

12/15/2015  
4136 Patterson Rd  
Butler Pa 16002

**RECEIVED**

DEC 15 2015

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

To Rosemary Charetta, Sec  
PA PUC  
400 North St (2nd floor)  
Hshy Pa 17105-3265

Dear Madam Secretary,

I received this "return letter" today Dec 15, 2015.  
It was returned to me as I did not sign it correctly.  
It was sent in a timely manner but the Post Office  
did not forward it to your address. I was unaware  
you had not received it until today. I am sending it  
certified mail and hope you can still act on as I  
did follow the Judges instruction after the hearing.

Sincerely,

Maureen Broman

RECEIVED

2015 NOV 16 AM 10: 55

November 9, 2015

PA P.U.C.  
SECRETARY'S BUREAU  
Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, Pa. 17120

Re: Marlene Broman v. West Penn Power Company  
Docket No. C-2015-2485454

**REQUEST TO INCLUDE SUPPLEMENTAL EXHIBITS**

To the Pennsylvania Public Utility Commission:

Pursuant to the West Penn Power (WPP) "Motion to Exclude" we submit the following responses and our recount of when and what was requested, with Judge Watson deciding what is factual and relevant to this case. Initially Marlene Broman was tasked with 3 documents to be submitted:

1. Copy of the handwritten July 2015 complaint letter and the pictures sent.
2. Current published WPP Vegetation Maintenance Plan.
3. FERC documentation on 138KVW line requirements.

During the hearing WPP and Complainant agreed on the electronic version provided by WPP to ALJ Watson. That eliminated the WPP vegetation maintenance plan (VMP) to be submitted by Marlene Broman. Leaving documents '1' and '3' to be submitted.

Per documents '1' Marlene Broman found the USPO tracking information that showed both the PUC and WPP signed for the information in July. However in the eleventh hour WPP requested an extension of the initial hearing and with the time elapsed the handwritten letter became missing and the multiple pictures mixed together. She did not store any of them electronically so she submitted what she thought she sent and they may not be a perfect match. That said, both the PUC and WPP have pictures from 2012-2013 and now with the 2015 complaint, pictures from 2015. We would request the PUC and WPP locate what was sent to both parties in July if possible for admittance if the September documents are not approved. In the 2013 hearing Marlene Broman & WPP agreed to the removal of 2 pine oaks in the wire zone along with a 25 foot clearance being maintained by the property owner. There was also agreement that the 25 foot wild cheery tree and all scrub trees in the wire zone and in the tower base would be maintained/removed by WPP. When the WPP contractor came, the work order did not include those items which in 2012-2013 were a clear danger to reliability and safety of the 138 KVW line and anyone who would have had to work on the tower yet WPP only concern was the removal of ornamental trees providing privacy and weather protection for her house and drive. Bottom line to Marlene Broman is that the pictures clearly show WPP has not lived up to its part of the initial agreement no matter which picture you look at. First Energy senior attorney Harry Flannery and WPP VMP administrator Richard Scott both were at the Broman property in 2013 and saw the trees and vegetation that are a safety and reliability issue. Richard Scott again reviewed the safety and reliability issues in 2015 viewing the same problem which WPP was given permission in 2013 to correct by Marlene Broman under ALJ Dunderdale's direction and approval. We feel that no matter which pictures are approved that they provide clear evidence the WPP has not complied with its service responsibility.

"Megan Mohn V. PPL Electric Utilities Corp., Docket No. C-2012-2301470"

Per documents '3' the FERC only concerns itself with voltage above 200 KVW and only lines in the national grid which the 138 KVW line that crosses the Broman property clearly does not fall within those requirements that WPP is attempting to utilize. The FERC Q/A is a simple answer published by the FERC to the 138 KVW question as are its trimming guidance's. The total FERC document is hundreds of pages but these summaries should provide ample information to show WPP VMP service is well beyond the requirements WPP is attempting to use in an unqualified maintenance process on the right-of-way. "West Penn Power v. Pa. PUC, 527 Pa."

In conclusion Marlene Broman nor William Broman her son have any legal training or back round and apologize for not understanding this legal process completely but we are trying. WPP wants to depict this evidence as illegal and prejudice toward WPP yet they site case "Deidra Alston V. National Fuel Gas Distribution Corporation" for admitting our 'Exhibit X' when as we see it, that case was dismissed due to untimely filling and I think we have meet the time lines to this point. WPP take exception to the telling of a lie quote yet WPP continues to claim its VPM has been approved or that they are following FERC requirements/guidance per the 138 KVW line that crosses the Broman property. In the commission's opinion and order of April 23, 2014 they document: "ALJ Dunderdale made twenty-seven Finding of Fact and reached seven Conclusions of Law. I.D. at 4-10, 24. The Findings of Fact and Conclusions of law are incorporated herein by reference and are adopted without comment unless they are either expressly or by necessary implication rejected or modified by this Opinion and Order." Per our understanding this means that the ALJ findings of facts and the conclusion of law are intact except for the exemptions' specified. Now almost 3 years later WPP still fails to use a reasonable manner of Vegetation Management and continues to allow known trees and vegetation to grow in the wire zone while attempting to cut ornamental trees outside the wire zone and with at least a 25 foot clearance of 138 KVW lines. This evidence and pictures clearly demonstrate WPP disregard to use vegetation management practices in a reasonable manner of service or its ability to eliminate trees and brush that have a direct impact on safety of its workers and the reliability of this line. With this evidence we would request that ALJ Watson direct WPP to eliminate these long standing safety and reliability issues and allow reasonable vegetation management for this low voltage 138 KVW line right-of-way. The Pa Supreme Court has upheld a land owners right to a reasonable vegetation management service against WPP in the past and we would hope this PUC hearing would consider that ruling as well. Also "West Penn Power v. Pa. PUC, 527 Pa 660, 593 A.2d429."

**File with:**

Rosemary Chiavetta, Secretary  
PA Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, Pa. 17105-3265

Jeffery A. Watson  
Administrative Law Judge  
Piatt Place, Suite 220  
301 5<sup>th</sup> Avenue  
Pittsburgh, Pa. 15222

Brian C. Wauhop, Esq.  
Buchanan Ingersoll & Rooney  
409 N. Second Street  
Suite 500  
Harrisburg, Pa. 17101

Sincerely yours,



Marlene Broman  
4136 Patterson Road  
Butler, Pa. 16002  
(724) 352-2489

PITTSBURGH PA 150



NOV 2015 PM 5

RETURN TO SENDER  
THIS MAIL CANNOT BE CORRECTED  
BECAUSE ORIGINAL ADDRESS  
HAS BEEN COVERED

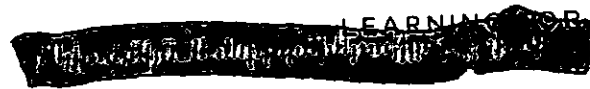


Marlene Broman  
4136 Patterson Rd  
Butler PA 16002-0948

NEW ADDRESS

1502HDA

Rosemary Charette, Sec  
PA P.O.  
400 North St (2nd floor)  
Hsb, Pa 17121



LEARNING FOR LIVING

**CERTIFIED MAIL**



Ms. Marlene Broman  
4136 Patterson Rd  
Butler, PA 16002



7015 1520 0003 3033 8825



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17120

U.S. POSTAGE  
PAID  
BUTLER, PA  
16001  
DEC 15, 15  
AMOUNT

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To: Rosemary Christening Sec.  
Pa P.O.  
400 North St (2nd floor)  
Harrisburg Pa Zip: ~~17105-3265~~

17120

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