18 OFF RECORD DISCUSSION

19 JUDGE JANDEBEUR:

20 Let's go ahead and go back on the record.
21 Now, Mrs. Heller, you're going to go first. Do you
22 want to make an opening statement of your case, or
23 would you like to just go ahead and present your case?

24 MRS. HELLER:

25 I think I would like to just present the

1 information that I have.

2 JUDGE JANDEBEUR:

3 Okay. Then I'll ask you to raise your
4 right hand for me.

5 -----

6 HANNA M. HELLER, HAVING FIRST BEEN DULY SWORN,

7 TESTIFIED AS FOLLOWS:

8 -----

9 JUDGE JANDEBEUR:

10 Thank you. Go ahead. Let me just get
11 from you --- are you still a current customer of PPL
12 Electric Utilities?

13 A. Yes, because we have no choice. They seem to be a
14 monopoly.

15 JUDGE JANDEBEUR:

16 And your address is the same as was
17 listed on your complaint?

18 A. Yes, Your Honor.

19 JUDGE JANDEBEUR:

20 Okay. Go ahead.

21 A. Right from the beginning, we felt that their
22 wireless read-through-the-line meter had some kind of
23 infiltration by the new wireless technology. We're up
24 on a mountain and we've been there 34 years. And the
25 minute they changed the meter --- which they've

1 changed again, but it's not the closed like I had ---
2 my feet started tingling. I've had problems ever
3 since, health problems, and problems with the
4 appliances in the house. What happened was --- I
5 myself feel it's back flushing someplace ---.

6 ATTORNEY GROSS:

7 Your Honor, I'm sorry to interrupt, but I
8 want to make an objection at this point. I'm going to
9 object to any opinion testimony by Mrs. Heller
10 regarding the engineering, what PPL's meter may
11 actually be doing to her. And it sounded like that's
12 where she was starting.

13 JUDGE JANDEBEUR:

14 Hold on one second. Mrs. Heller, let me
15 rule on his objection first. And I assume you're
16 talking about the comment about back flushing?

17 ATTORNEY GROSS:

18 Exactly. It sounded like she was about
19 to start getting into --- she mentioned back flushing
20 and it appeared she was getting into technical
21 discussions of what the PPL meter is doing, which I
22 believe would be opinion testimony.

23 JUDGE JANDEBEUR:

24 You're overruled. I have no problem with
25 a customer stating what they think is going on. I can

1 pretty much make my decision, the weight to put on it.

2 Go ahead, Mrs. Heller.

3 A. Anyway, we felt that, my husband also, felt that
4 the wireless technology is infiltrating into their
5 lines. Like I said, we've been there 34 years and
6 never really had a problem whatsoever until --- this
7 is going back almost two-and-a-half, three years now.
8 When we found out that the meter wasn't correct, they
9 did change it once, and this is what I have now. It's
10 still not functioning properly. We've called them
11 several times.

12 Before this even happened, when I found out they
13 were changing the lines, I called up PPL and said that
14 25 years ago --- PPL said, please, lady, we're telling
15 you this three times, absolutely do not change this
16 meter that you have here. All heck's going to break
17 loose and we're telling you this three times because
18 you have no idea. They're coming out with a new
19 technology and you're going to get stray voltage and
20 all kinds of things. So I remembered that because he
21 repeated himself three times. They looked at me and
22 they said in the future, they'll try to change the
23 meter.

24 I called the lady at PPL with the
25 billing. I said, listen, I hear you're changing, do

1 not change my meter. I called her three or four
2 times. She was very rude over the telephone.

3 I wasn't home and they came up and changed the
4 meter anyway. So I've had problems ever since they've
5 changed it --- with flickering lights and stray
6 voltage. Things had gotten pretty serious because it
7 had affected my health. My first formal complaint was
8 deleted at the Public Utility Commission somehow. I
9 do have the two numbers. I had to redo that. I had
10 to redo a formal complaint. Actually, lights still
11 flicker in my bathroom.

12 The only thing that they seem to understand when I
13 call them over and over again was flickering lights.
14 They didn't seem to understand stray voltage or
15 anything like that. But when they changed the first
16 meter from my original, men were shaking in their
17 boots when they went to change it. Nobody wanted to
18 come. I couldn't even get electricians to come up
19 there and try to repair my house. That's how bad it
20 was. When they changed the meter to the second one,
21 I've even had stray voltage over to my horse trough
22 because there's a metal gate and the horse kept going
23 like that (indicating), and he had, like, a white
24 spot. I moved that, so it affected all around the
25 house, too.

1 JUDGE JANDEBEUR:

2 Mrs. Heller, when you said the horse kept
3 doing something ---?

4 A. Jerking back.

5 JUDGE JANDEBEUR:

6 Remember that this is a written
7 transcript. I wasn't looking at you, so I didn't know
8 what you meant, and I still won't when I read the
9 transcript because there's nothing there. You do have
10 to put it in sentences.

11 A. Okay, yes. The horse's head kept jerking when it
12 went to drink, and I heard this before on TV like 20
13 years ago ---. The farmers with the cows, they were
14 losing milk because of stray voltage. And I never
15 knew what they were talking about back then, but I
16 certainly know now. And I feel like I'm very
17 experienced, more experienced than their engineers
18 that do this in a one-room building with no wireless,
19 no satellite dish, no cable, telephone wires, cell
20 phone, cell towers. The environment has changed a lot
21 out there. And they read through the lines, which
22 infiltrates something. We're not quite sure what.

23 My transformer blew at one point, 150 transformers
24 blew up at Indian Mountain Lake. Before my
25 transformer blew, there was a transformer that blew on

1 top of the mountain where we are, and the pole was
2 burning. The PPL pole was burning. The ice was on
3 the lines and that's when some of these transformers
4 blew. Actually, I think that was a blessing.

5 I never volunteered myself or my house. People
6 are tell me it's a free zone. If they wanted to
7 experiment, they should have told me because then I
8 would have maybe had a time period where I would have
9 said, okay, let's try this. I never signed anything.
10 They never gave me anything in writing. No one in PPL
11 seemed to know what to do.

12 We have an EMF gauge that I have purchased and on
13 the ceiling electric where my kitchen is, we were
14 getting opera music from satellite radio. That gauge
15 is just supposed to give static from green to red
16 lights. I had crackling in my heater boxes. I used
17 to wake up at 2:30, 3:30 in the morning when they took
18 the reading because I explained to them that I had
19 surgery ---. I actually also had carpal tunnel and
20 they used metal wire. As you can see, some it's
21 dispersing here, and it's the kind of surgery that
22 left a little metal behind. So some of this actually
23 came in at me. I do have doctors where I had to have
24 root canals pulled because of the metal. It was
25 coming in on this and this (indicating), and it was

1 going to my heart.

2 JUDGE JANDEBEUR:

3 What's coming in on it?

4 A. The stray voltage. I have no idea how. It's
5 documented at the doctor's office where he has the
6 jaw, where there was a mark, actually where the stray
7 voltage was coming here to here (indicating). And I
8 had two root canals pulled, and then I had to have
9 another partial made. It was a nightmare.

10 My husband works most of the time, so he wasn't in
11 the house for 12 hours and his feet were up because he
12 watches television. My hairdresser at one point said
13 that I needed ---.

14 ATTORNEY GROSS:

15 I'm going to object to any statements
16 by ---.

17 JUDGE JANDEBEUR:

18 The reason that he's objecting now is
19 you're relating something that someone else said;
20 therefore, it's hearsay. Now, what is it that you're
21 going to relate that your hairdresser said, and are
22 you going to tell me whatever your hairdresser said
23 because you want me to accept it as truth? It's a yes
24 or no.

25 A. I would ask you to accept it as truth, yes.

1 JUDGE JANDEBEUR:

2 Okay. You are sustained and you may not
3 tell me that. Continue on to something else.

4 Basically the reason that my ruling is like that is
5 it's gossip. It's nothing better than gossip unless
6 she was here to tell me.

7 A. It was concerning me, though.

8 JUDGE JANDEBEUR:

9 I understand, but it's still what she
10 said.

11 A. I understand. Thank you, Your Honor. I would
12 like to explain what PPL did for us. They talked to
13 us several times and said they're not responsible for
14 anything from the pole to the house, which I've been
15 there 34 years. The house is 25 years old. The
16 electrician that did our electrical work did thousands
17 of houses in that area. I don't understand how they
18 can change their policy all of a sudden, like two
19 months ago, and decide that they're not responsible
20 from the pole to the house.

21 As far as I was always concerned, from 25 years
22 ago when we built the house, PPL was there to hook us
23 up. They were responsible. They used to ground the
24 houses. There was a grounding problem.

25 They put a meter cover on the box, which did

1 absolutely nothing. When they changed the
2 transformer, it needed to be changed anyway after it
3 blew. Their response to me was everything was denied.
4 And I think it was number four in all of their denials
5 they said they changed the transformer, but they
6 didn't explain why in their letter of response. They
7 had a paper where they checked the voltage for one
8 week, which was only one page. And they said it was
9 within the normal range of what their voltage chart
10 should represent, although one of the lines go all the
11 way down to number 14.

12 They had just cut some trees on Friday, this
13 coming Friday, and I asked them to cut trees because
14 the branches were rubbing against the lines two years
15 ago almost, so they did that this past Friday. They
16 also said that there was a line that was down,
17 somehow, on the ground. We both, my husband and I,
18 checked that and we didn't see any lines on the ground
19 that they said they found.

20 The lines that they checked for us, they looked
21 with their eyes and said they were fine. When they
22 turned the electric off for four hours and they turned
23 it back on, I was in the house and --- I don't know
24 how to explain this, but it was like when the electric
25 came on, it was this black electric came at me. And

1 that's why I have some pictures, to show what that
2 kind of a thing can do. I never had skin problems
3 like that, and I did wind up going several times ---
4 because of the flickering lights, I had to wear a
5 silver-lined hat when I went to the kitchen to do some
6 of the cooking. It's just been a long two years.

7 So when they changed the pattern, what happened
8 was instead of the pattern being the way it was, it
9 was different. And all of that came into the house
10 because PPL said 25 years ago, you're last in line,
11 you're on top of this hill. There's a lot of surging
12 that takes place up here and you need to be very
13 careful with this meter. It was a Westinghouse meter.
14 It was a closed unit. I offered to pay the man to
15 come read the meter. We offered to pay for that, to
16 come to the house to read the meter. They refused.
17 They said the Public Utility Commission has approved
18 this system. So what happens to the individual
19 doesn't count, apparently.

20 Anyway, when that came in, it burnt my skin. My
21 skin was burnt several times from the flickering
22 lights because of the surging. And we always had
23 electrical storms on top of the hill. Since this
24 meter's been there, when the electrical storm comes in
25 --- the kitchen is in a corner, for instance, like

1 this. It's on a square. Where the meter is here on
2 the outside ---.

3 JUDGE JANDEBEUR:

4 Again, you need to put it into sentences.
5 The corner of here doesn't ---.

6 A. The corner of the building to the left, where the
7 meter is on the outside, the lightning came through
8 the building from the left to the right corner that
9 you could see it. I don't know if it's appropriate
10 now, Your Honor, but this is what we wanted to have
11 you do. First of all, we wanted our old meter back,
12 since we had no problems with that one. I had asked
13 them to put a carbon arrester on.

14 JUDGE JANDEBEUR:

15 What is that?

16 A. A carbon arrester will help block some of the
17 things that are going on in the valley.

18 JUDGE JANDEBEUR:

19 Such as?

20 A. Laptop computers, GPSing, infiltrating their lines
21 somehow, which I don't have an answer to, but they
22 don't either. There are surgers that --- my
23 electrician asked when he called PPL and asked
24 them ---.

