

Mary E Paul  
239 Honey Locust Drive  
Avondale, PA

July 13, 2017

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

RE: **Mary Paul v. PECO Energy Company**

**PUC Docket No. C-2015-2475355**

Dear Ms. Chiavetta:

Enclosed for filing is a Certificate of Service demonstrating this day that I have served via email my Exceptions to:

Ward Smith, Esquire  
Exelon Business Services Company LLC  
Legal Department  
2301 Market Street, S23-1  
Philadelphia, PA 19103

Very Truly Yours,



Mary E Paul  
Complainant

cc: VIA EMAIL  
Darlene D. Heep, Administrative Law Judge  
OSA

Certificate of Service

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Mary Paul :  
Complainant :  
V : Docket No. C-2015-2475355  
PECO Energy Company ;  
Respondent :  
:

CERTIFICATE OF SERVICE

I, Mary Paul, hereby certify that I have this day sent via email my Exceptions.

SERVICE LIST

Ward L. Smith, Esquire  
Exelon Business Services Company LLC  
2301 Market Street, S23-1  
Philadelphia, PA 19103

cc: Darlene D. Heep, Administrative Law Judge  
OSA

Sent this 13 day of July, 2017 via email.



Mary E. Paul

**CONFIDENTIAL OPENING BRIEF NOT TO BE SHARED WITH  
THE PUBLIC**

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Mary Paul** :  
**Complainant** :  
**V** : **Docket No. C-2015-2475355**  
:  
**PECO Energy Company** :  
**Respondent** :  
:

**EXCEPTIONS OF MARY PAUL TO THE JUNE 23, 2017 INITIAL  
DECISION OF ADMINISTRATIVE LAW JUDGE HEEP**

## EXCEPTIONS

**1. *The Court erred in disallowing my First Amended Complaint over PECO's objections in its Motion to Strike.***

**As a pro se Complainant, my First Amended Complaint was timely filed according to PUC rules** on November 9, as admitted by PECO in its Motion to Strike, and amended my Formal Complaint dated March 30, 2015.

I had become most concerned about my deteriorating health after Smart meters were installed in my neighborhood and community. It became clearer as I looked back on my original Complaint that it was inadequate for several reasons and I felt it necessary to amend the original complaint in order to (1) clarify my complaint and prayer for relief because PECO had objected to some of my discovery as not relevant to my original Complaint, (2) to conform to the evidence, (3) because my original Complaint was filed hurriedly under threat of service termination, and not being cognizant of formalities, not being a trained lawyer, nor able to hire one, and (4) to conform with the ADA accommodation request I had filed for my EHS disability.

**This ruling prejudiced me and violated my rights.** By this ruling, much of my testimony and that of my physician and expert witness, Dr. Hanoch Talmor was excluded as irrelevant to my complaint, such as: I suffer from EHS and a Wi-Fi pollution free home is a necessary requirement; that the AMR meter which I knew little about for the first 12 years had sensitized and harmed me and should be replaced with an analog meter; that I have become disabled and basically confined to the house and cannot live my life outside of the house as I used to without exacerbating my symptoms; that forced installation of an AMI meter would further violate Section 1501 and, with two transmitting antennas, one being a Zigbee, would subject the entire household to additional microwave radiation emissions further damaging what health I have left.

Page 4, Footnote 2: For the first 12 years after moving to Pennsylvania in 2002, I had little understanding of the new type of meter (AMR) which came with my new construction home.

***Contrary to the second statement in this footnote,*** I did say in my original Complaint, that Smart Meters were installed in my neighborhood on August 28, 2014 and at the filing of my Complaint on March 30, 2015, "I had spent the better part of the last seven months researching ...these

meters. *Simultaneously, I began to suffer physical symptoms associated with this kind of technology.*”

Additionally, in my Response to PECO’s Answer and New Matter, dated May 6, 2015, on the second page, I reiterated the above and **provided some specifics for the symptoms I began to suffer within a few days of the meters being installed in my community:** I became physically ill; my symptoms would worsen if I left the house; the muscles in my mid-section would cramp and remain so for hours; I could not think clearly or focus (brain fog); memory problems; sore throat almost every day; rise in blood pressure at various times and in various locations; I became much more sensitive to others’ wireless devices; sleep for only a couple of hours at a time and would wake up with extreme nervousness each time. (See also my Brief pages 5 and 15.)

