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September 8, 2016

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

RE: Nancy Russell v. PECO Energy Company
PUC Docket No.: C-2016-2564297

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *Preliminary Objection of Respondent, PECO Energy Company* with regard to the matter referenced above.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee", with a long horizontal flourish extending to the right.

Shawane Lee
Counsel for PECO Energy Company

SL/ab

cc: Certificate of Service

PENNSYLVANIA PUBLIC UTILITY COMMISSION

NANCY RUSSELL :
 Complainant :
 v. : **DOCKET NO. C-2016-2564297**
 : :
PECO ENERGY COMPANY :
 Respondent :
 : :
 : :

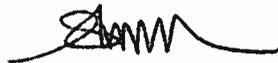
NOTICE TO PLEAD

Pursuant to 52 Pa. Code §§ 5.61(a)(2), you are hereby notified that, if you do not file a written response denying or correcting the enclosed Preliminary Objections of PECO Energy Company within 10 days from service of this notice, a decision may be rendered against you. All pleadings, such as a Reply to Preliminary Objections, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to counsel for PECO Energy Company, Shawane L. Lee, and where applicable, the Administrative Law Judge presiding over the issue.

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

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

Dated at Philadelphia, PA, September 8, 2016.



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street S-23
Philadelphia, PA 19103
215-841-6841
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NANCY RUSSELL	:	
Complainant	:	
v.	:	DOCKET NO. C-2016-2564297
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

**PRELIMINARY OBJECTION OF RESPONDENT,
PECO ENERGY COMPANY**

Respondent, PECO Energy Company (“PECO Energy”), pursuant to 52 Pa. Code § 5.101(a)(4) respectfully petitions this Honorable Commission to dismiss the instant Complaint as legally insufficient.

1. On August 31, 2016, PECO Energy was served with a formal complaint filed by Nancy Russell (hereafter “Complainant”). A copy of the Complaint is attached hereto as Exhibit “1”.

2. In her Complaint, the Complainant ticks the box “the utility is threatening to shut off my service or has already shut off my service.” See Exhibit “1”.

3. In her request for relief, the Complainant states:

“Advance” utility meters including all electronic utility meters and all utility meters which contain any digital or electronic components:

- 1. Are fire hazards.**
- 2. Cannot withstand typical surges**
- 3. Cause damage to homes/structures when damaged by surges**
- 4. Emit biologically harmful “pulsed” EMF radiation**
- 5. Collect personal data of private activities in the home in violation of the law.**

6. **Fatally disrupt/disable medical devices such as pacemakers.**
7. **Cause heating and antenna effects upon any metal body implants which damage body tissues.**
8. **Represent excess equipment costs with more expensive meters and represent more frequent replacement of the more expensive meters all of which costs will be passed on to ratepayers via excess and unnecessary charges.**
9. **Represents higher service costs in the processing and storing of data collected and general maintenance of the wireless grid network.**
10. **See attached 30 points against Smart Meters.**
11. **I want PUC to admit our rights to refuse their Smart Meter. This freedom is ours and not granted by the government.**
12. **I am filing this formal complaint with the PUC and PECO to cease and desist making threats to cut my power off. I am a paying customer and have a right to electric service.**

See Exhibit "1".

4. In essence, the Complainant is requesting to "opt out" of smart meter installation at her residence because she believes it will have an effect on her safety, health, privacy and the costs she believes are associated with the meter. The Complainant refuses to have the meter installed and objects to PECO terminating her service for her refusal to have the meter installed. The Complainant requests that the PUC "admit [her] right to refuse [PECO's] Smart Meter.

5. PECO Energy simultaneously filed an Answer and the instant Preliminary Objection.

6. Pursuant to 52 Pa. Code § 5.101, preliminary objections may be filed against a complaint and dismissed for legal insufficiency. 52 Pa. Code § 5.101(a)(4).

7. Commission procedure regarding the disposition of preliminary objections is similar to that utilized in Pennsylvania civil procedure. Equitable Small Transportation

Intervenors. v. Equitable Gas Co., 1994 Pa.PUC LEXIS 69, Docket No. C-00935435 (July 18, 1994).

8. In deciding preliminary objections, the Public Utility Commission must determine, based on the factual pleadings of the petitioner, if relief or recovery is possible. Roc v. Flaherty, 527 A.2d 211 (Pa. Cmwlth 1985).

9. A complaint must be able to recover under the law to survive a preliminary objection. Milliner v. Enck, 709 A.2d 417, 418 (Pa. Super. Ct. 1998) (“preliminary objection should be sustained only where it appears with certainty that, upon the facts averred, the law will not allow the plaintiff to recover”).

10. All of the non-moving party’s averments must be taken as true for the sake of deciding the preliminary objection. County of Allegheny v. Commw. of Pa., 490 A.2d 402 (Pa. 1985).

11. The court does not, however, need to accept, “unwarranted inferences from facts, argumentative allegations, or expressions of opinions.” Feingold v. McNulty, 2009 Phila. Ct. Com. Pl LEXIS 167, *3.

12. Section 703 of the Public Utility Code, 66 Pa. C.S.A. § 703(b) provides that the Commission may dismiss any complaint without a hearing if, in its opinion, a hearing is not necessary to the public interest.

13. A hearing is required only when there is a disputed question of fact, and is not required to resolve questions of law. Dee-Dee Cab, Inc. v. Pa.Pub. Util. Comm’n, 817 A.2nd 593 (Pa.Commw. Ct. 2003), petition for allowance of appeal denied, 836 A.2d 123 (Pa. 2003).