25 ATTORNEY GROSS:

1 I'm going to object to what her
2 electrician said, Your Honor, also.

3 A. He called you and asked if there was a surger on.

4 JUDGE JANDEBEUR:

5 Hold on, let me finish. Tell me your
6 objection again.

7 ATTORNEY GROSS:

8 Well, Your Honor, it's a hearsay
9 objection. If she's going to recount what the
10 electrician said or any comments by him about any of
11 what's going on here, it's hearsay. I should have the
12 opportunity to cross examine if she's going to make
13 statements along those lines, Your Honor.

14 JUDGE JANDEBEUR:

15 And you don't have that electrician here
16 with you today?

17 ATTORNEY GROSS:

18 Well, this would be Mrs. Heller's
19 electrician, Your Honor.

20 A. No.

21 JUDGE JANDEBEUR:

22 Your electrician talked to PPL?

23 A. Yes.

24 JUDGE JANDEBEUR:

25 And what you're trying to tell me is what

1 the PPL electrician said to your electrician?

2 A. Yes.

3 JUDGE JANDEBEUR:

4 Mr. Gross is correct. Let's go ahead and
5 hear it and I'll warn you --- and obviously this is
6 already on the record --- if you're attempting to get
7 it in for the proof of what the electricians said to
8 one another, I will discount that. But I'm going to
9 hear what you have to say in order to --- mostly just
10 hear a complete story.

11 ATTORNEY GROSS:

12 Understood, Your Honor.

13 JUDGE JANDEBEUR:

14 Go ahead.

15 A. Basically it was to put a surger on the meter so
16 that it may block some of the infiltration.

17 JUDGE JANDEBEUR:

18 So what your electrician suggested and
19 what you understand your electrician suggested to you
20 and to PPL is put a surge protector on the meter?

21 A. Yes, Your Honor.

22 JUDGE JANDEBEUR:

23 Okay.

24 A. And they refused. There is such a thing as a
25 power inverter and an overload protector. None of

1 these, as far as I know, have been done. We wanted
2 our old closed Westinghouse meter back. They said
3 they will not do that because it had been approved by
4 the Public Utility Commission. I had asked them also
5 what I could buy to help myself in the house. Someone
6 had suggested Radio Shack. I went there and they
7 wouldn't sell me anything. If you don't know the
8 name, they won't sell you anything. I think I'm done,
9 Your Honor.

10 JUDGE JANDEBEUR:

11 Well, no. You have not attempted to put
12 into evidence any of the items that you earlier
13 discussed. Did you want to?

14 A. I would like to put these exhibits for display.

15 JUDGE JANDEBEUR:

16 Why don't you tell me what each one is,
17 because we can't just submit them. We need to know
18 what they are and they need to be subject to cross
19 exam, if that's necessary. So I don't know what we're
20 talking about, but it's your decision whether you want
21 them into the record or not, then you attempt to get
22 them into the record.

23 A. Yes, I would like to.

24 JUDGE JANDEBEUR:

25 Okay. Go ahead and discuss each one

1 then.

2 A. These are light bulbs that were in my vanity.
3 They still work. That's how much stray voltage was
4 coming through.

5 JUDGE JANDEBEUR:

6 I don't understand.

7 A. This is supposed to be smooth and all these cracks
8 and everything.

9 JUDGE JANDEBEUR:

10 So it got overheated, and you're
11 suggesting it got overheated because of a surge of
12 electricity?

13 A. Yes, Your Honor, because I've always had the same
14 kind of light bulbs for 25 years. I never had them
15 look like that.

16 JUDGE JANDEBEUR:

17 Okay.

18 A. Because I have doctors' and dentists' letters, I
19 even brought my root canal with the metal showing that
20 there was metal. And somehow --- just like years ago,
21 they said amalgams don't have radio waves --- well,
22 this was somehow a conductor in this house. It never
23 was before. So I have my one root canal. This is an
24 old catalog that I have showing that there was stray
25 voltage in the house. It was sitting this way.

1 There's no way you could put a match to it to have the
2 flame go straight and then up. This is what I was
3 getting hit with.

4 And one of my clients, who refused to do a letter
5 for me for this ---. Notarized, I wanted her to do
6 that and she said no. It's a big company. I
7 understand that. I have some pictures of my skin with
8 marks on. They kind of speak for themselves. There's
9 a picture of my toe that had a crack.

10 JUDGE JANDEBEUR:

11 Mr. Gross, if you wanted to get up and
12 look.

13 ATTORNEY GROSS:

14 That's fine.

15 JUDGE JANDEBEUR:

16 That's fine. Go ahead.

17 A. The doctor actually had called the other doctor in
18 to show him because they couldn't get over it, and it
19 actually makes your skin like almost hang. I went
20 through that three times really bad. And there's a
21 picture of a windowsill here, where the windowsill was
22 getting zapped because I have a small business. I'm
23 an alternative health practitioner, and this is where
24 some of the electric was coming in because it's burnt.

25 The ceiling of my bathroom has some sort of gray

1 spots on it. It's not where the heater is. It's like
2 throughout the ceiling of the bathroom, for some
3 reason. This is where PPL was changing the top of the
4 electric pole that was burning, and I happened to go
5 by. I actually have a piece of wood at home. So I
6 spoke to the gentlemen, they were very polite. And
7 then my husband wanted to explain something about how
8 we're getting television without a certain, I guess,
9 antenna. We don't have an antenna and we're still
10 getting the TV.

11 I was getting stray voltage in my cat pen, which
12 is metal. I have like a kennel for cats. My dog
13 didn't come out of the doghouse. I don't know if it
14 was the chain it had around it. That's basically,
15 Your Honor, it. If you need any of these things, I
16 certainly would be willing to leave them here, even
17 the bills, because I have them written down and I
18 could get others.

19 JUDGE JANDEBEUR:

20 Why do I need your bills? What do they
21 show?

22 A. \$1,000 for an electrician, over \$1,000 for an
23 electrician to put a surger in to ground the house. I
24 had one grounding rod in the ground and we now have
25 four. Each time I have somebody do something, which

1 never needed to be done before, the house seems to be
2 getting a little bit better, but it's still not the
3 same.

4 The dentist, I had two root canals. Because it
5 was going from here to here, I actually had --- which
6 I don't have a picture of --- a red mark from stray
7 voltage coming into my chest. I showed that to the
8 doctor. You can read his --- I have what he wrote
9 down about that, about the skin rashes. The doctor
10 bills that I incurred through this.

11 JUDGE JANDEBEUR:

12 Are you seeking to get that money back?

13 A. I may be seeking to get the money back, Your
14 Honor, but if I could have my closed meter and the
15 house grounded the way it was, is what I need to do.
16 I would like to have some of the reimbursement for my
17 medical expenses. It cost me \$3,000 because I needed
18 a new partial then. Those were good teeth.

19 JUDGE JANDEBEUR:

20 Let me explain one thing. So far, I've
21 heard that your request for relief is you want your
22 old meter back, you want a carbon arrester, you want
23 surge protection on the meters, you want a power
24 inverter, overload protector, and if PPL can tell you
25 what you can buy to assist alleviating these issues.

1 That's what I've heard your requested relief as so
2 far.

3 A. Yes, Your Honor.

4 JUDGE JANDEBEUR:

5 Now, the reason that I ask if you're
6 seeking remuneration for any of your bills, other than
7 a challenge to your PPL bill, is because I have no
8 authority to award that, so there's no sense hearing
9 it. That would be civil court. Do you understand
10 what I just said?

11 A. Yes, Your Honor.

12 JUDGE JANDEBEUR:

13 Okay. So I don't need any doctor bills
14 from you because I couldn't give you that money back,
15 even if you showed it to me. I don't have that
16 authority. So that one's simple.

17 Now, with regard to the exhibits that
18 you've set out, I've noted them as Exhibits One, Two,
19 Three and Four. Exhibit One being the cracked light
20 bulb. Exhibit Two being the root canal metal.
21 Exhibit Three being the burned catalog, and Exhibit
22 Four being the picture book.

23 (Hearing Exhibits C-1 through C-4 marked
24 for identification.)

25 JUDGE JANDEBEUR:

1 Again, I believe --- don't let me put
2 words in your mouth. Correct me, but I'm just going
3 to try and make sure I know what you want from me.
4 The reason that you are interested in submitting these
5 four exhibits is not for remuneration but to just show
6 that, in fact, there's a serious electrical issue
7 going on?

8 A. For proof of what was going on in my house, yes,
9 Your Honor.

10 JUDGE JANDEBEUR:

11 Okay. Objections to those coming in?

12 ATTORNEY GROSS:

13 Your Honor, I have no objection to their
14 authenticity. I would object to them on the ground of
15 my earlier objection that I don't believe Mrs. Heller
16 is qualified, as an engineer or otherwise, as an
17 expert to offer them for that particular proof. So I
18 don't believe they're really relevant to the
19 proceeding, but I have no objection to their
20 authenticity, Your Honor.

21 JUDGE JANDEBEUR:

22 I disagree with you. She is the person
23 authorized, as the customer of record, to challenge
24 safety and reliability issues. There's no doubt in
25 mind about that. Whether she is an electrician or not

1 does not mean that she can't say, look, I've got
2 safety and reliability issues. So for purposes of her
3 complaint, which is exactly that, I'll allow them in.
4 I don't exactly know what I'm going to do with two
5 light bulbs, but I will allow them in.

6 These exhibits go to the commission back
7 in Harrisburg, so it will be interesting. But we've
8 had dirty water before, so we'll deal with light bulbs
9 as well.

10 Now, are you finished with your
11 testimony?

12 A. Yes, Your Honor.

13 JUDGE JANDEBEUR:

14 Questions?

15 ATTORNEY GROSS:

16 Just a few, Your Honor.

17 CROSS EXAMINATION

18 BY ATTORNEY GROSS:

19 Q. Good morning, Mrs. Heller. We haven't met before.
20 My name is John Gross. I'm the attorney for PPL. As
21 the Judge explained, I have a few questions for you on
22 Cross Examination.

23 Mrs. Heller, first of all, so that I'm clear, am I
24 correct that you believe all of the problems with your
25 electric service were caused by PPL installing a meter

1 with an AMR module in it?

2 A. Yes, Mr. Gross.

3 Q. And that everything was fine at your house before
4 the meter with the AMR module was installed?

5 A. Yes.

6 Q. Now, as I mentioned to the Judge previously, are
7 you an electrical engineer?

8 A. At this point, I feel I have more answers than PPL
9 did, and their engineer, because all they could say is
10 flickering lights.

11 Q. Mrs. Heller, are you an electrical engineer?

12 A. I really looked into the matter a lot.

13 ATTORNEY GROSS:

14 Your Honor, I believe it's a simple yes
15 or no question.

16 JUDGE JANDEBEUR:

17 It is. Mrs. Heller, are you an
18 electrical engineer?

19 A. I'm not an electrical engineer, but I'm very
20 experienced at things, at this point, more than I
21 would like to have been.

22 BY ATTORNEY GROSS:

23 Q. Do you have an engineering degree from any
24 university?

25 A. No, Mr. Gross.

1 Q. Do you have any other engineering background?

2 A. We were builders 25 years ago for a period of
3 about approximately 15 years, and we did have
4 electricians come into our houses that would rough in
5 the electric lines, yes. And I would be watching them
6 put the lines through the walls, put the boxes on, put
7 the electric heaters in, put the fan on. I do have
8 some experience in electrical work, I feel, because
9 they also put the boxes in the basement and I watched
10 them do that. And I don't know all the details, but
11 I'm sure I could explain a little bit more to you than
12 that. And that was not normal, what happens in my
13 house.

