

January 10, 2014

From: Yanling Chen and Jianming Hu  
1126 Chadwick Circle  
Hummelstown, PA 17036

To: Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

CC: Tori L. Giesler, Attorney No. 207742  
FirstEnergy Service Company  
2800 Pottsville Pike  
P.O. Box 16001  
Reading, Pennsylvania 19612-6001  
[\(610\) 921-6658](tel:(610)921-6658)  
[tgiesler@firstenergycorp.com](mailto:tgiesler@firstenergycorp.com)

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Re: Docket No C-2013-2397061

**Background:**

Yanling Chen and Jianming Hu (Complainants) filed a complaint against Metropolitan Edison Company (Met-Ed or Company) through Pennsylvania Public Utility Commission in December 2013 because the Company moved two trees from the Complainant's property before disputed issues related to the Easement were resolved (Complaint). Ms. Tori L. Giesler, attorney from FirstEnergy Service Company responded to the Complaint with a Preliminary Objection dated on January 6, 2014, which the Complainants received on January 8, 2014. Below are the Complainants' Preliminary Responses to the Preliminary Objection.

## **Preliminary Responses:**

1. The earliest contact that the Complainants had from the Company regarding the tree removal was from its contractor, Davey Resource Group, which mailed the Complainants a letter dated on March 2, 2013 regarding the vegetation management work related to the rights-of-way. The Complainants did not have any personal contact on January 5, 2013 from the Company contrary to the claim made on the Preliminary Objection.
2. Soon after receiving the letter from Davey Resource Group (within a week or so), Ms. Chen contacted the phone number listed on the letter. Through the conversation with Davey Resource Group, Ms. Chen learnt that one tree marked as "X" in the Complainants' backyard would need to be removed based on their measurement. However, when Mr. Wirs from the Company came over to our property on November 11, 2013, he brought a drawing that he claimed to be related to the Easement and told us that two, not one, of the Complainants' trees would need to be removed. The Complainants told Mr. Wirs that there must have been a mistake in one of the measurements and asked Mr. Wirs to have the Easement re-measured in the Complainants' presence, to which Mr. Wirs agreed. Mr. Wirs told the Complainants that he would call the Complainants before he came to measure the Easement again. However, Mr. Wirs never called and it remains unclear to the Complainants whether the measurement as agreed upon was ever done or not before the Company removed the Complainants' two trees.
3. In addition, neither Mr. Wirs nor anyone from the Company ever told us when they would come to remove the trees. On December 3, 2013, Ms. Chen called Mr. Wirs and suggested to have a meeting with him and Mr. Emerick from Derry Township to clarify the Easement issues as detailed in the Complaint. Instead of replying to this reasonable request, Mr. Wirs rudely hung up the phone on Ms Chen. Two days later, on December 5, 2013, Ms. Chen came home only to find

out that two trees from her backyard were gone. While the Complainants were trying to resolve the issues honestly and openly, Mr. Wirs and the Company resorted to such surprise and sneaky moves.

### Conclusion

Whereas the Company didn't address the Complaints in the Preliminary Objection, it claimed that the Pennsylvania Public Utility Commission doesn't have jurisdiction over the issue. The Complainants hereby request the Commission to make a determination on the jurisdiction issue raised by the Company and ask again the Company to provide meaningful responses with relevant evidence to address the original Complaints and the Complainants Responses here.

Respectfully submitted,



Jianming Hu & Yanling Chen

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