Page 5, Footnote 3: I question that “full consideration” was given to my email response. I stated briefly why I had filed my Amended Complaint and that it was not filed to extend the date for my hearing as PECO wondered. On November 10 apparently received an email obviously intended for someone else, whereby Judge Heep remarks, “This is a game on her part to draw out the hearing. I am willing to take a chance and disallow it.” (Exhibit #1)

Page 4, Paragraph 3: **The Court’s statements concerning the reasons for my request for a postponement of my hearing are inaccurate and do not adequately portray my medical condition** as noted by both my physicians. I submitted a Request for a six-week postponement of my hearing based on the written requests of both my physicians requiring that my hearing be deferred for six weeks for medical reasons.

Prior to my filing my First Amended Complaint, I had seen my physician, Dr. Peter Prociuk, who had assessed my symptoms consistent with EHS sensitivity and had prescribed a homeopathic remedy to help with my inability to sleep and my anxiety at not being able to think and organize my thoughts. Dr. Prociuk felt that as I was still fatigued and mentally unable to adequately prepare for my hearing, a six-week deferment of my hearing date was required for medical reasons. (Exhibit 5 of my Brief)

My other physician, Dr. Hanoch Talmor also wrote a letter (Exhibit #7 of my Brief) concurring with Dr. Prociuk's assessment of my condition and the necessity for a six-week deferment of my hearing. In addition, Dr. Talmor also expressed concerns for my condition because of the high radiofrequency radiation readings I had just taken in and around my home and especially in the vicinity of the AMR meter. When I first consulted with Dr. Talmor, I had just purchased a Cornet meter to measure the electro-magnetic radio frequency radiation around me. For whatever reason, the readings I had just taken were higher than my previous readings and this caused Dr. Talmor additional concerns because of how this can be contributing to my condition.

(See 66 Pa. Code C S. section 701, Pa 5.91 and 1.81)

**2. *The court erred in not permitting Dr. Andrew Marino's generic testimony to be admitted to my case.***

Pages 12 – 13 Decision

*On March 12, (?) Complainant sought to have admitted in to evidence the testimony of Dr. Andrew Marino, PhD...*

*Commission regulation 52 Pa Code 5.407 allows for admission of the records of other proceedings. However, as the Commission noted, where a party seeks to admit such evidence **after the hearing**, "admission of such extra-record testimony violates the principle of fundamental fairness and ...due process rights of other parties who have no opportunity to cross examine a witness in a separate hearing." (cited case...)*

At my hearing on November 14, 2016, I tried to ask some generic questions regarding Dr. Marino's testimony of my expert witness, Dr. Talmor. (Tr. 90). PECO kept objecting and the Court finally stated that **the issue of admitting Dr. Marion's testimony may be reconsidered and briefed later** (TR. 93). (I addressed this issue in my Brief, pages 27-29.)

I went ahead and included this request in my Brief because the Court said it could be briefed, and I have responded to PECO's Reply to this particular request. Pages and pages have been written. Since these Exceptions are to be concise, I just do not know how to pare all of that down. I am pro se and PECO's Reply would require me to be a seasoned attorney. It is not possible. I hope the Commission will review the very detailed information I wrote in my Brief and PECO's Reply. Judge Heep advised me and PECO by email order of March 23, 2017, that I had until Monday, March 27, 2017 to respond to PECO's reply which I received on March 20, 2017.

As for the points the Court made in its Decision on page 13, I had not even heard of Dr. Marino at the time I was to designate expert witnesses. I was very fortunate to be able to consult with both my physicians and pay for one to testify via my husband's wellness program through his company. As I testified (TR. \_\_), I had to use money set aside for dental work to pay for his testimony via Skye to accommodate his disability. And for the other two pro se complainants I knew about the financial burden was also too great even if we had known of someone.

I testified to the fact that I wanted to include Dr. Marino's *generic* testimony (TR. 90) in the three combined cases (Povacz, Randall/Albrecht and Murphy). Dr. Marino had not even met the Complainants in the combined cases and testified he only knew what their attorneys had told him about them. PECO conducted a deposition and cross-examined Dr. Marino extensively for the combined cases. (Povacz #\_\_\_\_) The combined cases were presided over by the same ALJs

Dr. Marino is for several reasons because his credentials and decades of experience and his participation in an experimental study that proved EHS is real (TR. \_\_). This supports my expert witness's testimony regarding my EHS and my medical records from both my physicians; and which refutes Dr. Israel's testimony in other cases (and now mine) - that it is his opinion that EHS is a psychological disorder based on the two or three industry-funded studies he cherry-picked from reviewing supposedly thousands of studies in order to support his opinion. TR\_\_ (Murphy case). Dr. Marino's generic testimony also disputes Dr. Davis's calculations as faulty. Dr. Davis relies on time averaging of smart meter emissions to factor out the strength of the very real exposures to radio-frequency and microwave emissions. He admitted this when questioned

by Judge Heep and myself (TR. \_\_). Dr. Marino has characterized Dr. Davis's testimony as biased and not based on scientific principles (TR. \_\_).