14. Here, there are no genuine issues of fact and PECO Energy is entitled to judgment as a matter of law with respect to all of the allegations in the Complaint.

I. Legal Insufficiency – Prior Commission Approval of Smart Meter Installation

15. The Complainant has requested that she be permitted to “opt out” of the smart meter installation at her residence because she believes the meter will have an effect on her safety, health, privacy and the costs she believes are associated with the meter.

16. PECO Energy’s Smart Meter installation plan was approved by the Pennsylvania Utility Commission on May 6, 2010, as a part of the Smart Meter Technology Procurement and Installation Plan, (“Smart Meter/Smart Grid Plan”) at docket number M-2009-2123944.

17. By way of background, Governor Edward Rendell signed Act 129 of 2008 into law on October 15, 2008. The Act took effect 30 days thereafter on November 14, 2008, and amended Section 2807 of the Public Utility Code. Among other things, the Act specifically directed that electric distribution companies (such as PECO Energy) with more than 100,000 customers file smart meter technology procurement and installation plans with the Commission for approval. See 66 Pa. C.S. § 2807(f). The statute does not provide customers with an option to “opt out” of smart meter installation.

18. On June 18, 2009, the Commission adopted a Smart Meter Procurement and Installation Implementation Order (“Implementation Order”) to establish the standards each plan must meet and to provide guidance on the procedures to be followed for submittal, review and approval of all aspects of each smart meter plan. See Smart Meter Procurement and Installation Implementation Order, entered on June 24, 2009, at Docket No. M-2009-2092655.

19. Specifically, the Commission’s Implementation Order states:

Act 129 requires EDCs to furnish smart meter technology (1) upon request from a customer that agrees to pay the cost of the smart meter at the time of the request, (2) in new

building construction, and (3) in accordance with a depreciation schedule not to exceed 15 years.
66 Pa.C.S. § 2807(f)(2).

The Commission believes that it was the intent of the General Assembly to require all covered EDCs to deploy smart meters system-wide when it included a requirement for smart meter deployment “in accordance with a depreciation schedule not to exceed 15 years.”

**THEREFORE,
IT IS ORDERED:**

1. That the Commission establishes specific smart meter technology minimum capabilities and procedures for submittal, review and approval of all aspects of each smart meter plan to include cost recovery.
2. That electric distribution companies with greater than 100,000 customers adhere to the guidelines for smart meter technology procurement and installation identified in this Implementation Order.
3. That the Director of Operations convene a stakeholder meeting no later than July 17, 2009, to discuss issues related to the costs and benefits associated with the Commission imposed smart meter capability requirements.
4. That all electric distribution companies that are required to file a smart meter technology procurement and installation plan file such a plan consistent with the directives contained in this order by August 14, 2009.

See id.

20. The Commission’s Order does not have a provision for customers to “opt out” of the smart meter installation.

21. Through its Implementation Order and policies, the Commission has approved the smart meter implementation process required by Act 129.

22. Indeed, Pennsylvania PUC Chairman, Robert F. Powelson stated:

Act 129 of 2008 has really paved the way for the rollout of smart meters, also referred to as Advanced Metering Infrastructure

(AMI), and the implementation of Act 129 continues to benefit Pennsylvania customers. As I see it, smart meter technology is a “win-win” situation for the Commonwealth – both electricity customers and electricity providers alike reap the benefits of advanced meters.

See PaPUC Chairman Powelson on Smart Meters and Pennsylvania’s Energy Future at <http://www.smartgridlegalnews.com/interviews/papuc-chairman-powelson-on-smart-meters-and-pennsylvanias-energy-future/>

23. On August 14, 2009, PECO Energy filed with the Commission its Petition of PECO Energy Company for Approval of its Smart Meter/Smart Grid Plan.

24. Amongst other things, PECO Energy’s Petition requested that the Commission approve the deployment of up to 600,000 smart meters. See PECO Energy’s Smart Meter/Smart Grid Petition.

25. As a part of PECO Energy’s meter deployment plan, the company committed to deploy 600,000 meters by March 2013, upon receiving American Recovery and Reinvestment Act funding from the Department of Energy. See id.

26. PECO Energy’s Implementation plan does not give customers the option to “opt out” of smart meter installation.

27. By Order entered May 6, 2010 at Docket No. M-2009-2123944, the Commission approved PECO Energy’s Smart Meter/Smart Grid Plan.

28. The Commission’s Order approving PECO Energy’s plan does not provide an “opt out” provision.

29. In conjunction with the Commission’s Implementation Order; the Commission-approved Smart Meter/Smart Grid Plan and continuing compliance with Act 129, PECO Energy has deployed over 194,000 Advanced Metering Infrastructure (“AMI”) meters in customer’s homes and businesses.

30. Act 129, the Commission's Implementation Order; and PECO Energy's Commission-approved Smart Meter/Grid Plan do not provide customers the ability to "opt out" of having a smart meter installed in their homes or businesses. See 66 Pa. C.S. § 2807(f). See also Smart Meter Procurement and Installation Implementation Order, at Docket No. M-2009-2092655. See PECO Energy's Smart Meter/Smart Grid Plan at docket number M-2009-2123944.

31. The absence of an "opt out" provision in the existing statute; Implementation Order; and Smart Meter/Smart Grid Plan is underscored by a recent bill introduced at the General Assembly.