14 Q. Mrs. Heller, do you acknowledge that since you
15 first contacted PPL regarding these problems that they
16 have responded on numerous occasions?

17 A. Yes.

18 Q. They have sent numerous people to your home?

19 A. Yes.

20 Q. They have taken a number of remedial measures?

21 A. Remedial measures?

22 Q. They've tried to fix the problem?

23 A. Tried, yes.

24 ATTORNEY GROSS:

25 Your Honor, I have nothing further for

1 Mrs. Heller.

2 JUDGE JANDEBEUR:

3 Okay. Mrs. Heller, I have just a couple
4 of questions for you. Do you know when the automatic
5 meter reader was installed? When was your meter
6 changed?

7 A. It's been so long ago. It must have been the
8 spring of almost three years ago.

9 JUDGE JANDEBEUR:

10 So spring '03?

11 A. Approximately. May I say something?

12 JUDGE JANDEBEUR:

13 Yes, of course.

14 A. I would have never thought that a large
15 corporation like that would ignore a person for that
16 many years. Otherwise, had I known what I know, I
17 would have left the house at that point. It was
18 uninhabitable for somebody to be there when you opened
19 up the dryer, the electric got you in the chest. I
20 would have left the house. I would have never thought
21 that they would have said, yes, well, we understand
22 flickering lights. We don't understand anything else.

23 JUDGE JANDEBEUR:

24 Okay. You had mentioned that you filed
25 an earlier complaint and that it was deleted?

1 A. Yes, Your Honor.

2 JUDGE JANDEBEUR:

3 Was there any ruling on it?

4 A. I had to re-file another complaint because it was
5 deleted. I drove to Harrisburg in April.

6 JUDGE JANDEBEUR:

7 April '05?

8 A. April '05. And I had asked, because I felt like
9 nothing was getting done after waiting a year.

10 JUDGE JANDEBEUR:

11 So you never got any notification that it
12 was actually docketed and a hearing set up or
13 anything? Never happened?

14 A. Correct, with the first one. I have the voltage
15 chart here also.

16 JUDGE JANDEBEUR:

17 Okay. Now, wait. You also mentioned
18 that you could not get an electrician to come to your
19 home. Was there a reason given?

20 A. They really didn't seem to know what to do. They
21 said, get your old meter back, and they didn't want to
22 deal with the stray voltage. I went through several
23 before I finally found a couple that would do a little
24 something.

25 JUDGE JANDEBEUR:

1 And the little something that was done
2 was the extra grounding?

3 A. The first gentleman that was there, he put another
4 grounding rod in and then I had two, and the surger on
5 the electric box in the basement.

6 JUDGE JANDEBEUR:

7 Okay. Now, you have a cat kennel, a dog,
8 and a horse?

9 A. No, I have just a wire kennel for the cats.

10 JUDGE JANDEBEUR:

11 Whose horse jerks his head?

12 A. The horse, they're in the corral area.

13 JUDGE JANDEBEUR:

14 Are these your horses?

15 A. Yes.

16 JUDGE JANDEBEUR:

17 Okay. How many horses do you have?

18 A. Two.

19 JUDGE JANDEBEUR:

20 Do they have an electrical fence?

21 A. No. They do have electric going to the hot water
22 heater, though.

23 JUDGE JANDEBEUR:

24 Heating the trough so that their water
25 doesn't freeze?

1 A. Correct. And when those break, I throw them out
2 and get new ones. So I moved the water trough away
3 from the large metal fence that you open up to get in.

4 JUDGE JANDEBEUR:

5 Okay. Are there other farm animals
6 around you, other than your two horses?

7 A. We're in the middle of 30 acres by ourselves.
8 That's why we're last in line on top of the hill,
9 which was important 25 years ago for them to mention.
10 The land to the left of us has two homes, 100 acres,
11 no one else. There's 20 acres to the right of us with
12 no homes. Down from us, I think there's three homes
13 on, I'd say, 50 acres.

14 JUDGE JANDEBEUR:

15 Do any of these homes have electric
16 fences for horses, cows, sheep?

17 A. No, they're not involved with our property.

18 JUDGE JANDEBEUR:

19 Okay. That's not my question. My
20 question is, do any of them have electrical fences?

21 A. No, they don't have animals.

22 JUDGE JANDEBEUR:

23 Can you tell me when the transformer
24 blew?

25 A. It had to be around Christmas, in the winter

1 months, because it was around Christmastime that the
2 one blew on top of the hill. Mine may have been
3 before that.

4 JUDGE JANDEBEUR:

5 What year?

6 A. That would have been 2005.

7 JUDGE JANDEBEUR:

8 Last year, last Christmas?

9 A. Yes, right around the winter months, the winter
10 months, approximately.

11 JUDGE JANDEBEUR:

12 What happened? When the transformer
13 blew, what happened? Were you there at that time?

14 A. I was in the house. All this stray electric
15 voltage was coming through. I opened up my freezer
16 and there was stuff --- I'd get electrocuted by the
17 freezer. I had to put covers on all of the electric
18 outlets in the house.

19 JUDGE JANDEBEUR:

20 Do you know why the transformer blew?

21 A. Apparently when a transformer blows, that means
22 there's too much power coming through.

23 JUDGE JANDEBEUR:

24 And you don't know any reason for there
25 to be --- you weren't doing anything requiring a lot

1 of electricity surging?

2 A. I actually told PPL before they changed my meter
3 that I don't have an ice maker, I don't have a
4 microwave. I got rid of my computer six years ago. I
5 don't have the stereo system. We use very little
6 electric. We have a wood stove also. We don't need
7 anything changed on top of the hill, and they still
8 didn't respond.

9 JUDGE JANDEBEUR:

10 Okay. So in other words, you do not know
11 what caused the transformer to blow?

12 A. No, and I also don't know why 150 blew in Indiana
13 Mountain.

14 JUDGE JANDEBEUR:

15 You mentioned a phrase, free zone. I
16 don't know what that means.

17 A. I have spoken to different people and they said,
18 yeah, we can just --- I don't know, something about
19 their laptop computers. I have no idea what they're
20 talking about. I guess you can go in with a laptop
21 computer and take some of the electric off. I think
22 my godchild and a few people know how to do that.

23 JUDGE JANDEBEUR:

24 Are you talking about wireless access on
25 a computer?

1 A. Correct. I'm not familiar with that.

2 JUDGE JANDEBEUR:

3 I am. I know what you're talking about
4 now. I'm not accustomed to it being called a free
5 zone. I think that's what I would recognize as a hot
6 spot.

7 A. You could actually hear the cars coming and going
8 all night long. I'm not sure what they were doing.

9 JUDGE JANDEBEUR:

10 Okay. And you have an EMF gauge on the
11 ceiling in the kitchen; correct?

12 A. Incorrect. It's a gauge that you hold in your
13 hand with an antenna-type of an instrument. You can
14 put it in your ear and you press a button and it will
15 tell you how much of a frequency contamination is in
16 the house. It used to be green.

17 JUDGE JANDEBEUR:

18 So EMF is?

19 A. Electromagnetic frequency.

20 JUDGE JANDEBEUR:

21 And so you were holding it on a ceiling
22 in the house and it was receiving opera music?

23 A. Right over the sink. The light over the sink and
24 we also went into the basement, because one of the
25 electricians said that our hot water heater wasn't

1 grounded properly anymore. And we held it there and
2 we had Spanish music, which is satellite music. So my
3 husband said go to his father to see if it would be
4 there at the hot water heater and he had a little bit,
5 too. PPL said apparently everyone has a little of
6 that now.

7 JUDGE JANDEBEUR:

8 Okay. You also mentioned that you asked
9 PPL to cut trees, and you asked them to do that two
10 years ago, but they did it this last Friday, which
11 would have been what, the 24th?

12 A. Correct, the 24th.

13 ATTORNEY GROSS:

14 Your Honor, I didn't object on Direct
15 regarding that, but that was not part of Mrs. Heller's
16 original complaint here. Certainly we weren't on
17 notice to be able to respond.

18 JUDGE JANDEBEUR:

19 And that's fine. You said that when PPL
20 came out, they said there was a line on the ground,
21 and neither you nor your husband saw it. When was PPL
22 out there to your property?

23 A. That was this Friday to cut down some trees that
24 were rubbing against the lines.

25 JUDGE JANDEBEUR:

1 The 24th, okay. And there was a line on
2 the ground, but you two never saw it?

3 A. No.

4 JUDGE JANDEBEUR:

5 Now, you say you're on top of a hill. Do
6 you know the elevation? Do you know the elevation
7 where you are?

8 A. I would say it's like 1,500 and we're sort of up
9 from a valley. So the valley comes down and then it's
10 up, and then we're on top of that part of it. The
11 transformer that blew on top of the hill is there
12 another half a mile from where we are located. So
13 about a quarter-mile up, I don't know how many feet a
14 quarter-mile is.

15 JUDGE JANDEBEUR:

16 That's fine. Now, you also mentioned
17 some things about the Public Utility Commission
18 approving the automatic meter readers. So that you
19 don't have to wait for an initial decision to come
20 out, which would be about approximately four months
21 from today, let me just explain to you about that, and
22 Mr. Gross is correct. The regulations require the
23 companies now to have automatic meter readers. The
24 reason that passed in the form it did, the commission
25 believes, and I think that they're correct --- I don't

1 always, but on this, I think that they're correct. It
2 is to the customer's benefit to have the automatic
3 meter readers because the cost of having a whole team
4 of folks that goes out and reads these meters is far
5 more costly, which of course you will end up paying.
6 You and I, in our electrical bill, will end up paying
7 the salaries for those folks to go out and do that.
8 So having it run through the lines on an automatic
9 meter-reading basis was considered more cost
10 effective, and I think they're correct on that front.

11 Whether there's other problems with that,
12 we'll continue to try and figure that out in this
13 case, but just so that you understand that is a
14 correct explanation from Mr. Gross. It was approved.
15 The public policy reason behind it is because it was
16 considered cost effective to the customers. Not so
17 much cost effective to the company, which obviously it
18 is, but it comes back to you in the rate base. So it
19 was done as a savings mechanism to all customers,
20 assuming that there wouldn't be other problems. Okay?

21 A. Your Honor, their stock has gone up. I
22 understand. I think it's 48 cents per whatever that
23 they save because there was a little article in the
24 paper, but they have to take into consideration the
25 individual people and what they said in the beginning.

1 JUDGE JANDEBEUR:

2 I understand. Right.

3 A. And they were absolutely right in the beginning.

4 JUDGE JANDEBEUR:

5 Well, I'm not discounting what you say.
6 I'm just trying to explain that, yes, the Public
7 Utility Commission did approve that and, yes, it is in
8 the regs that automatic meter reader --- the whole
9 thing was deployed over a period of two years. I
10 forget the amount of time that it was deployed for,
11 for all of the electric utility companies, not just
12 PPL.

13 ATTORNEY GROSS:

14 PPL was about three years, Your Honor.

15 JUDGE JANDEBEUR:

16 Okay.

17 A. We had offered to pay for someone to come ---.

18 JUDGE JANDEBEUR:

19 We'll address that down the road. I'll
20 make sure that I ask that question of one of his
21 witnesses, but I don't believe that's an option.
22 We'll see. I don't believe that we can. I don't
23 believe I can order your old meter re-installed
24 because it's no longer congruent with the rest of the
25 technology. So I don't believe that I can even do

1 that for you, but we'll ask. Did I drum up any
2 additional questions for you?