My Response to PECO's Reply:

PECO's due process rights were not violated at all by my request to use Dr. Marino's testimony in my case.

There is absolutely no difference in PECO's ability to "properly prepare to rebut Dr. Marino's testimony as it applies to me than in PECO's ability to properly prepare to rebut Dr. Marino's testimony as it applies to Maria Povacz or Laura Sunstein Murphy, or as it would have applied to Diane and Steve Van Schoyck, if they had not dropped out of the formal complaint process because they had to spend their money on going off the grid and could no longer afford to pay for lawyers.

PECO cannot claim now that PECO's due process rights were violated in preparing for those hearings. PECO cannot claim now that Dr. Marino's testimony would differ significantly and PECO's preparation for cross examination of Dr. Marino would have differed significantly if I had been able to afford to pay for Dr. Marino to testify on my behalf individually.

If you look at Dr. Marino's expert report that PECO had requested in the related complaints, and submitted to PECO on August 8, 2016, attached as Exhibit A, it is obvious that Dr. Marino's testimony would be generic, not specific to any one of the related complainants, and one important focus would be on EHS, which I suffer from, and that it would be unreasonable to subject anyone who suffers from EHS to be exposed to PECO's smart meters.

Dr. Marino's expert report says on pages one and two:

" Purpose

**Q. What is the purpose of your report?**

A. My first purpose is to express my professional opinion that there is a basis in established science for Complainants' concern regarding risks to human health caused by man-made electromagnetic energy in the environment, including the type of electromagnetic energy emitted by smart meters, and to describe the scientific basis of my opinion with particularity.

**My second purpose is to express and explain my professional opinion that it would be unreasonable to involuntarily and chronically expose the Complainants to the electromagnetic energy emitted by smart meters. Scientific evidence indicates that the neurological syndrome of electromagnetic hypersensitivity exists. There is a reasonable basis to believe that the symptomatology of the Complainants and its relation to smart-meter electromagnetic energy is factual. There is a basis in established science to support the Complainants' concerns that future exposure to smart-meter energy will worsen their already precarious medical conditions. Ample scientific evidence indicates that the aforementioned exposure would be a risk to the health of the Complainants."**

Marino expert report pages 1 and 2.

and from pages 18 and 19 of Dr. Marino's expert report:

**"The available scientific and clinical evidence shows that man-made electromagnetic energy can trigger a symptomatic response in some human beings. Most studies indicate 5-10% of the general population self-report as suffering from electromagnetic hypersensitivity. See Exhibit 2 at No. 141, 142, 143, and 144. The energy isn't a complete causal explanation for the syndrome in the sense that gravity explains why objects fall.**

**In a particular sufferer, the energy causes the symptoms in the sense that the symptoms would not exist at that time but for the presence of the energy. Because human beings are all different, the precise level of the energy that can trigger a response, the precise set of symptoms, and their requisite level and duration of exposure differ profoundly among sufferers. Presently the precise reasons why some humans report symptoms from man-made electromagnetic energy and others do not, why the symptoms vary from person to person, and how the symptoms depend on the levels and duration of exposure are all unknown. But**

**these unresolved issues do not undermine the scientific conclusion that man-made electromagnetic energy causes the reported symptoms in some human beings.**

**Q. Including energy from smart meters?**

**A. Yes.** That's the most reasonable inference I can make from the available evidence. There is no empirical evidence whatsoever to suggest that smart meters are somehow different from other sources of electromagnetic energy in some meaningful way that would eliminate concern about health risks or about triggering hypersensitivity reactions.

