

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Barbara and Charles Tucker

v.

Docket No. C-2015-2515592

PECO Energy Company

**MOTION OF COMPLAINANTS
TO DISMISS OBJECTIONS AND
TO COMPEL ANSWERS TO INTERROGATORIES**

Pursuant to 52 Pa. Code § 5.432(g), Complainants Barbara and Charles Tucker (“Tuckers” or “Complainants”) hereby requests that the Commission dismiss the Objections (“Objections”) filed by PECO Energy Company (“PECO” or “Respondent”) and compel full and complete answers to Complainants’ Interrogatories Set I (“Set I Interrogatories”), which were served on February 5, 2015. A copy of PECO’s Objections is attached as Exhibit A. Complainants’ Interrogatories are attached as Exhibit B.

I. BACKGROUND

On or about November 21, 2015, Complainants filed a Formal Complaint alleging, among other things, that they suffer from medical conditions that make them vulnerable to Electromagnetic Filed (EMF) and Radiofrequency (RF) emissions from smart meters and asking the Commission to prevent PECO from installing a smart meter on Complainants’ premises.

In the Answer and New Matter filed on or about December 14, 2015, PECO denies the substantive allegations in the Complaint and claims that under Act 129 and the Commission’s Orders there are no “opt-outs” to smart meter installation.

On January 4, 2016, Complainants filed a Reply to PECO’s New Matter arguing that nothing in Act 129, the Public Utility Code, Commission regulations or orders authorizes or compels

PECO to create an unsafe condition that is harmful to a customer's health. On February 3, 2016, Complainants filed an Amended Complaint alleging that PECO's installation of equipment that makes a customer sick would be a violation of the utility's obligation to provide safe and reasonable service under Section 1501 of the Public Utility Code. 66 Pa. C.S. § 1501.

On February 5, 2015, Complainants served upon PECO its Set I Interrogatories, which contained twenty six (26) questions and/or document requests. On February 10, 2016, PECO filed two (2) Objections to Set I Interrogatories. Objection No. 1 claims improper service and is applicable to all 26 questions in Set I. Objection No. 2 claims that certain questions go beyond the scope of the proceeding and is applicable to questions 1 – 8, 12 and 18 of Set I. Complainants' counsel contacted PECO's counsel by email and telephone requesting to discuss the objections, but there was no response to the request from PECO's counsel.

Complainants respectfully submit that PECO's Objections are baseless and improper and requests that the same be dismissed. Complainants respectfully request that the Commission issue an Order compelling PECO to answer every one on the questions in the Set I Interrogatories and produce the documents requested in discovery. In support of its Motion to Compel, Complainants set forth the following.

II. PECO'S OBJECTIONS ARE TECHNICALLY DEFICIENT AND SHOULD BE DISMISSED.

The Commission's rules require that Objections to Interrogatories must "[r]estate the interrogatory or part thereof deemed objectionable and the specific ground for the objection." 52 Pa. Code § 5.342(c)(2). PECO's Objections violate this provision of the Commission's regulations because the objectionable interrogatories are not restated, in whole or in part, as required by the rule. With regard to Objection No. 1, PECO simply states generally that, "[t]his

objection applies to interrogatories 1-26.” *See*, PECO Objections. There is no restatement of each interrogatory that PECO objects to and no specific ground for an objection to each interrogatory. Therefore, the objections fail to comply with the rule and should be rejected.

Arguably, the requirement of Section 5.342(c)(2) could be met by attaching the interrogatories and specifically identifying the objectionable interrogatories by reference. However, PECO also failed to attach the interrogatories to its objections. Although the objections state that a copy of the interrogatories is attached as Exhibit A to the objections, no such attachment was included when the objections were served on Complainants. The document attached to this Motion to Compel, and identified as Exhibit A herein, is the entirety of what Complainants’ counsel received at the time of service. PECO failed to follow the rules regarding objections, and the Presiding Officer should dismiss them for that reason and should order the company to provide full answers to Complainants’ Set I Interrogatories.