3 ATTORNEY GROSS:

4 I don't have anything, Your Honor.

5 JUDGE JANDEBEUR:

6 You're all settled. Anything else that
7 you need to add?

8 A. There was one other comment that I would like to
9 make. They had said before the second formal
10 complaint that PPL was going to be changing the meter
11 from the house to the electric pole, which they
12 thought might make a difference of some sort. And
13 then after the second formal complaint, they just
14 stopped and said, well, it's in litigation now, we're
15 not going to do anything.

16 JUDGE JANDEBEUR:

17 Well, that brings that back. If you were
18 that far along with the first one, it doesn't sound
19 correct to me that it was deleted. Did you hear about
20 this first complaint?

21 ATTORNEY GROSS:

22 No, Your Honor. I wasn't familiar with
23 it. And my objection there was that Mrs. Heller was
24 discussing settlement conversations, which I don't
25 think are relevant and really should be part of the

1 proceeding. I mean, there were settlement proposals
2 here, but I'm not personally familiar with another
3 complaint.

4 JUDGE JANDEBEUR:

5 Whatever happened to it, yes. I couldn't
6 pull it up on the machine, so I honestly don't know
7 either because I did try and pull it up on my database
8 to check out what happened to it before we went
9 forward with the hearing. So I don't know, but don't
10 discuss settlement things with me. There's good
11 reasons for that in public policy as well.

12 A. I had spoken with Mr. Tom Crow at the Tannersville
13 office to try to get some help, and this is probably
14 why everything wasn't written down in writing.
15 Because they were trying to do something and they
16 weren't getting me the old meter back, and all these
17 things happened in between.

18 JUDGE JANDEBEUR:

19 Okay. All right. Then I believe we're
20 finished with you, Mrs. Heller.

21 A. I have a question. You wouldn't need to see the
22 doctor or dental from the doctor's letter?

23 JUDGE JANDEBEUR:

24 You can attempt to put it in. Mr. Gross
25 will object to it on the basis that that person is not

1 here to be cross examined, and I would have to go
2 along with him. So we can cut to the chase and say
3 that there's no sense in you presenting it because
4 when you attempt to present it, he is going to object
5 because they are not here to be cross examined and I
6 would have to rule in his favor because that is
7 correct.

8 A. Although I had the writing of the charts?

9 JUDGE JANDEBEUR:

10 Anybody can write. Anybody can use
11 letterhead. We need the individual here to be cross
12 examined, otherwise it is pure hearsay, which means
13 that it's meaningless.

14 A. Okay. Thank you, Your Honor.

15 MR. HELLER:

16 Can we cross examine his engineer?

17 JUDGE JANDEBEUR:

18 That's coming. He hasn't even started
19 with his case yet. We're finishing with your case
20 first. Mr. Heller, I assume that you wish to testify
21 as well?

22 MR. HELLER:

23 Yes.

24 JUDGE JANDEBEUR:

25 Okay. Do you wish to come up here or do

1 you prefer to stay right with your wife?

2 MR. HELLER:

3 I'll stay here.

4 JUDGE JANDEBEUR:

5 Well, you do need to at least come to the
6 table and try and keep it as formal as we can.

7 MR. HELLER:

8 I'm not sure if it makes much sense to
9 come to the table because your part of the commission
10 approved their system, and that's why I'm sitting here
11 and my lawyer isn't here today. Because he says that
12 you need an engineer to prove your case.

13 JUDGE JANDEBEUR:

14 Mr. Heller, are you now testifying?

15 MR. HELLER:

16 Yes.

17 JUDGE JANDEBEUR:

18 Okay. Thank you. I'll ask you to raise
19 your right hand.

20 -----

21 RICKIE A. HELLER, HAVING FIRST BEEN DULY SWORN,

22 TESTIFIED AS FOLLOWS:

23 -----

24 JUDGE JANDEBEUR:

25 Okay. Go ahead, Mr. Heller.

1 A. Okay. I just wanted to say my lawyer isn't here
2 because he says you need engineers to prove your case.
3 I said, okay, which engineer should we pick out of the
4 phone book. Shall we pick this one that's going to
5 PPL to get their electric hooked up next week or next
6 year? There is no electrical engineer that's going to
7 go up against his clients.

8 JUDGE JANDEBEUR:

9 I disagree with you. I've had plenty of
10 cases where I've had electrical engineers challenge
11 other companies. So you're incorrect in that.

12 A. Monroe and Northampton County and Lehigh County,
13 you won't find too many.

14 JUDGE JANDEBEUR:

15 Be that as it may, I have not, in my
16 experience here, found that the companies are out to
17 get their customers. So let's just have that clear,
18 and I specifically have not seen that with PPL. I
19 have ruled against PPL plenty of times. I have also
20 ruled with PPL. So I have no stake in this. The fact
21 that AMRs are approved by the Commission does not mean
22 that I am a slam-dunk commission ---. We make
23 mistakes as well. And when that happens, usually the
24 judges', myself included, ruling reflects that. So
25 you need to get on the record what you think supports

1 your case, and I will deal with it accordingly.

2 A. Okay. Well, I'm no engineer. I've worked around
3 building, so I've seen them installed in my buildings
4 that I sold, electricians. So I know some things
5 basic about electric, so you don't have to ask me if
6 I'm an engineer. I'm not.

7 I built my house in 1982. There wasn't many
8 people around. The engineers know it was a small
9 community. I live on top of a hill. I overlook a
10 valley and a hill on the other side.

11 So I built the house. I used a good electrician
12 from the Allentown area who, with PPL, has hooked
13 power to probably hundreds of his houses, and they
14 probably never had any problem --- as well as my own
15 house, until the time of this meter changeover. My
16 lights do go down and do go up occasionally at
17 different intervals. I could be in the bathroom, I
18 could be in the living room, I'd see lights dim and
19 lights go up. I don't experience some of the stuff
20 that my wife experienced. I don't experience that. I
21 don't know why. Some people in this world pick up on
22 electricity different than others, so I can't say.

23 I do know that I have taken that gauge that my
24 wife has, that gauge that checks frequency. I do know
25 I've used it. I got opera music out of my ceiling

1 receptacle. Not in the wall, but at the receptacle.
2 And the hot water meter, where the elements are, I
3 picked up Spanish music. And then I don't have an
4 antenna outside the house anymore up on the roof. So
5 I put it outside my window, by the living room window,
6 to pick up the waves. I use a regular antenna. It
7 didn't work. I'm always turning it. I'm always
8 running outside the house to turn it, so I decided to
9 throw it away. I said there's nothing on regular TV
10 anymore, so it's really isn't worth having anyway.

11 But anyway, I went to Radio Shack. I decided if I
12 have all this frequency coming in my house, why not
13 use it to my purpose. So I go to Radio Shack, got a
14 \$20 set of rabbit ears. That's what this one picture
15 is on the TV, how clear that picture is. I adjust it
16 inside my house. The first guy at Radio Shack says, I
17 don't want to sell you that. I said, why not. Well,
18 do you live in a town area? No, I live up on a hill,
19 you know, out in the country. Well, you don't want
20 that. I said, I've wasted \$20 of my life --- what's
21 \$20. I bought it, I plugged it in, and there is what
22 I get. Now, the rabbit ears are concentrated over
23 where my electric heat unit is. That's where my TV
24 is, in the corner, and my house has all electric heat.
25 So I have a high concentration of electricity

1 coming into my house. And I say, okay, then there has
2 to be frequencies coming into my house. We've asked
3 the telephone company about it. She had a complaint
4 at the PUC with the telephone company. I got a call
5 about three months ago. They said, Mr. Heller ---.

6 ATTORNEY GROSS:

7 I'm going to object to what the telephone
8 company told Mr. Heller. I don't believe that ---.

9 JUDGE JANDEBEUR:

10 I don't know how it's going to be
11 relevant, but I haven't heard him yet.

12 ATTORNEY GROSS:

13 My objection could be relevance as well,
14 Your Honor.

15 A. It is relevant to the case.

16 JUDGE JANDEBEUR:

17 Hold on. You're going to tell me what
18 the telephone company said about what?

19 A. I'm just going to say what he said to me.

20 JUDGE JANDEBEUR:

21 That's going to be hearsay. Go ahead and
22 get it out and we'll see what we're going to do with
23 it. Hold on, Mr. Gross.

24 A. He says to me, we talked to their engineers.

25 There's nothing wrong with our telephone wires. Okay.

1 I can't hear you. I said, I'm talking as loud as I
2 can. This is in the phone now, regular phone.

3 JUDGE JANDEBEUR:

4 I'm with you.

5 A. I can't hear you. I said, well, I'm talking as
6 loud as I can. Now, this is the guy that's dropping
7 everything because it's okay. I'm yelling, he said,
8 you've definitely got a problem up there. It must be
9 in the electric line, but it's not in our line. Now,
10 this isn't to say that it's on PPL. I'm just saying
11 this is the mentality of what I got. And I'm there
12 yelling, and he says I can't hear you. You've got a
13 problem, so good luck. That's what I was told, good
14 luck.

15 JUDGE JANDEBEUR:

16 I'm going to overrule you, again, just
17 for purposes of getting a complete story out.

18 ATTORNEY GROSS:

19 Understood.

20 JUDGE JANDEBEUR:

21 Continue, Mr. Heller.

22 A. So this is to show you something is coming in, a
23 system that comes in through my house. Like I said,
24 I'm not an engineer, but since the meter has been
25 changed, I'm getting different --- my life is

1 different. Okay. So I discussed it with this
2 engineer. I'm not sure which one it was. I'm not
3 familiar with them. I haven't talked to their face.
4 I talked to them on the phone. And I said they have
5 been out to try to help solve the problem, and
6 repeatedly I'm there, well, couldn't you put the old
7 meter back on and try it. What is that going to hurt,
8 five days?

9 Now, mind you, I've been a good customer of theirs
10 for 30 years. I pay the bill. I pay the electric
11 bill on time every month and I'm asking them a simple
12 question, will you put an old meter on and try it?
13 The engineers tell me we would like to, but we can't.
14 Our hands are tied. Corporate operation says no.
15 Now, this is the caring corporation of PPL?

16 So this is what I live with. About three months
17 ago, I'm laying in bed. My wife has an answering
18 machine on the counter in the kitchen. I hear the
19 ambulances coming down the other side of the hillside
20 over on the other valley coming down, and I hear it
21 going. And no sooner than they're gone, I hear them
22 talking over my answering machine. I jumped out of
23 bed --- like, what --- they were talking over the
24 answering machine. That has to be getting into my
25 system.

1 And then last week, I went to put the television
2 in. The television was unplugged and the switch was
3 shut off. I put it into the wall and the electric
4 came out that far to meet the plug. Now, this is what
5 I saw with my own two eyes. That's the first time I
6 saw it, but this is what I saw. And I was a little
7 like wow.

8 JUDGE JANDEBEUR:

9 Did you continue to plug it in?

10 A. Yeah. I could see it maybe if the switch was on,
11 but the switch wasn't on. So here we are. My wife
12 would like some help finally. And like I said, his
13 own engineers brought up a different idea that they
14 kicked around for about four or five months now of
15 redoing the electric. Putting a meter base out near
16 the pole, the first pole at the top of the hill, but
17 I'd have to hook the service up. So it's going to be
18 more cost.

19 ATTORNEY GROSS:

20 I'm going to object to this again because
21 this was part of settlement negotiations.

22 A. No, no. This was before the settlement. This was
23 an idea that was brought to me before the settlement
24 talk.

25 JUDGE JANDEBEUR:

1 Overruled. Your engineers can address
2 that.

3 A. Because your engineers can tell you. You have two
4 of them here. I guess one of them was there.

5 JUDGE JANDEBEUR:

6 Go ahead with your own testimony.

7 A. So they said why don't we move it. Put the meter
8 out over --- it's maybe 100 feet away from the house
9 and they'll put glass paneling over where the meter is
10 now and just run the wire. I'm there, if you're going
11 to go to all the trouble, give me an old meter or at
12 least try it to see. There are no guarantees it's
13 even going to do it.