**Q. Is electromagnetic hypersensitivity like an allergic reaction?**

**A. Yes, in the sense that symptoms can flare or intensify when the person suffering from the disorder is exposed to levels of electromagnetic energy that normally don't trigger a symptomatic response in most people. But the condition is probably mediated by an aberration in the body's overall electrical regulatory system, not by an aberration in the body's biochemical-based regulatory systems, such as those that produce type-1 and type-4 allergic reactions.**

**Q. Is electromagnetic hypersensitivity a new condition that has just begun to appear recently?**

**A. During the last 35 years I met many people with self-diagnosed electromagnetic hypersensitivity. Public concern about it increased greatly during that period, especially after the increase in man-made energy in the environment that occurred following development of cellphones and wireless networks. Electromagnetic hypersensitivity can now be recognized as a part of the larger problem regarding the public-health risks of man-made environmental electromagnetic energy."**

and on page 26 of Dr. Marino's expert report:

**" But as with allergies, the diagnosis (of EHS) will be based on the treating physician's experience and personal observations of the particular patient in relation to the general guidelines, not on an objective scientific study such as the one done by colleagues and me".**

Dr. Marino is eminently qualified as an expert witness. He was admitted as an expert witness in the related complaints. And his testimony in the related complaints bolsters that of my expert witness, Dr. Talmor, who, after lengthy telephone consultations with me, submitted copious medical testimony as to my EHS. Dr. Talmor has decades of experience treating patients with EHS like myself.

Dr. Marino's testimony also underscores my medical records I submitted from my treatment by Peter Prociuk, MD, a board-certified Pennsylvania licensed internal medicine practicing physician, who also diagnosed me with EHS. (Brief Exhibits #s 5 and 6). And in Dr. Marino's own words, the diagnosis will be based on the treating physician's experience and personal observations of the particular patient".

PECO had more than adequate time to prepare for its cross examination of Dr. Marino, Dr. Talmor and myself. PECO had more than adequate time for its expert witnesses to prepare to testify in my complaint. PECO's expert physician testified that he had seen Dr. Talmor's and Dr. Prociuk's medical records in my case. The admission of Dr. Marino's testimony into my case will not prejudice PECO in any way whatsoever, but the admission of Dr. Marino's testimony into my case will bolster that of Dr. Talmor and will help level the playing field of pro se complainant who could not afford to hire Dr. Marino directly as her expert witness.

PECO says, in its III discussion, that "the proffered testimony from Dr. Marino is technical, scientific testimony. Preparation to respond to such testimony requires PECO to undertake multiple tasks, which at a minimum include: (Discovery of the expert regarding the basis for the expert's general opinion (2) cross examination of the expert regarding the basis for the expert's general opinion (3) and (4) (same thing repeated) discovery of the expert regarding the expert's knowledge of the Complainant's individual situation, and how his general opinion relates to her specific situation (5) discovery and cross examination of other witnesses, including the Complainant, regarding the interplay between their testimony and Dr. Marino's expressed opinions (6) responsive testimony from PECO's experts."

PECO is grasping at straws here. I am only asking to admit Dr. Marino's testimony in my complaint. Dr. Marino's testimony as to my situation would not have differed from his testimony in the Povacz or Murphy situations, both of those customers have EHS. And his testimony also applied to the Randall/Albrechts, neither of whom have EHS, but they are both disabled under the definition of "disabled: in federal disability laws. Dr. Marino testified that he never met any of the Complainants, never talked to any of them, and only knew what he knew about the complainants what their lawyer told him. *Povacz*: \_\_\_\_\_. If I had been able to afford a lawyer, my lawyer would have told Dr. Marino that I was EHS and I have doctors' medical records to that effect. That is all the information that Dr. Marino would have gotten about me if I could have afforded a lawyer and if I could have afforded to hire Dr. Marino as a second expert witness in my complaint.

PECO is mistaken when it says on page 4 of its reply, that I have "no record evidence" on page 28 of my brief, that my "symptoms make me medically similarly situated to Ms. Kreider, Ms. Povacz, and Ms. Murphy." PECO is mistaken when it says on page 4 and 5 of its reply, "Ms. Paul's unproven assertion that she is the same as all of the other complainants, notwithstanding she doesn't claim to have any of those conditions, is simply that --an unproven assertion".

This is another example of PECO picking and choosing what facts to highlight. Just because Ms. Kreider had vaccine injury and Ms. Povacz has hypothyroidism and Ms. Murphy has Ehlers Danlos and lipedema, does not change the facts, which came out in all these hearings, that **each of them and myself also have EHS**. How we developed EHS and what our comorbidities are, are irrelevant, just as our ages and our hair color are irrelevant. No one knows how EHS develops. There are theories as to what causes EHS, but because EHS is a syndrome in its infancy, as testified by Dr. Prociuk, the medical establishment does not simple blood tests or simple diagnostic tests to test for EHS. Nor are there standard treatments for EHS, except to avoid exposure wherever possible, as both Dr. Talmor and Dr. Marino testified to.