32. House Bill 394, which was introduced on February 9, 2015, seeks to change the existing law by adding a "opt out" provision. Specifically, House Bill 394 reads as follows:

Section 1. Section 2807(f)(2)(iii) of Title 66 of the Pennsylvania Consolidated Statutes is amended to read:

§ 2807. Duties of electric distribution companies.

(f) Smart meter technology and time of use rates.-

(2) Electric distribution companies shall furnish smart meter technology as follows:

(iii) In accordance with a depreciation schedule not to exceed 15 years. Customers may opt out of receiving smart meter technology under this subparagraph by notifying, in writing, the electric distribution company. The following shall apply:

A) The electric distribution company shall provide an opt-out form to consumers upon request and may provide a method for consumers to opt out electronically through the electric distribution company's Internet website.

33. House Bill 394 attempts to address individual customer concerns about the smart meter (such as the Complainant's concerns) by allowing individual customers to "opt out" of receiving smart meter technology on the mandatory schedule established by Act 129.

34. The “opt out” provision; however, has not been scheduled for a vote by the General Assembly, and the ability to opt out of smart meter installation is not currently permissible under the law.

35. Administrative Law Judge Joel H. Cheskis reached a similar conclusion in the matter Maria Povacz v. PECO Energy, Docket No. C-2012-2317176 (Order entered September 28, 2012). In that case, the Complainant, Maria Povacz requested to “opt out” of installation of the smart meter at her residence. Id.

36. ALJ Cheskis issued an Initial Decision wherein he determined:

To the extent that Ms. Povacz desires the ability to opt out of the smart meter installation, she should advocate for such ability before the General Assembly.....The formal Complaint process against one Electric Distribution Company, PECO, is not the appropriate avenue for this issue to be addressed.

Id.

37. On January 24, 2013, the Commission issued a Final Order, adopting ALJ Cheskis’ Initial Decision. In the Order, the Commission specifically addressed whether a PECO customer could “opt out” of meter installation at their property as follows:

There is no provision in the Code, the Commission’s Regulations or Orders that allows a PECO customer to “opt out” of smart meter installation, as the Complainant desires to do. Accordingly, unless and until House Bill 2188, supra, passes the General Assembly, or some other provision is put in place that specifically allows customers to opt out of smart meter installation, PECO has not violated any provision of the Code, any Commission Order or Regulation or any Commission-approved Company tariff by prohibiting the Complainant from opting out.

See Maria Povacz v. PECO Energy, Docket No. C-2012-2317176 (Order adopted January 24, 2013).

38. On September 3, 2015, the Commission entered an Opinion and Order in the Smart Meter health “opt out” case Susan Kreider v. PECO, Docket No. P-2009-2495064 (Opinion and Order entered, September 3, 2015). In that case, the Commission determined that the “law does not prohibit [the Commission] from considering or holding a hearing on issues related to the safety of smart meters.”

39. Since the Kreider Order, the Commission has narrowed the cases that will proceed to hearing. For instance, in Alexander Solowij v. PECO, Docket No. F-2015-2491428 (Opinion and Order entered April 7, 2016), the Complainant objected to the installation of the Smart Meter because he believed if the meter were installed it would aggravate a health condition. PECO terminated Mr. Solowij’s service for his failure to permit installation of the meter. Administrative Law Judge Joel H. Cheskis (“ALJ Cheskis”) granted PECO’s Preliminary Objection and dismissed the complaint.

40. In his Initial Decision, ALJ Cheskis pointed out:

Since the complainant in this case does not allege that [PECO] installed a smart meter at the Complainant’s residence and does not allege that the Complainant has suffered specific physical symptoms resulting from the installation of a smart meter, Kreider is not applicable to this case. This conclusion is supported by the Commission’s statement in Kreider that its decision was not intended to create a broad reaching precedent.

See Alexander Solowij v. PECO, supra.

41. Administrative Law Judge Steven K. Haas reached a similar conclusion in Andrew Starr v. PECO Energy Company, Docket No. C-2015-2516061 (Initial Decision entered January 14, 2016) (Opinion and Order entered September 1, 2016). In that case, the Complainant objected to the installation of a smart meter because he claimed it would have an effect on his health.

42. ALJ Haas granted PECO's Preliminary Objection and dismissed the case as matter of law. In his Initial Decision, he noted:

In the present case, installation of the smart meter has not yet occurred, since the Complainant has refused to provide his consent to PECO. Therefore, no actual ill health effects have been or could be claimed. The Complainant has not alleged any act done or omitted to be done by the Respondent that constitutes a violation of a statute, Commission regulation or order. Accordingly, the Formal Complaint is legally insufficient and this complaint is dismissed. As there is no legally justiciable claim, a hearing is not necessary in the public interest. 66 Pa.C.S. §703(b).

See Andrew Starr supra.

43. More recently, Administrative Law Judges Darlene D. Heep and Christopher P. Pell reached the same conclusion in Fugo Eye Institute v. PECO Energy Company, Docket No. C-2015-2519763 (Initial Decision entered March 10, 2016) (Final Order entered July 7, 2016). In that case, the Complainant alleged that installation of the smart meter would have a negative health effect on their patients and staff.

44. ALJ Heep and ALJ Pell dismissed the Complainant's formal complaint on PECO's Preliminary Objection stating:

The Fugos have made no specific factual averments regarding health or other effects experienced after a smart meter was installed. Complainants have not permitted installation of a smart meter at the medical facility. They state, speculatively, that the smart meter "will" have a negative impact on their staff and patients if installed and as relief want keep the old meter. They did not provide any details regarding the alleged future health effects.