14 JUDGE JANDEBEUR:

15 Have you been given a reason why, other
16 than corporate said no --- were you given a reason why
17 corporate said no?

18 A. No, just that the corporate policy was no. So
19 here we are. That's about it.

20 JUDGE JANDEBEUR:

21 Questions?

22 ATTORNEY GROSS:

23 I don't have any questions for Mr.
24 Heller.

25 JUDGE JANDEBEUR:

1 Okay. All right. So we are finished
2 with your portion. Mr. Gross, do you have a witness?

3 ATTORNEY GROSS:

4 I do, Your Honor. I'll, first of all,
5 call Michael Sucheski.

6 -----
7 MICHAEL SUCHESKI, HAVING FIRST BEEN DULY SWORN,
8 TESTIFIED AS FOLLOWS:

9 -----
10 JUDGE JANDEBEUR:

11 Thank you, sir. Would you spell your
12 last name for me?

13 A. S-U-C-H-E-S-K-I.

14 JUDGE JANDEBEUR:

15 Okay. Go ahead, Mr. Gross.

16 ATTORNEY GROSS:

17 Thank you, Your Honor.

18 DIRECT EXAMINATION

19 BY ATTORNEY GROSS:

20 Q. Mr. Sucheski, will you just state your name for
21 the record?

22 A. My name is Michael Sucheski.

23 Q. And what is your business address?

24 A. My business address is Box 825, Tannersville,
25 Pennsylvania.

1 Q. And by whom are you employed?

2 A. Pennsylvania Power and Light, PPL Corp.

3 Q. And what is your position with PPL?

4 A. My title is design supervisor.

5 Q. And how long have you been a design supervisor?

6 A. Six years.

7 Q. And how long have you been with PPL?

8 A. Thirty-six (36) years.

9 Q. And what is your background, your educational
10 background, your employment background?

11 A. I have a B.S. in electrical engineering from
12 Drexel University, and I'm a licensed professional
13 engineer in the State of Pennsylvania.

14 Q. Mr. Sucheski, can you just briefly describe for
15 the court what your job duties are as a design
16 supervisor at PPL?

17 A. I'm responsible basically for the daily
18 engineering of lines and services in the area, and the
19 day-to-day operation of the electric lines.

20 Q. Now, through your position with PPL, are you
21 familiar with the complaint by Mr. and Mrs. Heller?

22 A. Yes, I am.

23 Q. And were you personally involved with handling
24 their complaint?

25 A. No. The individual who was directly involved.

1 worked for me. I did, on occasion, speak with the
2 Hellers, with Mrs. Heller.

3 Q. And have you become involved more recently?

4 A. Yes.

5 Q. Now, did you review PPL's records with respect to
6 the Hellers' complaint?

7 A. Yes, I did.

8 Q. And as far as that review, did you prepare an
9 exhibit?

10 A. Yes.

11 ATTORNEY GROSS:

12 Your Honor, I'll mark PPL's Exhibit
13 Number One, which I'll show to Mr. Sucheski.

14 (Hearing Exhibit R-1 marked for
15 identification.)

16 BY ATTORNEY GROSS:

17 Q. Mr. Sucheski, I'm showing you a document that was
18 marked as PPL Exhibit One. Did you prepare that
19 document?

20 A. Yes, I did.

21 Q. And all the information contained on this
22 document, did it all come from PPL's records?

23 A. Yes, it did.

24 Q. And is all the information kept by PPL in the
25 ordinary course of business?

1 A. Yes, it is.

2 Q. Now, can you please explain, both from your
3 personal knowledge and from your review of this
4 exhibit, what PPL did in response to the Hellers'
5 various complaints? Let's talk chronologically.

6 A. Okay. As the document says, our first contact in
7 regard to this complaint was in September of 2004 when
8 our crews responded to a call from a customer stating
9 that they had stray voltage at their property. The
10 crews went out there and they followed their
11 troubleshooting procedures and they could not really
12 find anything that would indicate the stray voltage.
13 For some reason, they did decide at that point in time
14 to replace the transformer that serves the Hellers.

15 Q. And would that have been the transformer that Mrs.
16 Heller described during her testimony?

17 A. I believe it was, yes.

18 Q. How close is that transformer to their home?

19 A. I'm not that familiar. I believe it's probably
20 within 150 feet of the home.

21 Q. What was the next incident or the next
22 communication between PPL and the Hellers?

23 A. In October of '04, Mrs. Heller called and she
24 spoke to the engineer who was responsible and worked
25 for me, that's Tom Crow, saying that she was still

1 having the same problems that she called about in
2 September. She discussed those with Tom. They
3 discussed things over the phone.

4 Q. Did Mr. Crow then respond?

5 A. Yes, he did. Five days later, on the 18th, he set
6 up an appointment to meet with the customer to follow
7 up on her claims and to do further investigation that
8 the crews were not able to do.

9 Q. And what was the result of that investigation?

10 A. He did not find any indications of stray voltages
11 there.

12 Q. Did he make any recommendations?

13 A. He told her that she could have an electrician
14 look at their system, in case there was something on
15 their side of the meter that was creating some
16 problems for them.

17 Q. And let me stop you there. I believe there was
18 testimony by Mrs. Heller that someone from PPL told
19 her that PPL is not responsible for anything from the
20 pole to the house. Do you recall her testifying to
21 that?

22 A. I recall that testimony and that is incorrect.

23 Q. Can you just explain what PPL's responsibility is
24 with respect to where its facilities end and the
25 customer's facilities begin?

1 A. PPL is responsible up to the point of attachment
2 where our wires connect to the customer's wires, and
3 that is generally right at the house, at what we call
4 the weatherhead (phonetic).

5 Q. And do you know where it is on the Hellers'
6 property?

7 A. It would be at the wires that go down to the
8 meter.

9 Q. And did you ever tell the Hellers that PPL wasn't
10 responsible for anything from the pole to the house?

11 A. No.

12 Q. Now, I believe you finished with the October 18th
13 incident. Can you continue to the next incident?

14 A. Yes. Mrs. Heller continued to have problems,
15 continued to call us about these kinds of things,
16 which we could not explain. One of her big concerns
17 was that she focused on the meter as being the source
18 of her problem. So in order to ease her mind, Mr.
19 Crow got her in touch with Mr. Osmanski, one of our
20 meter engineers, who could better explain the
21 operation of that meter.

22 Q. And are you aware if Mrs. Heller spoke to Mr.
23 Osmanski?

24 A. Yes, I'm sure she did.

25 Q. Later in November of 2004, did PPL then take some

1 steps with respect to the meter?

2 A. Yes. As far as our records show, Mr. Osmanski and
3 Mr. Crow agreed to change out the meter that was there
4 with a meter that was similar to the previous one but
5 adapted for AMR purposes.

6 Q. And Mr. Osmanski is here and he's going to testify
7 regarding the AMR meter, but can you just briefly, and
8 in a summary way, explain what would have happened
9 there or what does the ABB Westinghouse note in your
10 exhibit mean?

11 A. Yeah, just that the meter was changed. The meter
12 that was there was taken out and another AMR meter was
13 put in.

14 Q. And is Westinghouse the manufacturer?

15 A. That I don't know. I would have to defer to Mr.
16 Osmanski on that.

17 Q. Okay. Now, next there's an entry for December
18 10th, 2004?

19 A. Yes.

20 Q. Can you explain what happened in that incident?

21 A. Yes. Mrs. Heller called again focusing on the
22 meter and she asked if there was some kind of shield
23 that we could put on the meter. We do not have any
24 shields or any devices that are intended for shielding
25 meters. We did have a device that we used for

1 vandalism purposes which is a metal cover that we put
2 on the meter. In an effort to satisfy her concerns,
3 we did have one of those installed.

4 Q. Now, once again, during Mrs. Heller's direct
5 testimony, she mentioned a few other items that she
6 believes might help the situation that she said she
7 was familiar with. Are you familiar with something
8 called a carbon arrester?

9 A. Yes. Well, there are various types of electrical
10 arresters. Carbon arresters are one of the first
11 generations that we used years ago and the technology
12 has changed. There are various different types now.

13 Q. Does PPL have any sort of carbon arrester that
14 could be installed on Mrs. Heller's meter?

15 A. No.

16 Q. Mrs. Heller also mentioned a surge protector. Can
17 you explain what a surge protector would do?

18 A. It's a device that's intended to be installed just
19 for that purpose, to drain off any electrical surges
20 that might get out through the electrical system.

21 Q. And does PPL install surge protectors on meters?

22 A. No, we do not.

23 Q. Is it possible to install one on a meter?

24 A. It's possible to install them anywhere. And Mrs.
25 Heller was informed also that she could have an

1 electrician install one in her main panel, but as a
2 practice, PPL does not install them in our meter base,
3 nor do we let customers install that kind of equipment
4 in our meter bases.

5 Q. Mrs. Heller also mentioned something, I believe
6 she called it an overload protector. Do you know what
7 that is?

8 A. I'm not sure what she's referring to there.

9 Q. And she mentioned a power inverter.

10 A. A power inverter, as an engineer, my understanding
11 of that would be something that would convert or
12 invert power from DC to AC. I do not believe that
13 figures into this situation at all.

14 Q. If you turn to the second page of this document,
15 and it appears you're already there, am I correct then
16 that on December 17th, the metal shield that you
17 described was installed?

18 A. Yes.

19 Q. And that was in 2004?

20 A. Yes.

21 Q. What's the next contact there? Can you explain
22 that?

23 A. It's just another call in 2005 where the customer
24 called, repeating the same concerns that we've already
25 investigated. And we just basically told her that

1 there's nothing further that we can do in this regard.

2 Q. Mr. Sucheski, there was some testimony regarding

3 the potential of moving the Hellers' meter to a pole.

4 Do you recall that testimony?

5 A. Yes.

6 Q. Was that possibility discussed by you and other

7 people at PPL in order to attempt to satisfy the

8 Hellers?

9 A. Yes, it was.

10 Q. Can you please explain what you offered to do?

11 A. We have a relocation policy. If the customer asks

12 us to relocate our facilities, it's the responsibility

13 of the customer to pay for whatever cost is incurred.

14 The offer in this case was that Mrs. Heller was

15 concerned about the meter being on the house. Part of

16 our standard practice of supplying service to a

17 customer allows a customer to have a meter at a remote

18 location. For example, for a mobile home, the

19 customer would put their meter and their wires on a

20 pole remote from their service point and we'd take our

21 service to that point.

22 Q. And was that discussed in this case?

23 A. Yes.

24 Q. Did PPL offer to allow that to happen?

25 A. Yes.

1 Q. And did the Hellers accept?

2 A. No.

3 Q. Now lastly, Mr. Sucheski, can you, at this point,
4 explain whether it is possible for the Hellers to have
5 the old meter that would be manually read re-installed
6 at their home?

7 A. To my knowledge, we are not doing that and the
8 answer would be no.

9 Q. Do you know why not?

10 A. I believe it's corporate policy. We have gone
11 over to the automated meter reading system and we do
12 not have people to read them.

13 Q. PPL doesn't have meter readers anymore?

14 A. No, we do have not meter readers.

15 Q. And have you attempted to replace all of your old
16 meters with AMR meters?

17 A. Yes, as far as I know.

18 Q. And might Mr. Osmanski be able to testify more in
19 regard to that?

20 A. I would defer to him on that.

21 Q. One more thing, even though I said lastly. There
22 was some testimony both from Mrs. and Mr. Heller
23 regarding an EMF meter. Did you hear that testimony?