**Ms. Kreider, Ms. Povacz, and Ms. Murphy and I all have EHS**, (or "had" in the case of Ms. Kreider). **That is the important fact**. We are (or were, in the case of Ms. Kreider) all very sensitive to electromagnetic energy emitted by PECO smart meters. It makes us sick. Two

physicians have testified that I have EHS. Ms. Murphy's physician, Dr. Prociuk, testified that she suffers from EHS. Dr. Talmor testified that Ms. Povacz has EHS. Ms. Kreider testified in her hearing that she had EHS, and she died from it not long after the initial ruling in her complaint.

PECO is making an impossible argument that I never made. PECO is saying on page 5, that unless my medical history was identical to the medical history of Ms. Povacz, Kreider, and Murphy I cannot use Dr. Marino's testimony in my case. That is ridiculous on its face. No two people, even identical twins, have the exact same medical history. And PECO cannot use that to exclude Dr. Marino's testimony as EHS to enter into my complaint. PECO is lying when PECO says "that is exactly the sort of issue that could have been the fair focus of discovery and cross-examination". There is no issue as to whether I have EHS. I do have EHS. Dr. Prociuk's medical records examined by Dr. Israel, and Dr. Talmor's medical records examined by Dr. Israel both say I have EHS. Dr. Talmor explained at length why he diagnosed me with EHS. I testified that I have EHS.

PECO has cross examined Dr. Talmor. PECO has cross examined me. PECO has cross examined Dr. Marino. There is no evidence that PECO cross examined Dr. Marino as to the other medical symptoms experienced by the other complainants in the related cases. And PECO would not have done any differently if I had been a physical part of the related cases, either.

PECO would not have cross examined me or Dr. Talmor any differently in the context of Dr. Marino's testimony either, as PECO says on page 5. This makes no sense. PECO had Dr. Marino's testimony and cross examination done in September 2016, except for Dr. Marino's January 2017 rebuttal testimony, by the time of my hearing in November.

Dr. Marino's report states that each individual with EHS reacts differently. " Because human beings are all different, the precise level of the energy that can trigger a response, the precise set of symptoms, and their requisite level and duration of exposure differ profoundly among sufferers. Presently the precise reasons why some humans report symptoms from man-made electromagnetic energy and others do not, why the

symptoms vary from person to person, and how the symptoms depend on the levels and duration of exposure are all unknown. But these unresolved issues do not undermine the scientific conclusion that man-made electromagnetic energy causes the reported symptoms in some human beings." page 18.

Dr. Marino testified that EHS affects each individual differently. Just because I have a different medical history in some respects from the related complainants, does not undermine the fact that I suffer from EHS, like Ms. Kreider, Ms. Povacz and Ms. Murphy. And don't forget that the Randall/Albrechts do not have EHS, yet, Dr. Marino's testimony was germane to them too, because the Randall/Albrecht's physicians advised them to avoid unnecessary exposure to microwaves due to their medical conditions.

If PECO wants to put in its responsive testimony from the Povacz, Randall/Albrecht and Murphy dockets, stated on page 5 of the PECO reply, PECO should make that request of the judges and let me respond to that request. Frankly, without looking at the PECO expert responsive testimony, I don't know what to say about that now, except that if PECO wants to put in the responsive PECO expert testimony, then all of the PECO expert testimony must come in, including the cross examination of the PECO expert testimony, which might make a huge record in my case and might get confusing.

PECO has the obligation to prepare briefing for the related cases. PECO had fair warning from my hearing in November, that I was probably going to argue including Dr. Marino's testimony in my brief, because the Judges said I could. (Tr.93). PECO cannot cry "unfair" now, because PECO failed to include the possibility of Dr. Marino's testimony coming in. I only used a small portion of Dr. Marino's testimony in my findings of facts, and it bolstered the expert testimony of Dr. Talmor, which PECO certainly was well prepared for.

There is no prejudice to PECO in including Dr. Marino's testimony in my proceeding. PECO, with all its lawyers at its disposal, with all its access to PUC records and legal search engines, has not come up with a single PUC case that would forbid me from including Dr. Marino's

testimony in my formal complaint. PECO has not come up with a single case which require me " to be held to a more stringent standard" on page 6.