See Fugo Eye Institute v. PECO Energy Company supra.

45. In the case Antonio Romeo v. PECO Energy Company, Docket No. C-2015-2479260 (Opinion and Order entered Mar. 3, 2016), the Complainant refused to have a smart meter installed because he feared it would cause fires and affect his safety and health.

46. The Commission adopted Administrative Law Judge Elizabeth H. Barnes' Initial

Decision and determined:

There are some cases, such as this case, however, where a hearing would not alter the inevitable conclusion that this Commission cannot provide the Complainant the relief requested. *See, Floyd v. Verizon Pennsylvania LLC*, Docket No. C-2012-2333157 (Order entered April 4, 2013). Mr. Romeo has not presented a claim to which he could personally testify that would support a finding that a smart meter was responsible for any fire or damage or other specific safety or health affects he experienced within his home. For these reasons, we find *Carlock* distinguishable from the case now before us and agree with the ALJ's dismissal.

47. The case at bar is similar to the Solowij, Starr, Fugo and Romeo cases. The Complainant does not have a meter installed and alleges he does not want the meter because she fears it will affect her safety, health and privacy. The Complainant has not made any specific factual averments of a health effect or safety issue experienced. The Complainant speculatively suggests that the meter will affect her and cannot personally testify that a smart meter was responsible for a fire that affected her home. As the Complainant has not averred a specific health effect or safety issue caused by the meter, the Complainant's formal complaint must be dismissed as a matter of law.

48. PECO Energy is required by law to install smart meters throughout its service territory, and there is no provision providing customers with an option of "opting out."

49. Assuming that everything the Complainant alleges in his Complaint is true, PECO Energy is operating under the basis of Act 129 and the specific direction given to the company by the legislature and the Commission through the Commission's Implementation Order.

50. As the law currently stands, pursuant to Act 129 and the Commission's Implementation Order, customers do not have the ability to "opt out" of smart meter installation.

51. Further, PECO has the right to terminate a customer's service for failure to permit access to install the Smart Meter.

52. Pursuant to Section 10.5, PECO Energy has a right to access the premises of a customer at all reasonable times for the purpose of installing, removing or changing any or all equipment belonging to the company. See Section 10.5 of PECO Electric Service Tariff.

53. Section 18.3 of PECO Energy's tariff, permits the company to terminate a customer for cause if access to the meter is refused. See Section 18.3 of PECO Electric Service Tariff.

54. PECO Energy's Commission approved tariff is prima facie reasonable and has the full force and effect of law. 66 Pa.C.S. § 316; *Kossmann v. PA PUC*, 694 A.2d 1147 (Pa Cmwlft 1997); *Brockway Glass Co. v. PA. PUC*, 437 A.2d 1067 (Pa. Cmwlft 1981).

55. In this case, the Complainant is refusing the installation of the Smart Meter; therefore, she is subject to termination consistent with Section 10.5 and 18.3 of PECO's tariff.

56. The Complainant's Complaint, objecting to the installation of a smart meter at her home does not allege a violation of any order, law or tariff that can be the basis of any finding against PECO Energy.

57. Because PECO Energy's smart meters are being deployed in compliance with the Commission-approved Smart Meter/Smart Grid Plan, and the law does not provide for the Complainant to "opt out" of smart meter installation, there is no legal basis for the Complainant's Complaint.

58. For the reasons set forth above, the Complainant's Complaint should be dismissed as a matter of law.

59. Therefore, the Complainant is not entitled to relief under the law.

REQUEST FOR RELIEF

WHEREFORE, for the reasons set forth above, PECO Energy Company respectfully requests that your Honorable Commission summarily dismiss the Complainant's formal complaint, and all issues which were raised in the Complaint.

Respectfully submitted,



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NANCY RUSSELL	:	
Complainant	:	
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	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

VERIFICATION

I, Shawane L. Lee, hereby declare that I am counsel for PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.

Date: September 8, 2016



Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NANCY RUSSELL	:	
Complainant	:	
v.	:	DOCKET NO. C-2016-2564297
	:	
PECO ENERGY COMPANY	:	
Respondent	:	
	:	

CERTIFICATE OF SERVICE

I, Shawane L. Lee, hereby certify that I have this day served a copy of PECO Energy Company's Preliminary Objection in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Nancy Russell
12 Stoney Hill Road
New Hope, PA 18938
Via First Class Mail

September 8, 2016



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com

EXHIBIT “1”

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

Filing this form begins a legal proceeding and you will be a party to the case. If you do not wish to be a party to the case, consider filing an Informal complaint.

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information

Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name Nancy Russell

Street/P.O. Box 12 Stoney Hill Rd. Apt #

City New Hope State PA Zip 18938

County Bucks

Telephone Number(s) Where We Can Contact You During the Day:

(215) 862 9193 (home) () (mobile)

E-mail Address (optional):

Utility Account Number (from your bill) 42760-11051

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name

Street/P.O. Box

City State Zip

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

PECO

RECEIVED

AUG 25 2016

PECO ENERGY EXHIBIT

1

PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

3. Type of Utility Service

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- | | |
|--|---|
| <input checked="" type="checkbox"/> ELECTRIC | <input type="checkbox"/> WASTEWATER/SEWER |
| <input type="checkbox"/> GAS | <input type="checkbox"/> TELEPHONE/TELECOMMUNICATIONS (local, long distance) |
| <input type="checkbox"/> WATER | <input type="checkbox"/> MOTOR CARRIER (e.g. taxi, moving company, limousine) |
| <input type="checkbox"/> STEAM HEAT | |

4. Reason for Complaint

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. Your complaint may be dismissed without a hearing if you do not provide specific information.