III. PECO’S SPECIFIC OBJECTIONS ARE BASELESS AND SHOULD BE DISMISSED.

PECO objects to all Interrogatories on the ground of improper service and objects to some interrogatories as beyond the scope of the proceeding. These objections should be rejected and the Commission should issue an Order compelling Respondents to answer Set I Interrogatories fully and without reservation. In accordance with Section 5.321(c) of the Commission's regulations, parties may obtain discovery of any unprivileged matter which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party. 52 Pa. Code §5.321(c). The Commission applies a liberal standard with respect to relevancy. *See, e.g., Pa. PUC v. Equitable Gas Company*, 1986 Pa. PUC LEXIS 110, 61 Pa. P.U.C. 468, 477 (1986). Complainants seek information regarding PECO’s AMI smart meters, which is most definitely relevant to this

proceeding, as the Complaint alleges that the installation of these meters would be harmful to Complainants. For the reasons set forth below, the Presiding Officer should dismiss PECO's Objections and compel Respondent to answer Complainants' interrogatories.

A. Service of the Interrogatories was proper.

PECO's Objection No. 1 claims that Complainants failed to properly serve their interrogatories because a filing of the certificate of service did not accompany the service of the interrogatories on PECO. *See*, PECO Objections. In support of this dubious contention, PECO cites to Section 5.341 of the Commission's regulations, 52 Pa. Code § 5.341(b), which requires that a party propounding interrogatories serve the questions on the parties and file a certificate of service with the Commission's Secretary. Both of the requirements established by Section 5.341(b) were met by Complainants. The interrogatories were served on PECO counsel on February 5, 2016, and PECO does not appear to contest that fact. *See*, Exhibit B. On February 12, 2016, Complainants' counsel filed a Certificate of Service detailing the date and manner of service as required by the rules. *See*, Exhibit C. The requirements of the Commission's discovery rules were met and service was proper.

Presumably, PECO objects to the service of the interrogatories because the Certificate of Service was not filed simultaneously with the service of the interrogatories. If that is the case, this objection is misplaced. Section 5.341(b), which PECO cites in its Objections, does not require simultaneous filing of the certificate of service with service of the interrogatories. In fact, the rules do not establish a fixed time or a deadline to file the certificate of service with the Secretary. The bottom line is that the requirements of the Commission's rules with regard to service and filing were met by Complainants, and PECO's Objection No. 1 is baseless. The Presiding Officer should dismiss Objection No. 1 and should compel PECO to answer Set I fully.

B. Information regarding PECO's installation of smart meters in its territory is relevant and should be provided in response to interrogatories.

PECO's Objection No. 2 rests on the misguided assertion that Complainants included in their interrogatories questions that are beyond the scope of the proceeding and outside the standing of the Complainants. *See*, PECO Objections. As support for this tenuous position, PECO claims that Complainants are asking questions "regarding PECO's service to customers other than the Tuckers," which questions are supposedly "outside the scope of this proceeding." *Id.* Further, PECO maintains that it is improper for Complainants to ask general questions about the equipment that PECO is installing in its territory because "the Tuckers do not have standing to pursue complaints on behalf of other customers." *Id.* PECO's objections on these grounds are baseless and should be rejected.

First, Complainants are not asking questions about PECO's service to other customers, and the Tuckers have not alleged that they are representing the interest of anyone other than themselves. The interrogatories to which PECO objects (1-8, 12 & 18) deal with details and specifications of meters that PECO may, could or would install at Complainants premises. At this point, there is no information as to whether there is more than one smart meter option for Complainants. If there is more than one option of smart meter that could be installed at the Tucker's home, Complainants would want to know whether one type or model may be more harmful than another. These questions are not intended to reveal information about other customers, but rather, they are designed to elicit information about the different types of meters that PECO could install for the Tuckers. As PECO correctly points out, the Complaint is about the possible adverse human health effects of the proposed smart meters on the Tuckers. It is important that PECO share information about its smart meters in order for Complainants and the

Commission to make a judgment about whether there are options and the relative safety of different options (if they exist).

PECO states that the Company “will answer these questions as they relate to equipment used to supply the Tuckers.” *See*, PECO Objections. However, an AMI smart meter has not been installed at the Tuckers’ premises, so it is not clear what equipment PECO will answer questions about. The right approach would be for the Presiding Officer to compel PECO to respond to the interrogatories fully, so Complainants can make their case about the safety of the AMI meters PECO may use for the Tuckers and the adverse health effects resulting from the use of any of one of the meters PECO could install at the Tuckers’ premises.

IV. CONCLUSION

WHEREFORE, for the reasons set forth above, Complainants respectfully request the Presiding Officer and the Commission: (a) grant this Motion; (b) overrule the Objections of PECO; (c) compel PECO to answer Complainants’ Set I Interrogatories in full; and (d) grant any other relief deemed just and proper under the circumstances.

