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April 11, 2016

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, Second Floor
Harrisburg, PA 17120

RE: Maria Povacz v. PECO Energy Company
Docket No. C-2015-2475023

Dear Ms. Chiavetta:

Enclosed for filing with the Commission are *PECO's Energy Company's Objections to Interrogatories, Set I, Qs I-27, I-35, I-52, I-58, and I-59.*

Normally, for discovery objections PECO would file only the transmittal letter and certificate of service. However, under the discovery modifications in use in this proceeding, as the objecting party PECO is required to serve its objections on the ALJ within five days of receipt of the discovery.

Very truly yours,



Ward L. Smith
Counsel for PECO Energy Company

WS/ab
Enclosure

cc: Christopher P. Pell, ALJ
Darlene D. Heep, ALJ
Ed Lanza, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Maria Povacz	:	
	:	Docket No. C-2015-2475023
v.	:	
	:	
PECO Energy Company	:	

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

On April 4, 2016, PECO was served with Complainant's Interrogatories and Requests for Production of Documents, Set I, comprised of 65 separate questions with subparts. PECO hereby objects to five of those interrogatories, as specified below.¹

Objection to Interrogatory Povacz I-27:

Povacz I-27 inquires as follows:

Povacz I-27: Has PECO studied the impact of Smart Meter technology on residence wiring and on each of the appliances found in the home of PECO residents? If yes, please provide copies of any and all such studies.

Objection: Beyond the scope of the proceeding and therefore cannot result in the discovery of admissible evidence.

This proceeding, as described in the Amended Complaint, is limited to an examination of the claims of Complainant that the Automated Meter Infrastructure ("AMI") Meter to be installed at her residence will cause adverse human health effects to Ms. Povacz. There is no allegation that PECO's installation of an AMI Meter will "impact residence wiring" or "impact appliances." Questions regarding those issues therefore are beyond the scope of the Amended Complaint and cannot lead to the discovery of admissible evidence.

¹ Under the revised discovery rules of this proceeding, PECO had three days to state oral objections, and five days to provide written objections. However, on the date PECO received this discovery, Complainant had not yet filed her Amended Complaint. Administrative Law Judge Vero had previously ruled that Complainant was not entitled to pursue discovery on health issues under her original, unamended complaint. See Transcript of December 15, 2015 Prehearing Conference at 40-42. On April 6, 2016, PECO therefore orally objected to all 65 interrogatories as being outside of the scope of the original, non-amended complaint, with the understanding that it would withdraw most of its objections after having an opportunity to review the Amended Complaint. On Friday, April 8, 2016, Complainant filed an Amended Complaint. PECO hereby withdraws its oral objection to the 60 interrogatories not specified in this set of written objections.

Objection to Interrogatory Povacz I-35:

Povacz I-35 inquires as follows:

Povacz I-35: Has PECO received any complaints from customers who claim adverse health effects from exposure to emissions from AMI Wireless Smart Meters? If so, please provide:

- a. The number of customer complaints;
- b. How many of the complaints received were resolved to the satisfaction of the customer;
- c. How each complaint was resolved.

Objection: Beyond the scope of the proceeding and the standing of the Complainant.

This proceeding, as described in the Amended Complaint, is limited to an examination of the claims of Complainant that the Automated Meter Infrastructure (“AMI”) Meter to be installed at her residence will cause adverse human health effects to Ms. Povacz. Questions regarding PECO’s service to customers other than Ms. Povacz are therefore outside of the scope of this proceeding. Moreover, Ms. Povacz does not have standing to pursue complaints on behalf of other customers.

Objection to Interrogatory Povacz I-52:

Povacz I-52 inquires as follows:

Povacz I-52: How does PECO's installation policy in Interrogatory No. 51 above protect the homeowner's inside wiring when the AMI Smart Meter is attached to the customer's residence?

Objection: Beyond the scope of the proceeding and therefore cannot result in the discovery of admissible evidence.

This proceeding, as described in the Amended Complaint, is limited to an examination of the claims of Complainant that the Automated Meter Infrastructure (“AMI”) Meter to be installed at her residence will cause adverse human health effects to Ms. Povacz. There is no allegation that PECO’s installation of an AMI Meter will harm or “fail to protect the homeowner’s inside wiring.” Questions regarding those issues therefore are beyond the scope of the Amended Complaint and cannot lead to the discovery of admissible evidence.

Objection to Interrogatory Povacz I-58:

Povacz I-58 inquires as follows:

Povacz I-58: How many customer complaints has PECO received regarding electrical disturbances in customer homes (a) who have received an AMI Smart Meter, and (b) who have not yet received an AMI Smart Meter, but are located near homes that have received a Smart Meter?

Objection 1: Beyond the scope of the proceeding and therefore cannot result in the discovery of admissible evidence.

This proceeding, as described in the Amended Complaint, is limited to an examination of the claims of Complainant that the Automated Meter Infrastructure ("AMI") Meter to be installed at her residence will cause adverse human health effects to Ms. Povacz. There is no allegation that PECO's installation of an AMI Meter will result in "electrical disturbances." Questions regarding those issues therefore are beyond the scope of the Amended Complaint and cannot lead to the discovery of admissible evidence.

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

This proceeding, as described in the Amended Complaint, is limited to an examination of the claims of Complainant that the Automated Meter Infrastructure ("AMI") Meter to be installed at her residence will cause adverse human health effects to Ms. Povacz. Questions regarding PECO's service to customers other than Ms. Povacz are therefore outside of the scope of this proceeding. Moreover, Ms. Povacz does not have standing to pursue complaints on behalf of other customers.

Objection to Interrogatory Povacz I-59:

Povacz I-59 inquires as follows:

Povacz I-59: How many customer complaints has PECO received from customers regarding buzzing or radio signals or music emanating, i.e., harmonics or so-called "dirty electricity" from household wiring before and after receiving an AMI Smart Meter?

Objection 1: Beyond the scope of the proceeding and therefore cannot result in the discovery of admissible evidence.

This proceeding, as described in the Amended Complaint, is limited to an examination of the claims of Complainant that the Automated Meter Infrastructure ("AMI") Meter to be installed at her residence will cause adverse human health effects to Ms. Povacz. There is no allegation that PECO's installation of an AMI Meter will result in "buzzing or radio signals or music emanating, i.e., harmonics or so called 'dirty electricity'." Questions regarding those issues therefore are beyond the scope of the Amended Complaint and cannot lead to the discovery of admissible evidence.

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

This proceeding, as described in the Amended Complaint, is limited to an examination of the claims of Complainant that the Automated Meter Infrastructure ("AMI") Meter to be installed at her residence will cause adverse human health effects to Ms. Povacz. Questions regarding PECO's service to customers other than Ms. Povacz are therefore outside of the scope of this proceeding. Moreover, Ms. Povacz does not have standing to pursue complaints on behalf of other customers.

Respectfully submitted,



Ward Smith
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April 11, 2016

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Maria Povacz

v.

PECO Energy Company

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Docket No. C-2015-2475023

CERTIFICATE OF SERVICE

I, Ward L. Smith, hereby certify that I have this day served a copy of PECO Energy Company's Objections to Discovery, parties via e-mail to:

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

Dated at Philadelphia, Pennsylvania, April 11, 2016



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