- The utility is threatening to shut off my service or has already shut off my service.

- I would like a payment agreement.

- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.

- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.

- Other (explain).

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

- "Advanced" utility meters including all electronic utility meters and all utility meters which contain any digital or electronic components
1. are fire hazards
 2. cannot withstand typical grid surges
 3. cause damage to homes/structures when damaged by surges
 4. Emit biologically harmful "pulsed" EMF radiation
 5. Collect personal data of private activities in the home in violation of law.
 6. Totally disrupt/disable medical devices such as Pacemakers
 7. Cause heating and other effects upon any metal body implants which damage body tissues
 8. Replace excess equipment costs with more expensive meters and represent more frequent replacement of the more expensive meters all of which costs will be passed on to ratepayers via excess and unnecessary charges.
 9. Represents higher service costs in the processing and storing of data collected and general maintenance of the wireless grid network.

10. See attached 30 points against Smart Meters
11. I want PUC to ~~remove~~ ^{restore} our rights to refuse these Smart meters. This freedom is ours and not granted by government

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

12. I am filing this formal complaint with the PUC and PECO to cease and desist making threats to cut my power off. I am a paying customer and have a right to electric service.



Thirty Talking Points Against Smart Meters

By Orlean Koehle

Author of *Just Say No to Big Brother's Smart Meter*

1. **Numerous Health Issues:** The Smart Meter is digital and wireless and is emitting dirty electricity and powerful, pulsed RF radiation into the home every 3-6 seconds. It is affecting people's health; some immediately have reactions; others more slowly. People are complaining of headaches, dizziness, nausea, insomnia, carpal, nose bleeding, heart palpitations, brain fog, and general feeling of weakness. The RF also interferes with medical devices such as pacemakers. Smart meter radiation is a Class 2B carcinogen according to the World Health Organization (WHO) (<http://www.who.int/emergencies/diseases/northern-syria>), that alters DNA and blood cells. (*pp. 11-44)
 2. **No Scientific Testing:** Smart Meters have never been properly tested or studied. The EIR Environmental Impact Study was waived. The Smart Meters were granted a CEQA (California Environmental Quality Act) exemption with no explanation, and there are no safety standards for chronic long term RF exposures that these meters emit. The FCC safety standards are for only short term exposures, 6 - 30 minutes long and for "thermal" exposure, not for nonthermal radiation. Most of the FCC data for wireless devices is outdated - back in 1996, when cell phones were just starting. Nothing has been tested for smart meter radiation levels. (*pp. 24, 134)
 3. **Smart Meters are not UL Certified,** required under most state's electrical code for all electrical appliances and equipment within the home. Active Product certifications can be verified by going to www.ul.com, click on "on-line certifications directory." The lack of certification was confirmed by Karl E. Mosler, Senior Customer Service Engineer II, HVAC, Appliances, and Lighting, Underwriters Laboratories Inc., 1285 West Whittman Road, Melville, NY 11747 (<http://www.ul.com>). (*p. 45)
 4. **Risk of Hacking:** A computerized RF system of control over all the electrical power and appliances in one's home, including personal computers, could be penetrated by hackers, just as so many other supposed "fool-proof" systems have been. Private information and privacy rights would be at risk. Meters could be reprogrammed. Someone would know when the family was not home, a great time to break in. (*pp. 47-48)
 5. **Risk of Fires:** Many fires in new wireless meters have been reported or fires that the meters have caused. A whistle-blower from Wellington Energy, PG&E's installation contractor, alleged serious breaches in safety procedures by installers, who are temp workers - not trained professionals as required by the Federal Communications Commission. Reports of fires, shorts, and electrocutions are also being reported in other countries where "Smart" Meters are being installed, such as Australia. (<http://www.underwriters.com>) (*pp. 46-47)
 6. **Mega Meters located on every 500 homes:** They serve as mini-cell phone towers, collecting the data from 500 homes. Some are connected to a telephone line, with which it sends its data to the utility company. Other meters are wireless. One can imagine how much radiation is emitted coming from a mega meter. (*p. 71) THE MUSE
 7. **Smart Meters Often Have Higher Rates:** Many people are complaining that their costs have doubled or tripled since the smart meters were installed on their homes. Six hundred complaints had been received by PG&E in Northern California because of higher rates (3/2010). <http://www.underwriters.com> (<http://www.underwriters.com>) Smart Meters In San Francisco Mean In-Side Smart Meter 161820A.html (*p. 15)
 8. **Problems in Accuracy - 43,000 cases in Northern California:** 4/26, 2011, Helen Burt, PG&E's senior V.P. of customer relations, after intense interrogation admitted before the state Senate Select Committee on the Smart Grid that 9,000 of their Smart Meters had not communicated energy usage back to PG&E; 11,300 Smart Meters simply failed to work and another 23,000 Smart Meters were installed improperly. (ABC Channel 7 TV news, KGO "7 on Your Side," S.F., 3/26/11) (*p. 14)
 9. **Smart Meters are Heating Up and Charging Higher Costs:** On May 3, 2011, it was reported that some Smart Meters err in calculations when the temperature outside is over 100 degrees, causing a higher billing for their customers. (SF Chronicle, 6/3/2011, "PG&E Finds Some Smart Meters Bred When too Hot," (http://www.sfgate.com/cgi-bin/article.cgi?f=/r/011/06/03/PG&E_Finds_Some_Smart_Meters_Bred_When_too_Hot)) (*p. 15)
 10. **The Department of Energy's Stated Purpose of the Smart Grid is to reduce carbon emissions and green house gases. Why? CO2 is piped into green houses to make the plants grow. CO2 is what has produced a green planet over the life time of the earth. It is not a pollutant. Since global warming is being so thoroughly discredited, the meter is now "climate change."**
 11. **The Smart Meter Program is Really about "Changing Our Behavior" and Reducing Energy:** The system does not deliver more efficient use of energy and isn't meant to. Those behind it proudly admit that the program is really about "changing our behavior." It is about "rationing" energy and controlling our lives under the excuse of saving green house gases and preserving energy. (*p. 181)
 12. **Smart Meters are Surveillance Devices that are Violating Federal and State Wiretapping Laws:** They are recording and storing data of private and personal activities and behaviors without the consent of the people who are being monitored. Such data could be then sold to the highest bidder. (You Tube Videos: Rob Stans, The Dark Side of Smart Meters, and Jerry Day, *pp. 100, 197)
 13. **Smart Meters are Unconstitutional:**
 - **Violation of The Tenth Amendment** which leaves to the states whatever is not mentioned in the Constitution. (*p. 23)
 - **They are not Mandatory:** The Energy Policy Act of 2005 does not mandate Smart Meters. It only mandates utilities to "offer" them and to install them "upon customer request. (Section 1252, pp. 370-374) (*p. 13)
 - **Procedures are to be Just:** "All such agreements and procedures shall be just and reasonable, and not unduly discriminatory or preferential." [Page 119 STAT. 971] [Forcing a smart meter on a home without permission or knowledge was not just or reasonable.] For those who have low incomes and their rates have skyrocketed, they would say this was "discriminatory and preferential."
- * The Smart Meters Violate the Fourth Amendment: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated..." When you have a Smart Meter constantly snooping