Respectfully submitted,



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ed@lanzafirm.com

Date: February 22, 2016

Counsel for Complainants

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Barbara and Charles Tucker

v.

Docket No. C-2015-2515592

PECO Energy Company

CERTIFICATE OF SERVICE

I hereby certify that on this day I served a copy of the Motion to Compel of Complainants upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via Email and/or First Class Mail

Ward L. Smith, Esq.
PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
Ward.Smith@exeloncorp.com

Hon. Darlene Heep
Hon. Christopher Pell
Administrative Law Judges
PA Public Utility Commission
801 Market Street, Suite 4063
Philadelphia, PA 19107
dheep@pa.gov
cpell@pa.gov

Date: February 22, 2016



Edward G. Lanza, Esq.

EXHIBIT A



An Exelon Company

Legal Department
2301 Market Street / S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

Direct Dial: 215-841-6863

February 10, 2016

Ed Lanza, Esquire
The Lanza Firm, LLC
P.O. Box 61336
Harrisburg, PA 17106

RE: Barbara and Charles Tucker v. PECO Energy Company
Docket No. C-2015-2515992

Dear Mr. Lanza:

Enclosed please find *PECO Energy Company's Objection to Barbara and Charles Tucker's Interrogatories and Request for Production of Documents, Set I*, in the matter referenced above.

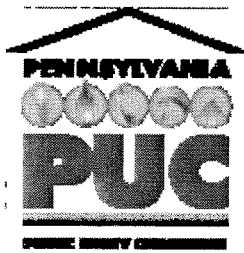
Very truly yours,

A handwritten signature in black ink, appearing to read "Ward L. Smith".

Ward L. Smith
Counsel for PECO Energy Company

WS/ab
Enclosure

cc: Rosemary Chiavetta, Secretary (cover letter and certificate of service only)
Honorable Christopher P. Pell, ALJ (cover letter and certificate of service only)
Honorable Darlene Heep, ALJ (cover letter and certificate of service only)



PENNSYLVANIA
PUBLIC UTILITY COMMISSION

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Your filing has been electronically received. Upon review of the filing for conformance with the Commission's filing requirements, a notice will be issued acknowledging such compliance and assigning a Docket Number. The matter will receive the attention of the Commission and you will be advised if any further action is required on your part.

Print this page for your records. The date filed on will be the current day if the filing occurs on a business day before or at 4:30 PM Harrisburg, PA time. It will be the next business day if the filing occurs after 4:30 PM Harrisburg, PA time or on weekends or holidays.

If your filing exceeds 250 pages, you are required to submit one paper copy of the filing within 3 business days of submitting the electronic filing. This paper copy can be mailed to: Secretary, Pennsylvania Public Utility Commission, Commonwealth Keystone Building, 400 North Street, 2nd Floor, Harrisburg, PA 17120 . Please print a copy of this page and attach it to the paper copy of your filing as the first page.

eFiling Confirmation	
Docket Number:	C-2015-2515992
Description:	Charles and Barbara Tucker - PECO Energy Company Letter - Objections to Interrogatories and Request for Production of Documents
Transmission Date:	2/10/2016 2:47:28 PM
Filed On:	2/10/2016 2:47:28 PM
eFiling Confirmation Number:	1621628

Uploaded File List

File Name	Document Class	Document Type
Tucker - Letter - Objections.pdf	Communication	Letter

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

BARBARA AND CHARLES TUCKER	:	
Complainants	:	Docket No. C-2015-2515592
	:	
v.	:	
	:	
PECO ENERGY COMPANY	:	
Respondent	:	


NOTICE TO PLEAD

Pursuant to 52 Pa. Code § 5.342(g), you are hereby notified that you may file a Motion to Compel with respect to the interrogatories objected to herein; that any such Motion to Compel must be filed within 10 days of service of these Objections, and that absent the filing of such a Motion your initial Interrogatories will be deemed by Commission rule to be withdrawn.

File with:
Rosemarie Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

With a copy to:
Ward L. Smith
PECO Energy Company
2301 Market Street, S-23
Philadelphia, PA 19103

Dated at Philadelphia, PA, February 10, 2016



Ward L. Smith
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19101-8699
215-841-6863
Ward.Smith@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION
TUCKER V PECO
DOCKET NO. C-2015-2515592**

**PECO ENERGY COMPANY'S OBJECTIONS TO
COMPLAINANTS' INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS**

Objection 1: Improper service.