24 A. Yes, I did.

25 Q. Do you know what an EMF meter is?

1 A. Yes, I do.

2 Q. What does EMF stand for?

3 A. EMF stands for electromagnetic fields.

4 Q. And did PPL investigate, in this case,
5 electromagnetic fields?

6 A. I do not know if we did.

7 Q. Do you know anything about the type of meter they
8 described?

9 A. No, I don't. There's various types of EMF meters.

10 ATTORNEY GROSS:

11 I have nothing further, Your Honor.

12 JUDGE JANDEBEUR:

13 Mrs. Heller, questions?

14 MRS. HELLER:

15 Yes, please, Your Honor.

16 CROSS EXAMINATION

17 BY MRS. HELLER:

18 Q. Mr. Michael Sucheski?

19 A. Sucheski (corrects pronunciation).

20 Q. I was going to say, you had mentioned at one point
21 that there is no type of a surger to be put on the AMR
22 meters; is that true?

23 A. I'm not aware of any.

24 Q. But there was an article, Allen Swisher is the
25 head of Philadelphia PPL, and the people are using

1 surgeons, like for the computers, more and more, all
2 the time.

3 JUDGE JANDEBEUR:

4 Is there a question in there?

5 BY MRS. HELLER:

6 Q. The question is, they actually have one of those
7 and it's \$60 a month. And my question is, why wasn't
8 I able to get something like that?

9 A. Well, there are various surge suppressers that you
10 can purchase.

11 Q. This is from PPL, though, in Philadelphia. Allen
12 Swisher's the head of that. It's \$60 per month
13 because people were having all kinds of surgers all
14 over the house anymore. So I was never offered any
15 sort of a surger, which maybe my electrician had in
16 mind. So I was wondering why that was never
17 mentioned.

18 A. PPL does not serve Philadelphia.

19 Q. Well, in Philadelphia, they do have that. So
20 maybe it's something to look into. How many other
21 customers are having similar problems like this?

22 A. None that I'm aware of.

23 Q. I know a couple in particular.

24 ATTORNEY GROSS:

25 Your Honor, I'm going to object.

1 JUDGE JANDEBEUR:

2 Mrs. Heller, you need to limit this to
3 questions. You have presented your testimony. This
4 is your time to cross examine this witness.

5 BY MRS. HELLER:

6 Q. Why were you going to move the meter from the
7 house to the pole? What was the purpose for that?

8 A. Well, we were under the impression that that was
9 at your request, that that was something that you
10 wanted to do.

11 JUDGE JANDEBEUR:

12 Do you have any more questions?

13 MRS. HELLER:

14 No.

15 JUDGE JANDEBEUR:

16 Any Redirect, Mr. Gross?

17 ATTORNEY GROSS:

18 I have nothing. I would, before Mr.
19 Sucheski steps down, offer Exhibit R-1 into evidence,
20 Your Honor.

21 JUDGE JANDEBEUR:

22 Okay. Hold on one second. I do have a
23 couple questions for you. You heard Mrs. Heller, in
24 her own testimony, talk about there being an abundance
25 of electricity in her home. And her idea that it was

1 because of the use of GPS and laptops in the area, is
2 that possible?

3 A. From a technical aspect, in my mind, there's no
4 way that GPS, laptops would affect the electricity in
5 her home or cause a situation of stray voltage.

6 JUDGE JANDEBEUR:

7 As she described?

8 A. As she described.

9 JUDGE JANDEBEUR:

10 Okay. And that is my understanding, too,
11 but I am not an electrician. So these are going to be
12 some pretty generic electricity questions. My
13 understanding of both GPS and a laptop, and including
14 her comment on free zones, which I interpret that to
15 mean hot spots --- my understanding is they're using
16 wireless technology. Now, obviously, a laptop can
17 also be plugged into an electrical outlet to beef up
18 its battery power, but when it's not plugged in and
19 it's being used for wireless access, are we not
20 talking about two different types of waves?

21 A. Yes, Your Honor. The waves that you're talking
22 about with wireless are very high frequencies.

23 JUDGE JANDEBEUR:

24 Microwaves?

25 A. Gigahertz, megahertz, which are multiple thousands

1 of cycles. Electric power is 60 hertz, 60 cycles,
2 very much different. A 60-cycle power cannot transmit
3 through the air.

4 JUDGE JANDEBEUR:

5 So what do you think is going on here?

6 A. I don't know, Your Honor.

7 JUDGE JANDEBEUR:

8 That wasn't the answer that I wanted.

9 Okay. So that means that I don't know either.

10 A. Am I allowed to speculate?

11 JUDGE JANDEBEUR:

12 Yes. I'll figure out whether we'll do
13 anything with it, but it might help all of us if you
14 would speculate.

15 A. In any home and anywhere where you have a lot of
16 wire, metal --- any kind of metal will serve as an
17 antenna. You can connect your radio to a refrigerator
18 case or something and it will improve the reception of
19 the radio. It might be that the Hellers' location on
20 the top of the hill there makes them susceptible to
21 waves which are all around us, everywhere, being
22 picked up by items in their house.

23 JUDGE JANDEBEUR:

24 She may be in her own hot spot?

25 A. Yes.

1 JUDGE JANDEBEUR:

2 Okay. I understand that. Continuing
3 your speculation, is there something that she could do
4 that might alleviate some of the weird occurrences
5 that she explains?

6 A. Yes, and we have made those suggestions to them.
7 Again, looking at the line of demarcation between
8 PPL's facilities and the customer's facilities, we did
9 make recommendations that she should get a qualified
10 electrician who could bond and ground various things
11 in her home. Apparently, she did take that advice.

12 JUDGE JANDEBEUR:

13 Okay. Did that cause any Redirect for
14 you?

15 ATTORNEY GROSS:

16 I have nothing further.

17 JUDGE JANDEBEUR:

18 Did that cause any additional questions
19 for you?

20 MRS. HELLER:

21 Yes, I have a question.

22 RE CROSS EXAMINATION

23 BY MRS. HELLER:

24 Q. That would mean that if the telephone guy said his
25 lines were perfectly okay and PPL's lines were

1 perfectly okay, that doesn't mean that the wireless
2 isn't using our lines? The wireless could still use
3 the lines somehow?

4 JUDGE JANDEBEUR:

5 I'm not sure which lines ---. Are you
6 talking about the wireless using your electricity
7 lines?

8 MRS. HELLER:

9 Electric lines.

10 JUDGE JANDEBEUR:

11 Okay. Would you like to re-explain that?

12 BY MRS. HELLER:

13 Q. Is that possible then?

14 A. Could they? Again, as I said, any kind of metal
15 that's up, subject to the radio waves that are in the
16 air, could pick them up.

17 Q. I had said to Mr. Tom Crow that if that was the
18 case, which I had suggested to them --- I said that
19 wasn't my problem and I wasn't having those types of
20 problems before.

21 JUDGE JANDEBEUR:

22 Is there a question there?

23 BY MRS. HELLER:

24 Q. If the old meter went back, would that maybe close
25 up some of that?

1 A. Well, there's a contradiction there because the
2 wires have not changed. So if the wires were there
3 prior and they did not pick up any of these
4 interferences at that time, the same wires are there
5 now. So that's kind of a contradiction.

6 Q. Could it be possible that our other meter blocked
7 some of those things?

8 A. As an electrical engineer, I'm not aware of any
9 way that a meter could block something like that. The
10 wires go right through the meter. The electricity
11 goes right through the meter.

12 Q. You have gone over to a mainframe computer,
13 though, to read through the lines, which wasn't done
14 before; correct?

15 A. I'll defer any questions on that to Mr. Osmanski.

16 JUDGE JANDEBEUR:

17 Okay. Any Redirect?

18 ATTORNEY GROSS:

19 Nothing further.

20 JUDGE JANDEBEUR:

21 You can step down, sir. Thank you. And
22 you're moving Exhibit R-1 in. Do you have any
23 objections to Exhibit R-1 coming in?

24 MRS. HELLER:

25 No, Your Honor.

1 JUDGE JANDEBEUR:

2 Okay, so moved.

3 ATTORNEY GROSS:

4 Thank you, Your Honor. PPL calls Anthony
5 Osmanski.

6 -----

7 ANTHONY OSMANSKI, HAVING FIRST BEEN DULY SWORN,
8 TESTIFIED AS FOLLOWS:

9 -----

10 JUDGE JANDEBEUR:

11 Thank you, sir. And if you would spell
12 your last name for us?

13 A. Osmanski, O-S-M-A-N-S-K-I.

14 JUDGE JANDEBEUR:

15 Mr. Gross?

16 ATTORNEY GROSS:

17 Thank you, Your Honor.

18 DIRECT EXAMINATION

19 BY ATTORNEY GROSS:

20 Q. Mr. Osmanski, will you please just state your
21 name and business address for the record?

22 A. Anthony Osmanski, One Scotch Pine Drive, Hazelton,
23 Pennsylvania 18201.

24 Q. Mr. Osmanski, by whom are you employed?

25 A. I'm employed by PPL Electric Utilities.

1 Q. And what is your position with PPL?

2 A. Supervising engineer of the metering support for
3 PPL.

4 Q. And did your title change recently?

5 A. I was previously the technology manager of the AMR
6 operations group.

7 Q. And why don't we just do it here? You mentioned
8 AMR and we've heard a lot about AMR today. What does
9 AMR mean?

10 A. It's basically automated meter reading.

11 Q. And how long have you been with PPL?

12 A. I've been with them 32 years this June.

13 Q. And how much of that time have you been in the
14 metering support group or area?

15 A. The full 32 years.

16 Q. Can you please explain your involvement in PPL's
17 AMR system?

18 A. Basically it was my charge to go out and look for
19 the types of AMR technology that was available for
20 electric utility use. And I have basically looked at
21 a number of the different technologies and brought it
22 back to our PPL management group and we discussed it,
23 hired a few consultants, and they made a decision on
24 what type of technology we would use. And then I was
25 involved with the actual deployment of it for the last

1 three years.

2 Q. Mr. Osmanski, I apologize. I forgot to ask at the
3 beginning, are you an engineer?

4 A. Yes, I am. I'm a registered electrical engineer
5 and professional engineer in the State of
6 Pennsylvania. Also, vice chairman of the Edison
7 Electric Institute Meter and Service Committee, which
8 is a national organization that sets standards as
9 practices and operations for all utilities in the
10 United States.

11 Q. Now, I believe you were testifying regarding the
12 work you did before the AMR meter system was
13 implemented. Before it was implemented, did the PUC
14 become involved in this process, the Public Utility
15 Commission?

16 A. Basically before it was implemented, we did
17 review. We had meetings with the PUC and their
18 different departments to review what we were going to
19 do, and they were well aware of what we were doing.

20 Q. And when did you start implementing the system?

21 A. It was about March of 2002 that we started some
22 initial deployment.

23 Q. And what do you mean by deployment? What did you
24 actually do?

25 A. Actually going out and changing the meters that

1 were in place at the residences and the industrial and
2 commercial premises, and upgrading them to a meter
3 that would allow communication. And we also had to
4 upgrade substations and put communication links into
5 those substations.

6 Q. As I'm sure you're aware, a residential meter is
7 the issue in this particular matter. Can you please
8 explain what a residential meter with AMR
9 capability --- what it is and how it's different from
10 one without AMR capability.