into your home 24 hours a day, keeping data on what you are doing, what part of the house you are in, where the electricity being used, what appliances you are using and when, that is an invasion of privacy. (*p. 23)

- Smart Meters Violate the 14th Amendment: ... "No state shall make or enforce any law which shall abridge the privilege ... nor deprive any person of life, liberty, or property ... nor deny ... equal protection of the laws." When utility companies take away property - the analog meter that came with the owner's home - without any permission and "deploy" a smart meter in its place, this is denying their rights of liberty and property. Forcing citizens who object to a smart meter to have to pay monthly fee to opt out would be "abridging privileges" and not granting "equal protection" under the law. (*p. 23)
- 14. Violation of the California Constitution: Article One - Declaration of Rights: "All people are by nature free and independent and have inalienable rights. Among these are "enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety, happiness, and privacy." Forcing a Smart Meter on every Californian is a violation of our basic right of: 1) "enjoying and defending life and liberty;" 2) "enjoying possessing and protecting our own property;" 3) "pursuing and obtaining safety, happiness, and privacy." (p. 25)
- 15. Much Money Used to Entice the States to Take the Big Carrot: Billions of dollars loaded into the Economic Stabilization Act 2008, \$3.4 billion, and \$4.5 billion of the Stimulus 2009 package are being given to individual states and swaying the governors of the states to go along. The Department of Energy then dispersed the money to implement the Smart Grid system. (*pp. 186-189)
- 16. The Costs of Smart Grid Investments "Recovered from Ratepayers": PURPA allows utilities to recover from ratepayers not "capital, operating expenditures, or other costs of the smart grid investment, including a reasonable rate-of-return." It allows utilities to recover book value of any equipment rendered obsolete by the deployment of such smart grid systems. (Page 6)
- 17. The Public is Being Fleeced with a New Tax Bill: "The Smart Grid system is nothing more than a system of accelerated energy costs with accompanying tax increases: "Ratepayers" are actually taxpayers. This is a new TAX forcing the public to finance SMART METERS/GRID at the rate of 100% of costs plus a profit margin written into it. ... Murty Oakley, "Smart Meters, No Federal Mandate," (<http://www.enr.com/2011/08/01/smart-meters-no-federal-mandate.html>) (*p.189)
- 18. The United Nations is Promoting Smart Meters and the Smart Grid through Agenda 21, which was devised back in 1992 at a conference held in June in Rio de Janeiro called UN Agenda 21 or Sustainable Development, which was signed onto by heads of state of 179 nations, including U.S. President Bush Sr.
- 19. Agenda 21 is an all encompassing comprehensive plan that seeks to control every aspect in which "human impact on the environment." (<http://www.un.org/development/desa/21/>) Energy use is definitely one of those, thus the UN seeks to control it.
- 20. ICLEI - how Agenda 21 is being implemented locally: ICLEI stands for *International Council on Local Environmental Initiative*, but now call themselves *Local Government for Sustainability*. Over 600 cities in the USA belong to ICLEI; 150 in California alone. The California Public Utility Company also belong to ICLEI and is under their control and influence. ICLEI is pushing smart meters as an excuse to lower energy emissions to the 1990 levels in accordance to the Kyoto protocol. (*p. 219)
- 21. The UN Environmental Programme (UNEP) is also behind the Smart Grid. It calls for "changing our world into a "Green Economy," "decoupling, reconfiguring" businesses, infrastructure, resources and institutions to more "sustainable." (*p. 212)
- 22. The Origin of the Smart Grid Plan: A book called *Technocracy*, written back in 1932 by Howard Scott and M. King Hubbard, was calling for an economic revolution and a new international economic order based on energy accounting rather than price accounting. An energy-based accounting system, "energy certificates," or Carbon Currency, instead of dollars or other fiat currencies.
- 23. Provisions of the *Technocracy Study Survey* Match what The Smart Grid Provides Today - Namely, to exhaustively monitor, measure and control every kilowatt of energy delivered to consumers and businesses on a system-wide basis: [Scott, Howard et al. *Technocracy Study Survey*, p. 232] (*pp. 205-206)
- 24. Smart Grid encompasses too much "Big Brother Monitoring and Control" over all generation, distribution and consumption of electrical power, with an inclusion for gas and water (starting 2012). They can even tell what Television show or DVD is being watched, and the plan is to have RF chips in modern appliances so the meters can speak to the chips and control them. (*pp.120-121)