Pursuant to 52 Pa. Code §5.341(b): “(b) The party propounding interrogatories shall serve a copy on the parties and shall file a certificate of service with the Secretary. Interrogatories may not be filed with the Commission.” No such filing accompanied these interrogatories, and they therefore have not been properly served pursuant to the Commission’s regulations. This objection applies to interrogatories 1-26. A copy of the interrogatories objected to on this basis is attached as Exhibit A.

Objection 2: Beyond the scope of the proceeding and the standing of the Complainants.

This proceeding, as described in the Complaint, is limited to an examination of the claims of complainants Charles and Barbara Tucker that the Automated Meter Infrastructure (“AMI”) Meter to be installed at their residence will cause adverse human health effects to Mrs. Tucker. Questions regarding PECO’s service to customers other than the Tuckers are therefore outside of the scope of this proceeding. Moreover, the Tuckers do not have standing to pursue complaints on behalf of other customers. PECO will answer these questions as they relate to equipment used to supply the Tuckers, but objects to answering any questions that are posed as to PECO’s equipment as used for customers other than the Tuckers. This objection applies to Interrogatories 1 – 8, 12 and 18 (attached).

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Barbara and Charles Tucker	:	
	:	Docket No. C-2015-2515992
v.	:	
	:	
PECO Energy Company	:	

CERTIFICATE OF SERVICE

I, Ward L. Smith, hereby certify that I have this day served a copy of PECO Energy Company's Objection to Barbara and Charles Tucker's Interrogatories and Request for Production of Documents Addressed to Set I, parties via e-mail and postage prepaid to:

Ed Lanza, Esquire
The Lanza Firm, LLC
P.O. Box 61336
Harrisburg, PA 17106

Dated at Philadelphia, Pennsylvania, February 10, 2016



Ward L. Smith
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
(215) 841-6863
Fax: 215.568.3389
Ward.Smith@exeloncorp.com

EXHIBIT B

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Barbara and Charles Tucker	:	
	:	
v.	:	Docket No. C-2015-2515592
	:	
PECO Energy Company	:	

**INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS
OF COMPLAINANTS, SET I**

Complainants Barbara and Charles Tucker ("Complainants") hereby submit the following Interrogatories and Requests for Production of Documents Set I upon Respondent PECO Energy Company ("Respondent") to be answered separately and fully in writing and under oath in accordance with 52 Pa. Code §§ 5.341 and 5.349 by the rules and regulations of the Pennsylvania Public Utility Commission ("PUC" or "Commission").

INSTRUCTIONS

A. Each interrogatory shall be accorded a separate answer, and each subpart of an interrogatory shall be accorded a separate answer. Interrogatories or subparts thereof should not be combined for the purpose of supplying a common answer. Your response must be answered fully, in writing, under oath, and signed by the person answering.

B. In answering these interrogatories, provide all information that is available to you, including information in the possession of any of your agents, employees, or attorneys or otherwise subject to your custody and control.

C. If you know of any document, communication, or information but cannot give the specific information or the full information called for by a particular interrogatory, provide all the

information you have on the subject, and identify every person you believe to have the required document, communication or information.

D. No answer is to be left blank. If the answer to an interrogatory or subpart of an interrogatory is “none” or “unknown”, such statement shall be written in the answer. If the question is inapplicable, “N/A” must be written in the answer. If the answer is omitted because of a claim of privilege, the basis of the privilege is to be stated.

E. The conjunctions "and" and "or" shall each be individually interpreted in every instance as meaning "and/or" and shall not be interpreted disjunctively to exclude any information otherwise within the scope of any specification in any interrogatory.

F. The term "including" shall be interpreted to mean "including without limitation."

G. Unless otherwise specified, each answer shall cover the period through the date on which the answers are served.

H. As used herein, whenever an interrogatory calls for information with respect to "each" one of a particular type or class of matters, events, persons, or entities of which there is more than one, separately list, set forth, and identify for each thereof all of the information called for.

I. Any request to "provide" (or words of similar import or meaning) a document shall be considered a request to produce documents.