11 A. One of the cost-effective approaches that we took
12 in the deploying of our AMR system was to actually
13 look at all the old residential meters that have been
14 in place, the same technology for the last 30, 40, 50
15 years. So we took those older, what we call,
16 electromagnetic mechanical meters and we actually
17 retrofitted them with an AMR module.

18 So in a sense, the base of meters, the technology
19 of meters that are out there 30, 40, 50 years ago are
20 the same type of technology now, except with the
21 addition of a communication module that was what we
22 call retrofitted to these meters. And most of the
23 meters that are on residential customers of PPL are
24 using that now, that retrofitted type of meter.

25 That module actually senses the rotation of the

1 mechanical disc that is on those older-style meters
2 and it counts the number of revolutions of that disc.
3 Each revolution has a set amount of energy that's
4 consumed, typically 7.2 watt hours. And the module
5 basically measures that rotation and then translates
6 it into some communication protocol that's sent over
7 the wires, back through our substation and then into
8 our computers at Allentown.

9 Q. Now, does that module use any electricity?

10 A. Well, basically it's powered up the same as any
11 electrical device. It's only just a few watts to
12 power the small amount of electrical components that
13 are in that module.

14 Q. So the device uses, perhaps, a few watts?

15 A. A few watts, right. In fact, that was one of our
16 requirements for the deployment. We have 1.3 million
17 meters out there, so we don't want anything that
18 basically consumes a lot of the energy because then it
19 would not be cost effective for us to use.

20 Q. The module then communicates back to PPL; is that
21 correct?

22 A. It does. The module communicates in a very
23 interesting manner. It uses power line communication.
24 And what it does is it actually modulates the 60
25 cycles or 60 hertz wave form that is out there.

1 Unlike many other utilities that are using automatic
2 meter reading where they use radio waves to
3 communicate to towers, PPL basically decided to use
4 power line communication which injects a small
5 perturbation on the power line, and those
6 perturbations are basically ones and zeros typical of
7 a meter communication or of a computer-type
8 communication.

9 That injection is done on the 60-hertz wave using
10 60-hertz communication, so there are no high
11 frequencies or anything. It's basically the same
12 frequencies that have always been out there for years
13 and years except that we put just a small little
14 perturbation on the sine wave. And typically, power
15 lines will operate on a sine wave where the power goes
16 up to a peak and then it comes back down to zero and
17 hits the negative peak or valley, and then comes back
18 up through zero. There's very little energy on a
19 power wave when it's going through zero because it's
20 basically at the zero-voltage point. So that's the
21 point where we actually inject a little perturbation
22 on there that looks like a one or a zero, depending
23 upon the patterns, the way we inject it.

24 I'm trying to basically explain, in layman's
25 terms, how it works. But as it goes through that zero

1 point, very low energy, it communicates the same
2 frequencies that have always been out there.

3 JUDGE JANDEBEUR:

4 Can I inject a question in there before
5 you take him beyond that?

6 ATTORNEY GROSS:

7 Please, Your Honor.

8 JUDGE JANDEBEUR:

9 I'm with you through the sine wave and
10 I'm with you with the ones and zeros. I don't know
11 the word perturbation. Can you define that?

12 A. Basically just a little bit of an interference, a
13 little bit of a noise.

14 JUDGE JANDEBEUR:

15 A blip?

16 A. A blip, exactly.

17 JUDGE JANDEBEUR:

18 An electronic blip?

19 A. An electronic blip, yes, very small blip.

20 JUDGE JANDEBEUR:

21 Go ahead.

22 BY ATTORNEY GROSS:

23 Q. And this communication, this perturbation, if I
24 got the word right --- the blip, how many times a day
25 does the module send that blip back to PPL?

1 A. Interesting point. The meters do not communicate
2 back. They only communicate when they are asked to
3 communicate. Typically, the meter will be asked to
4 communicate for a very short period of time, usually
5 between midnight and two or three o'clock in the
6 morning.

7 The meters have a built-in timer, so to speak,
8 inside that collects the information that it consumed
9 for the last 24 hours. So at midnight, we call it a
10 daily shift --- and it basically shifts the data from
11 its collection register to the transmit register. So
12 basically, it just moves information from what the
13 customer used for the full 24 hours, it moves it into
14 another little bucket that's now ready to be sent. So
15 at midnight, we know exactly that the reading was
16 taken at midnight. So it moves that bucket over, so
17 to speak, to get ready to transmit.

18 And then it waits for PPL to send a signal to it
19 that says give me the information, and that will be
20 sent. Basically two or three minutes it takes to
21 communicate. So for the most part, communication only
22 happens for a two or three-minute period, once a day,
23 during that daily shift communication read. But it
24 happens every day between midnight and 3:00 or 4:00 in
25 the morning, as we schedule all the 1.3 million meters

1 to be read every night.

2 Q. And you just touched on my next question, but let
3 me ask it. How many meters have PPL installed with
4 the AMR module?

5 A. We've installed 1.3 million meters, but we've done
6 that only after looking at many utilities that have
7 done this. We are the third or fourth large utility
8 to do this. One of the first being Alberta Tower in
9 Canada with almost a million meters, Puerto Rico
10 Electric Power with another maybe one, one-and-a-half
11 million meters. Wisconsin Public Service, another
12 million meters. And PPL now, with another 1.3
13 million.

14 It's continuing on. In fact, in California,
15 Pacific Power is looking to do all eight million of
16 theirs. So it's well-accepted technology.

17 Q. And at this point, is it PPL's policy to eliminate
18 all non-AMR meters?

19 A. Yes, we started and all of our meters are now
20 replaced by automatic meter readers. We have no meter
21 readers left.

22 Q. You don't physically have people do that job
23 anymore?

24 A. No, the meter reading job was eliminated.

25 Q. Now, you probably heard Mrs. Heller discuss a

1 number of her health conditions. I believe she
2 testified that she's had two root canals, burned skin,
3 tingling in her hand and face, and some discoloration
4 as well. Did you hear that testimony?

5 A. Yes, I did.

6 Q. Okay. In your opinion and based on your
7 experience as an engineer, and based on your
8 understanding of the AMR meters, do you believe that
9 the AMR module could have caused any of her health
10 concerns?

11 A. I've never heard anything like that from all my
12 connections around utilities or anything like that.
13 No, it's just hard to believe.

14 Q. And beyond us not having heard of it, from a
15 technical standpoint, do you believe it is possible
16 for the module to have done anything that could have
17 caused those health concerns?

18 A. No, the module does nothing more than normal
19 electric uses. It doesn't do anything different, no.
20 I can't believe that.

21 Q. And are you aware, based on PPL's 1.3 million AMR
22 meters, if there have been any other complaints
23 regarding health problems caused by the AMR module?

24 A. I'm not aware of any at all.

25 Q. Now, there was a question from Mrs. Heller

1 regarding surge protectors. Are you familiar with
2 that in some way?

3 A. Yes, I am.

4 Q. Can you explain your familiarity?

5 A. Well, Mrs. Heller alluded to the fact that Pico
6 (phonetic) Energy, that's the one in Philadelphia that
7 is doing that. As Mr. Sucheski mentioned, you're
8 allowed to put surge protectors on, to contact your
9 electrician and have surge protectors put on numerous
10 places in the home, wherever you feel it's appropriate
11 --- typically from your service panel on down to small
12 surge-protection strips for your computers and things
13 like that.

14 One of the things that Pico Energy is doing to
15 promote and make money, basically, is to go out there
16 and actually, as a service to the customer, install
17 surge protectors and charge a monthly rate or an
18 annual rate to do that as a service to the customer,
19 much the same as we suggest that they actually go out
20 and get their electrician to do it and install at
21 their service panel.

22 Q. Now, would those surge protectors be installed in
23 or on the meter?

24 A. They typically are not installed in the meter or
25 on the meter. They're installed at the meter base,

1 but that is basically the same electrical point as if
2 we suggested installing it at the service panel, which
3 is basically inches away inside the home or whatever.
4 It's just more convenient for Pico energy to deploy
5 this by not getting into the home. They have to go
6 out there and install it on the meter base.

7 Q. And would PPL have any objection to the Hellers
8 have an electrician install a surge protector in their
9 box inside the house?

10 A. We have no objection to putting it in their
11 service panel. I might add that we do object to an
12 electrician installing it in the meter base for
13 revenue protection of the power. If we let everyone
14 into a PPL-sealed box, then we basically open up
15 liability of the service, so that's why we don't allow
16 it. Pico Energy does it because they are doing it
17 themselves.

18 Q. Now, ultimately, the Hellers, in this case, are
19 asking that their old non-AMR meter be re-installed.

20 A. Right.

21 Q. Is that possible?

22 A. Mrs. Heller, I talked to her in November of 2004
23 and she felt comfortable with her old ABB/Westinghouse
24 meter. As I mentioned earlier, we did take all of our
25 old meters and convert them to AMR meters, so it's

1 basically the same type of meters out there. She had
2 a different brand or manufacturer installed at her
3 home. So I took the trouble of going through and
4 finding what serial number she had years back, and I
5 found that same model-year vintage type of
6 ABB/Westinghouse meter. And we just went through our
7 inventory of all our meters and found one. Obviously,
8 we're already retrofitted with AMR modules on already
9 and we did install that to go help her out there.

10 So for the most part, electrically speaking, she
11 had exactly the same thing as she had before, with the
12 exception that every night for two or three minutes,
13 the thing communicates. For the most part, emulation
14 of exactly what she had out there before with the same
15 brand, type, vintage of meter that we really took a
16 lot of trouble to go find and put in for her.

17 Q. And is it possible for PPL to now install a meter
18 without an AMR module?

19 A. Well, we wouldn't have any way to read it and we
20 don't have a force of meter readers to read them. So
21 no, we don't. In fact, we don't have any. They're
22 all retrofitted.

23 ATTORNEY GROSS:

24 I have nothing further.

25 JUDGE JANDEBEUR:

1 Mrs. Heller, questions?

2 MRS. HELLER:

3 Yes, Your Honor.

4 CROSS EXAMINATION

5 BY MRS. HELLER:

6 Q. When was the last time you took an updated
7 seminar?

8 A. The last time I took an updated seminar with
9 respect to what?

10 Q. For the job qualifications that you have. I would
11 assume that PPL and all the other corporate companies
12 would get together and make notes of different things
13 that have happened to their customers and find out
14 what's new and what's good and what works and what
15 didn't.

16 A. Right. I not only take them, but I also organize
17 them. Being vice chairman of the Edison Electric
18 Institute, we get together at least probably two or
19 three times a year to organize seminars so that we can
20 bring in qualified people to discuss and talk about
21 the latest and greatest technologies out there to
22 bring everyone up to speed.

23 So back in Tucson, in October, I organized a week-
24 long session. We had utilities from all over the
25 country and talked about --- and brought a lot of

1 vendors to talk about all the latest technology and
2 communication, energy, electricity. And in fact, next
3 week, I'm going out to Houston and doing the same
4 thing, talking about a lot of the new information, new
5 things.

6 Q. Had you discussed my case with any of those and
7 gotten any suggestions from anyone?

8 A. No, I have not, no.

9 Q. Where do you test the systems from?

10 A. What type of systems?

11 Q. When the blip goes --- for it to test the meter
12 from 12:00 to 3:00 in the morning, is that an
13 Allentown facility where you receive it?

14 A. Daily operation is done from our AMR operation
15 center in Allentown. Actual testing, though, is done
16 in Hazelton on the meters, but that's not a normal
17 operating situation. That's a test laboratory that
18 basically tests the meters that they're functioning
19 correctly before they're installed.