- 25. Smart Meter Neighborhood Communication Tiers and Mesh of Radiation Affect Everyone: Even if you do not have a smart meter, if your neighbors do, then you will be affected by the radiation neighborhood mesh and their data collection ability. The idea is to create a "seamless flow of data between communication tiers." (*pp. 206-215)
- 26. Global Companies are Rushing to Gain a Share of the Global Smart Grid Market: IBM, Siemens, GE, Cisco, Panasonic, Kyocera, Toshiba, Mitsubishi, etc. China is spending \$7.32 billion for the Smart Grid in Asia. Countries with Smart Grid pilot projects already launched include Germany, France, England, Russia, Japan, India, Australia, South Africa and many others. Organizations such as *SMARTGRID Africa* have been set up to promote Smart Grid in smaller countries. (*p. 214)
- 27. CO2 Trading (Cap and Trade) is Part of the Plan and Already Exists: It was an invention of the Kyoto Protocol in 1997 and gained momentum in 2002 in the UK. It became international law in 2005 and is predicted to reach \$3 trillion by 2020 or earlier. It is greatly promoted by Al Gore, who is like a stock broker and gets a fee for every transaction of carbon credit trading. (*pp.194-193)
- 28. A New Cashless Economy Based on Carbon Currency is not that "Fat Fetched." Prominent publications are writing about it. Of course, it can only take place if the continued fear tactic of "global warming" is promoted as true science. (*pp.216-217)
- 29. Smart Meters/ Smart Grid are Part of the Agenda 21 Population Control Plan: There is a population control agenda that is blatantly spoken of by the elite of the UN. They believe the world is over populated, and mankind himself produces too much CO2, so, therefore, if we are to curb greenhouse gas emissions, we must curb mankind - decrease the population. (pp. 226-230)
- 30. The Smart Meter/ Smart Grid system will enable technocracy's original goals to succeed - to impose a totalitarian, scientific economic dictatorship on the world. This is why the American people repudiated Technocracy in 1933, and this is exactly why we should thoroughly repudiate it today. (*Just Say No to Big Brother's Smart Meters*, www.SmallHelmPressAssociates.org.)

6. Protection From Abuse (PEA)

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. Prior Utility Contact

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES

I have written PECO, PUC

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (if known) _____

Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

9. Verification and Signature

You must sign your complaint. Individuals filing a Formal Complaint must print or type their name on the line provided in the verification paragraph below and must sign and date this form in ink. If you do not sign the Formal Complaint, the PUC will not accept it.

Verification:

I Nancy Russell, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Nancy Russell
(Signature of Complainant)

8/25/16

(Date)

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification must be signed by an authorized officer or authorized employee. If the Formal Complaint is not signed by one of these individuals, the PUC will not accept it.

10. Two Ways to File Your Formal Complaint

Electronically. You must create an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/filing/default.aspx>.

Note: If you are appealing your Bureau of Consumer Services (BCS) decision, you must file your formal complaint by mail.

Mail. Mail the completed form with your original signature and any attachments, by certified mail, first class mail, or overnight delivery to this address:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

Note: Formal Complaints sent by fax or e-mail will not be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your Formal Complaint for your records.



Nancy H. Russell
12 Stony Hill Rd.
New Hope, PA 18938



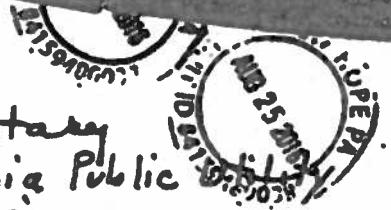
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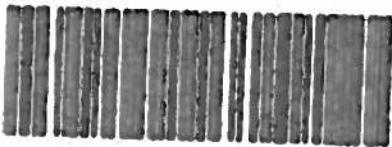
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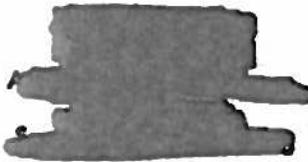
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CERTIFIED MAIL



7015 3430 0000 7074 8504



Secretary
Pennsylvania Public
Commission
400 North Street
Harrisburg, PA 17120

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EXHIBIT “2”



PENNSYLVANIA
PUBLIC UTILITY COMMISSION

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eFiling Successfully Transmitted



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-2016-2564297
Description:	Nancy Russell - PECO Energy Company Answer to Formal Complaint
Transmission Date:	9/8/2016 8:34:16 AM
Filed On:	9/8/2016 8:34:16 AM
eFiling Confirmation Number:	1649453

Uploaded File List

File Name	Document Class	Document Type
Nancy Russell - Answer.pdf	Communication	Answer to Formal Complaint

2



An Exelon Company

Legal Department
2301 Market Street / S23-1
Philadelphia, PA 19101-8699

Direct Dial: 215-841-6841

September 8, 2016

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

RE: Nancy Russell v. PECO Energy Company
PUC Docket No.: C-2016-2564297

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *PECO Energy's Answer to Formal Complaint*.