DEFINITIONS

A. As used herein, "you" and "your" refer to Respondent, as well as any or all of its representatives.

B. As used herein, "document" refers to any written, printed, recorded, taped, electronic, or graphic matter, including but not limited to, writings, agreements, licenses, contracts,

books, pamphlets, periodicals, memoranda, correspondence, notes, diaries, calendars, appointment books, estimates, reports, intraoffice communications, work papers, canceled or uncanceled checks, records, filings, cost sheets, estimating sheets, studies, analyses, evaluations, purchase orders, bills, invoices, confirmations, bills of lading, receipts, ledgers, accounts, charts, graphs, indices, computer printouts, data sheets, data processing cards, tapes or discs, and any other data compilation from which information can be obtained or translated, if necessary, through detection devices into reasonably usable form, recordings, transcriptions thereof, minutes of meetings, and all other materials relating to any conversations, meetings and/or conferences, by telephone or otherwise, and any other writing or recording, however produced or reproduced, of any kind or description, including originals, non-identical copies (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts, regardless of origin, whether sent or received or made and/or used internally, in whatever form, and both sides thereof, that (a) are now or formerly in your possession, custody, or control or (b) are known or believed to be responsive to these interrogatories, regardless of who now has or formerly had possession, custody or control.

C. As used herein, the term "oral communication" means any words heard or spoken, including without limitation, words spoken during any meeting, discussion, speech, or conversation including any telephone conversation.

D. As used herein, "representatives" shall include directors, officers, employees, agents, or other persons acting on behalf of the party to which these interrogatories are served.

E. As used herein, "identify" shall mean describe with particularity and provide the following information:

(a) When used with reference to a natural person, state his or her full name, address and present or last known business, his or her last known or present business affiliation, and his or her position and business affiliation (including a description of his or her duties and responsibilities) at the time of the transaction, occurrence, event, happening or matter in question;

(b) When used with reference to any entity other than a natural person (e.g., a corporation, partnership, joint venture, or unincorporated association), state:

- (1) Its full name and organization form;
- (2) The address of its principal place of business; and
- (3) Its purpose, primary business, or activities.

(c) When used with reference to a document (as that term is defined in paragraph A, above), annex a legible copy thereof including all attachments thereto, or state:

- (1) The nature of the document (e.g., letter, contract, chart, memorandum);
- (2) Its date and the date of its preparation;
- (3) Each author (and, if different, each signer) thereof, each addressee, and each other person to whom the document was distributed;
- (4) Its subject matter and substance;
- (5) Its present or last known location and custodian;
- (6) The disposition if such document was but is no longer in your possession or subject to your control; and

(7) Any other information necessary to enable the custodian to locate the particular document and necessary for use in a request for production of documents.

(d) When used with reference to a meeting, state:

- (1) The date, time, and location of the meeting;
- (2) The identity of all persons involved in each and every meeting; and
- (3) The substance of the meeting.

(e) When used with reference to a legal proceeding, state:

- (1) The court, administrative agency, or other governmental body involved;
- (2) The caption of the proceeding;
- (3) All parties to the proceeding; and
- (4) The docket number of the proceeding.

F. As used herein, "person" or "persons" include natural persons as well as firms, partnerships, associations, institutions, joint ventures, corporations, governmental entities, administrative agencies, professional associations, and every other organization of whatever sort.

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS**

1. What makes and models of Wireless Smart Meters are you installing for your customers?
2. What makes and models of the wireless communications modules are in the Wireless Smart Meters that you are installing for your customers?
3. For each of the Wireless Smart Meters used by PECO, what is the peak radiofrequency/microwave power output of the wireless transmitter in the Wireless Smart Meter?
4. For each of the Wireless Smart Meters used by PECO, what is the gain of the antenna(s) of the Wireless Smart Meters, in the direction of maximum gain, at each of the frequencies of operation?
5. For each of the Wireless Smart Meters used by PECO, how many transmissions of radiofrequency/microwave radiation per day does each Wireless Smart Meter make for any purpose, both on average and at a maximum, at their respective frequency of operation?
6. For each of the Wireless Smart Meters used by PECO, what was the average and maximum total transmission time per day for any purpose from the meter's respective frequency of operation?
7. For each of the Wireless Smart Meters used by PECO, what is the peak electric field produced by the wireless smart meter in the direction of maximum gain, and at what distance from the meter?
8. For each of the Wireless Smart Meters used by PECO, has the meter been tested for safety by any independent third party, such as UL? If so, please provide evidence of any such test results, evaluation and/or certification.
9. Before deciding to install Wireless Smart Meters on, or inside, the homes, buildings, and businesses throughout your service area, did you produce an analysis to assure that the radiofrequency/microwave radiation from the Wireless Smart Meter System would be safe for your customers?
 - a. If so, please provide a copy of the analysis;
 - b. If not, how did PECO establish that the Wireless Smart Meter System is safe for customers?
10. Did your analysis consider the radiofrequency/microwave radiation from a single Wireless Smart Meter or the radiation from all components of the Wireless Smart Meter System, including
 - a. all Wireless Smart Meters in a community
 - b. all intermediate wireless relay devices in a community, such as
 - i. all Wireless Collector Smart Meters