20 Q. Is that in Allentown, off of Hamilton Street ---
21 where I went to the PPL?

22 ATTORNEY GROSS:

23 I'm going to object, Your Honor. I don't
24 know how Mr. Osmanski would know where Mrs. Heller
25 was.

1 MRS. HELLER:

2 No, no. I'm asking him, is that their
3 facility where they read through the lines.

4 JUDGE JANDEBEUR:

5 You did say the address; correct?

6 MRS. HELLER:

7 Allentown, off of Hamilton Street.

8 ATTORNEY GROSS:

9 Maybe I misunderstood her.

10 JUDGE JANDEBEUR:

11 Overruled, continue. Do you know the
12 answer?

13 A. Well, I guess the actual operators are in the
14 building on Tillman Street in Allentown at our Lehigh
15 service center, but actual communication servers and
16 substations are dispersed throughout the whole
17 territory.

18 BY MRS. HELLER:

19 Q. Would reading the meter keep it open at all for
20 any of the wireless to get into the blip that you
21 have?

22 A. Reading the meter?

23 Q. Once you go to read the meter, because I get
24 computed data, entry, billing, invoicing. When you
25 program something, it opens it up. Is there something

1 to shut that off or does that stay open for a while,
2 or how does that ---?

3 A. I'm not sure if I understand what you're talking
4 about.

5 Q. You were talking about the zero to one peak, the
6 different hertz that you use for the power lines to go
7 in and read the AMR meter, which is the automatic read
8 modules that you have. When you go to do that, does
9 it stay open? Do you know, or who closes that up? I
10 mean, once the line is open to read what's going on, I
11 would assume ---.

12 A. There's nothing physically that opens or closes.
13 The signal is sent out from the substation to the
14 meter, the meter hears it, and responds back on the
15 same power lines. They're working all the time. To
16 give you a little bit of an analogy on that, sometimes
17 I like to use like water and pipes as a little bit of
18 an analogy on how that works. If you consider it
19 analogous to water and plumbing, if you have water
20 flowing through a pipe and it's continuously flowing
21 through the pipe, our little blip is nothing more than
22 injecting a small little dribble of water, the same
23 thing into that water there. But the technology is
24 able to detect that little bit of spurt that goes into
25 that water, so it's the same medium, so to speak.

1 It's not something different. It's not something new.
2 You're not like adding oil, or something heavy, or
3 gas or anything to that water.

4 Q. Even a pinhole could cause a problem in the long
5 run, though; right?

6 A. Well, there's no pinhole. It's basically the same
7 communication medium. It's power flowing through with
8 a little power added, so to speak.

9 Q. My thing is when you're on a computer and you're
10 reading something and you're even working on a
11 computer, you constantly have to be saving that
12 because it may get deleted. So is somebody pressing
13 something to close the system up again?

14 A. The signal goes out to the meter, the meter hears
15 it, and the meter sends the data back and it's over.
16 It's complete.

17 Q. Could it be possible that the meter hears more
18 than what it needs to hear sometimes and stays open
19 more?

20 A. Well, the signals that are being sent from the
21 substation go out to all the meters that are out there
22 and they're always listening. The meters are always
23 listening.

24 Q. But these people that you're reading the meters
25 from, they're not the last in line on top of a hill,

1 which might have something to do with leaving things
2 open because these other surging things, or however
3 this blip works that you do, goes onto the next house
4 and the next house. Well, there is no next house for
5 me. It's there and that's --- you're making a lot of
6 sense to me. Thank you.

7 A. The funny thing about the signal that we use, we
8 use it on the current. We actually don't blip ---
9 we're going to get a little technical here, but we do
10 not blip the voltage wave. We actually blip the
11 current wave form. And when you blip current, it only
12 returns back to the substation. It doesn't go
13 anywhere else. It goes back to its source.

14 So the unique situation there is that you have to
15 current on the line. So when you blip the current,
16 the current is always something that goes back to its
17 generated source. It goes back to its source of
18 impedance. So basically, it's going back to the
19 substation.

20 Q. So they could be infiltrated?

21 A. It won't be infiltrated. It will be going back to
22 its source.

23 Q. One of your engineers said things can go right
24 through the line, so could that possibly go through
25 yours?

1 A. What would go through ours?

2 JUDGE JANDEBEUR:

3 Whisper in her ear again ---. We need
4 one person.

5 MR. HELLER:

6 May I ask one question?

7 JUDGE JANDEBEUR:

8 Okay. As long as Mr. Gross is tolerant,
9 I'm tolerant. Go ahead, Mr. Heller.

10 ATTORNEY GROSS:

11 No objection, Your Honor.

12 BY MR. HELLER:

13 Q. Your other engineer had said that in our world
14 today, with everything going all over, that it can
15 penetrate lines, like it can bring music into my
16 house. Why can't it go in with your system then and
17 penetrate my lines?

18 A. One thing you have to remember and recall is that
19 it's just a small little blip of 60-hertz power. It
20 is not high frequency. It's not a high injection
21 voltage. It's miniscule in comparison to the energy
22 that's being used by your home. So it's nothing that
23 is going to penetrate and cause what you're saying.

24 Q. Are you still not hooking it up to a computerized
25 system, though? That's the last question I have.

1 A. The data goes back to the substation via
2 Power line communication. At the substation miles and
3 miles away, it's converted to a telephone line and
4 that telephone line then goes back to Allentown.

5 Q. But it does jump the system? It jumps out of the
6 electrical wire eventually somewhere?

7 A. It doesn't jump out of the electrical wire.
8 Transformers sense it in the wire and then convert it
9 to a small signal that a computer generates and
10 receives.

11 BY MRS. HELLER:

12 Q. So some of the cell phones that are being used up
13 there have a very high megahertz and frequency. Is
14 there any way that that could be going into the
15 wireless, into your line, when it is open and you're
16 reading it?

17 A. Well, we don't open or close anything like that.
18 That's physically impossible to deal with electrical
19 lines like that. Basically all electrical lines are
20 conductors of electricity. They're also conductors of
21 what we call radio frequency capability. They all act
22 as antennas. So whether or not it's an 800 to
23 900-megahertz cellular service, or it's wi-fi
24 connection from a hot spot, or whatever you have ---
25 it could be communication from a 50,000-watt AM

1 transmitter in Mexico sending in your Spanish music.
2 An antenna's able to pick that up and it could be an
3 electrical line that would allow that to happen.

4 Q. So what could I do myself to ground my house more
5 from all of these wi-fi hot spots and whatever's going
6 on with your system that maybe you didn't assume the
7 wireless could be reading the lines? Is there
8 something that you could suggest?

9 A. Well, that would be speculation on my part not
10 being there and not understanding just what the
11 conditions are, what kind of radio frequency
12 interference you're getting. But typically, all radio
13 frequency interference is stopped with RF filters out
14 there, and typically they sell those. You can get
15 those at most locations like Radio Shack, as you
16 mentioned. There are RF filters. There are AMI
17 filters, EMF filters that you can purchase to block
18 that from going through the line. Typically,
19 point-of-use devices that are used not so much at the
20 service main of your home, but more than likely at
21 each particular piece of appliance that you're using.
22 And for the most part, it protects the appliance, not
23 so much health. It very rarely gets involved with
24 health issues. It basically helps the system, the
25 computer, work correctly because it's not getting

1 interfered with from noise or something like that, and
2 it's operating correctly.

3 MRS. HELLER:

4 Thank you.

5 JUDGE JANDEBEUR:

6 Do you remember when Mr. Heller testified
7 that he went to put a plug into an outlet and the
8 electricity came out to meet it?

9 A. Yes.

10 JUDGE JANDEBEUR:

11 How does that happen?

12 A. Well, typically televisions, even though the
13 switch is off, they remain powered up. The on/off
14 switch doesn't necessarily turn the circuitry off.
15 There's, many times, circuitry inside that stays warm
16 to keep things active, so that if you have a remote
17 control, for instance, it will operate. So it's
18 listening, so to speak, for the remote control being
19 activated and turn on. So there is active circuits
20 all the time in a television or other appliance that
21 doesn't necessarily need to be turned off by the
22 on/off switch in the appliance itself.

23 That being said, sometimes the power supplies in
24 there create a conductive load as you're plugging it
25 in. So when you plug it in, you might get a little

1 bit of a spark, a jump. It's very rare, but I've seen
2 it happen at times where, when you plug it in, you get
3 the little inductive kick as you're energizing the
4 transformers, especially in a television.

5 JUDGE JANDEBEUR:

6 If I heard both Mrs. Heller's testimony
7 correctly and your testimony correctly, the AMR isn't
8 doing anything during the time periods that Mrs.
9 Heller is experiencing, say, the tingling feet or the
10 tingling telephone handset, unless of course she's
11 doing that between 12:00 and 3:00 or 4:00 in the
12 morning; is that correct?

13 A. That's correct. We did get complaints from
14 customers that the AMR is causing them problems. The
15 first question I always ask is, is it happening
16 continuously throughout the day or does it happen just
17 once or twice a day? And if they say it's happening
18 continuously, then I'm 100-percent sure it's not the
19 AMR causing it. If it happens once or twice, then I
20 will investigate to see whether or not there's some
21 interference being caused by the AMR.

22 And when I say a customer complaint, it's
23 typically something electrical is being turned on or
24 off incorrectly. Many appliances in a home use the
25 same type of technology as the power line

1 communication we're using, so that might interfere and
2 turn things on, turn things off. For instance,
3 there's a certain brand of paddle fans that use the
4 same technology from the switch on the wall that turns
5 the speed and varies the speed on the paddle fan, and
6 that uses the similar technology as our AMR
7 communications. So sometimes it might turn the fan on
8 and off. We might investigate that and say okay,
9 there is a problem there. We would suggest that they
10 change their brand of controller, so to speak, to
11 something that works differently. And at times, PPL
12 has actually paid to replace that for them. We try to
13 help out wherever we can, but no health issues like
14 this.

15 JUDGE JANDEBEUR:

16 Any Redirect?

17 ATTORNEY GROSS:

18 I have nothing further, Your Honor.

19 JUDGE JANDEBEUR:

20 Okay. Any additional questions?

21 MRS. HELLER:

22 No, Your Honor.

23 JUDGE JANDEBEUR:

24 You can step down, sir. Thank you.

25 All right. That brings us to a close of

1 both cases. And Mrs. Heller, as the Complainant, you
2 are allowed to close down this process completely.

3 . So Mr. Gross, do you have a closing
4 statement?

5 ATTORNEY GROSS:

6 Just briefly, Your Honor. The Hellers'
7 complaint is apparently that this AMR module that was
8 installed in PPL's meter --- I believe they testified
9 that that's when their problems occurred, that this is
10 causing the numerous and significant problems that
11 they described. I don't believe they met their burden
12 of showing that the AMR meter actually could have
13 caused those problems. And further, I believe on
14 PPL's side, we've shown both that the AMR meter cannot
15 have caused these problems and that PPL took numerous
16 and significant steps to attempt to address all of the
17 Hellers' concerns with respect to this matter. So
18 based on that, I don't believe they've met their
19 burden. As the Complainants, they had the burden in
20 this case. And therefore, I think their claim should
21 be dismissed.

22 JUDGE JANDEBEUR:

23 Mrs. Heller?

24 MRS. HELLER:

25 If the wireless is using our lines, that

1 wouldn't be my concern. That would go back on PPL who
2 originally changed my home, which is not my home
3 anymore. It's a house. And also, kids play with
4 gadgets and they have been opening garage doors from
5 blocks away. So therefore, this type of a thing does
6 exist. Thank you.

7 JUDGE JANDEBEUR:

8 Thank you. We are adjourned.

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HEARING CONCLUDED AT 12:05 P.M.

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C E R T I F I C A T E

I hereby certify, as the
stenographic reporter, that the foregoing
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Court Reporter

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