I have enclosed a Certificate of Service showing that a copy of the above document was served on the interested parties. Thank you for your time and attention on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Shawane Lee".

Shawane Lee
Counsel for PECO Energy Company

SL/ab
Enclosure

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NANCY RUSSELL	:	
Complainant	:	
v.	:	DOCKET NO. C-2016-2564297
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

ANSWER OF RESPONDENT,
PECO ENERGY COMPANY

On August 31, 2016, PECO Energy Company ("PECO Energy") was served with a Formal Complaint filed by Nancy Russell (hereafter "Complainant"). Pursuant to 52 Pa. Code § 5.61, PECO Energy responds to the Complaint and states:

1. Admitted
2. Admitted.
3. Admitted.
4. Denied. Unless specifically admitted herein, PECO Energy denies all material allegations of fact and conclusions of law in the Complaint.

In her formal complaint, Complainant opposes installation of PECO Energy's smart meter. The Complainant alleges that PECO Energy is threatening to terminate her service because she refuses to have the meter installed. In her Complaint, the Complainant requests that the PUC "admit [her] right to refuse [PECO's] Smart Meter. PECO Energy's records reveal the following:

The Complainant established service at 12 Stoney Hill Road, New Hope, PA. PECO Energy sent correspondence and made telephone calls to the Complainant, requesting access to

install an AMI meter at her residence. The Complainant has refused to have the meter installed. There is currently an AMR meter installed at the property.

PECO Energy avers that the company is required to install AMI meters for the company's electric distribution customers subject to the requirements of Act 129. Consistent with complying with this law, PECO must install AMI meters for all current AMR customers by the end of 2014. In order to comply with Act 129 and deployment plans filed with the Pennsylvania Public Utility Commission, PECO is terminating service to customers who, after repeated requests, do not give the company access to install the meter.

PECO has the right to terminate a customer's service for failure to permit access to install the Smart Meter. Pursuant to Section 10.5, PECO Energy has a right to access the premises of a customer at all reasonable times for the purpose of installing, removing or changing any or all equipment belonging to the company. See Section 10.5 of PECO Electric Service Tariff. Section 18.3 of PECO Energy's tariff, permits the company to terminate a customer for cause if access to the meter is refused. See Section 18.3 of PECO Electric Service Tariff. PECO Energy's Commission approved tariff is prima facie reasonable and has the full force and effect of law. 66 Pa.C.S. § 316; *Kossmann v. PA PUC*, 694 A.2d 1147 (Pa Cmwl 1997); *Brockway Glass Co. v. PA. PUC*, 437 A.2d 1067 (Pa. Cmwl 1981). In this case, the Complainant is refusing the installation of the Smart Meter; therefore, she is subject to termination consistent with Section 10.5 and 18.3 of PECO's tariff.

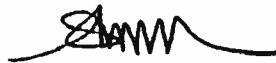
The Complainant's Complaint should be dismissed as a matter of law as set forth in the company's accompanying Preliminary Objection.

- 5. Denied.
- 6. Admitted.

7. Admitted.
8. Energy neither admits nor denies the allegations in paragraph 8. PECO is without knowledge or information sufficient to form a belief as to the truth of this averment and, therefore, such allegation is deemed denied.
9. Paragraph 9 is a Verification and Signature to which no response is required.
10. Paragraph 10 contains information regarding Filing, to which no response is required.

WHEREFORE, PECO Energy Company respectfully requests that your Honorable Commission dismiss the instant Amended Complaint.

Respectfully Submitted,



Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
Philadelphia, PA 19101-8699
(215) 841-6841
Fax: 215.568.3389
shawane.lee@exeloncorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NANCY RUSSELL	:	
Complainant	:	
v.	:	DOCKET NO. C-2016-2564297
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

VERIFICATION

I, Shawane Lee, hereby declare that I am counsel for PECO Energy Company; that as such I am authorized to make this verification on its behalf; that the facts set forth in the foregoing Pleading are true to the best of my knowledge, information and belief, and that I make this verification subject to the penalties of 18 Pa. C.S. § 4904 pertaining to false statements to authorities.



Date: September 8, 2016

Shawane L. Lee

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NANCY RUSSELL	:	
Complainant	:	
v.	:	DOCKET NO. C-2016-2564297
	:	
PECO ENERGY COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

I, Shawane L. Lee, hereby certify that I have this day served a copy of PECO Energy Company's Answer to Complainant's Amended Complaint in the above matter upon all interested parties by mailing a copy, properly addressed and postage prepaid to:

Nancy Russell
12 Stoney Hill Road
New Hope, PA 18938

Dated at Philadelphia, Pennsylvania, September 8, 2016.



Shawane L. Lee
Counsel for PECO Energy Company
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(215) 841-6841
Fax: 215.568.3389
Shawane.Lee@exeloncorp.com