- ii. all Wireless Repeaters
 - c. all wireless transmitters/receivers required to communicate between the intermediate wireless relay devices and your electric power company or its agents?
11. Did your analysis consider the radiation from both the 900 MHz transmitters and the GHz (2400 MHz) transmitters in your Wireless Smart Meters?
 - a. If no, did your analysis address just one of the transmitters?
 - b. If yes, which one?
 - c. If yes, why did you not address the other transmitter?
 12. How did your analysis address the radiofrequency/microwave radiation already present from other sources in each community in which you planned to install your Wireless Smart Meter System?
 - a. Did your analysis consider all such radiation, to which the radiation from your Wireless Smart Meter System would be added?
 - b. Or did your analysis assume that your Wireless Smart Meter System was the only source of radiation in each community?
 13. Has PECO concluded that the radiation from your Wireless Smart Meter System is safe for human beings? If so, what is the primary basis for such a conclusion?
 14. Did PECO rely on published biomedical research papers or reports to reach a conclusion regarding the safety of Wireless Smart Meters for human beings? If so, please provide copies of any such papers or reports.
 15. Has PECO reviewed any analysis, report, study or other materials produced or promulgated by national and international health organizations and working groups that have objected, on health grounds, to further increases in the exposure of humans, and especially children, to radiofrequency / microwave radiation from multiple wireless devices, including Wireless Smart Meters?
 16. Has the Pennsylvania Public Utility Commission made any finding regarding the health effects of Wireless Smart Meters on human beings? If so, please provide a copy of any such finding.
 17. Is PECO aware of any investigations by utility regulators in the United States concerning the possible adverse health effects of Wireless Smart Meters? If so, please state:
 - a. The state or jurisdiction conducting the investigation;
 - b. The date on which the investigation was commenced;
 - c. The date on which the investigation was concluded;
 - d. The result of the investigation.
 18. Has PECO received any complaints from customers who claim adverse health effects from exposure to emissions from Wireless Smart Meters? If so, please provide:
 - a. The number of customer complaints;
 - b. How many of the complaints received were resolved by PECO;

- c. How each complaint was resolved.
19. Does PECO provide a written warranty to customers accepting liability for health consequences that can be properly attributed to its Wireless Smart Meter System?
20. Does PECO make any accommodations for sick or disabled customers who complain about the possible adverse effects of Wireless Smart Meters?
- a. If so, what are those accommodations?
- b. If not, please explain why accommodations are not made?
21. How many customer accounts does PECO have currently in its service territory?
22. How many customer accounts have been switched to Wireless Smart Meters?
23. When does PECO expect to complete its Wireless Smart Meter deployment?
24. Please identify each proposed witness for the March 4, 2016 hearing. For each proposed witness, please provide:
- a. the name of the witness;
- b. the witness' title or position;
- c. the background and experience of the witness;
- d. the substance of the witness' expected testimony;
25. Identify the exhibits you anticipate each witness identified in Interrogatory No. 23 will sponsor at the hearing on March 4, 2016.
26. Please provide a copy of all proposed exhibits to be introduced at hearing on March 4, 2016.

Respectfully submitted,
The Lanza Firm, LLC



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ed@lanzafirm.com

Counsel for Complainants

Dated: February 5, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Barbara and Charles Tucker	:	
	:	
v.	:	Docket No. C-2015-2515592
	:	
PECO Energy Company	:	

CERTIFICATE OF SERVICE

I hereby certify that this day I served a copy of the foregoing document upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via electronic mail:

Ward Smith, Esq.
PECO ENERGY COMPANY
2301 Market Street, S23-1
Philadelphia, PA 19103
Ward.Smith@exeloncorp.com

Via regular mail:

Barbara & Charles Tucker
900 Summit Lane
Oreland, PA 19075-2526



Edward G. Lanza, Esq.
Counsel for Complainants

Date: February 5, 2016

EXHIBIT C



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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Barbara and Charles Tucker	:	
	:	
v.	:	Docket No. C-2015-2515592
	:	
PECO Energy Company	:	

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below I served a copy of the Interrogatories and Request for Documents of Complainant, Set I upon the persons listed below in the manner indicated in accordance with the requirements of 52 Pa. Code Section 1.54.

Via electronic mail:

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Date: February 5, 2016