In fact, as I found out, under the PUC laws, pro se complainants are given much more latitude than the utilities, with good reason. We don't know the law. We have very limited resources. We are not lawyers and we cannot afford to hire lawyers. It is a good thing for me that pro se complainants are given more latitude than utilities. It helps a teeny bit to even the score, even if I am starting out with 2 strikes against me. I am disabled and I can't afford a lawyer or more than one expert witness. In fact, as I testified and as I said in my brief, I had to forgo necessary dental work which might help with my EHS in order to pay for Dr. Talmor's videoconferencing required by PECO. (TR\_\_)

Rule 5.407 allows me to ask for inclusion of Dr. Marino's testimony in my proceedings. It should be weighed the same as it is weighed by the same judges as are weighing my whole complaint, as they are weighing the complaints of the related parties.

In the alternative, whatever the ALJ's have to do consistent with this Commission Order above, to take judicial notice of Dr. Marino's testimony in the related complaints into my complaint, should be done.

If the rules do allow me to include only portions of Dr. Marino's testimony, despite what PECO attorney Ward Smith said in my hearing, then please admit the portions of his testimony talking about EHS and what Dr. Marino said to refute what PECO experts said about the harmful effects of the PECO meters as to sensitive customers. Given enough time, I would be happy to go over Dr. Marino's testimony and tell you what portions to include. But since attorney Smith said the rules require all the testimony to come in, I asked for all his testimony to come in. If Smith was not telling the truth, I would be happy to provide exact page references to shorten the record considerably.

PECO admits, as it should, that PECO had ample time and resources to prepare for all the technical preparation of its lawyers and its expert witnesses in dealing with Dr. Marino's

testimony for the related cases. So, my complaint would NOT have required extra time and preparation. PECO already prepared its experts and its cross examination of me and Dr. Talmor. The least that the PUC judges should do is grant my reasonable request. To not include Dr. Marino's testimony, or a portion of it if I am allowed to include only a portion of it, would be highly prejudicial to me, a pro se complainant, without the means to hire two expert witnesses, and would not violate any of PECO's rights in my proceeding.

**3. *The Court erred in not giving full weight of the evidence in Dr. Talmor's testimony as to my EHS, which could not have been successfully rebutted by Dr. Mark Israel, a pediatric oncologist who had never met me.***

***The court erred in believing D., Mark Israel, a pediatric oncologist who had never met me and never treated a single EHS patient, over my expert witness, Dr. Hanoch Talmor. Dr Talmor has had over 16 years' experience treating EHS patients.***

Dr. Talmor took a detailed medical history of me, and consulted with me regarding my symptoms. Dr. Talmor testified credibly in response to Judge Heep's question whether EHS was "real or just a psychological disorder", (Tr:68), that EHS is "absolutely real", a physical syndrome, with sometimes severe health problems, directly related to exposure to electromagnetic energy in the form of radiofrequency or electromagnetic energy. Tr: 68.

Dr. Talmor diagnosed me with EHS (Tr: 81) which is a symptomatology he has specialized in since 2000. He noted that many of my EHS symptoms were similar to other patients of his: heart palpitations, ringing the ears, insomnia, depression, confusion, weakness, inability to concentrate, eyesight muscle issues. Tr: 81-82.

Dr. Talmor testified that I was sensitive to microwaves from the HVAC, Wi-Fi, cell phones and smart meters in the neighborhood, and had to be careful around them. Tr: 81. On cross examination, Dr. Talmor explained credibly that he based his diagnosis of me based on my medical history and I was genuine and I would not be making up stories. He also testified on

cross examination that my symptoms were similar to those of “many, many” of his patients. Tr: 104. Dr. Talmor testified on cross examination, that although there could be several causes of insomnia and heart palpitations, the fact that I experienced heart palpitations when exposed to electromagnetic energy and my heart returned to normal afterwards was a strong indication that my symptoms were caused by EHS and not some other factor. Tr: 105.

He testified credibly that his patients’ symptoms occur directly from exposure to radiofrequency fields and electromagnetic fields. Tr: 68. He testified credibly that most patients with EHS are most affected by smart meters, radiofrequency fields, Wi-Fi, and cell phone antennas, with ill health effects depending on intensity of the radiation, distance of the individual from the exposure and sensitivity of the individual. Tr: 69, 72.

Dr. Talmor testified that examining the environment and measuring the microwaves was important: Wi-Fi can cause EHS; removing it eliminated depression in one patient. Tr: 70.

Dr. Talmor testified that an elderly patient had been doing well and requested a home visit. He visited her home and noticed a bank of four analog meters. He advised her not to have the analog meters replaced with Smart meters in the future. A year and a half later, the elderly patient had developed cancer, and was not able to sleep well at night. Dr. Talmor went to her home again and discovered that the four analog meters had been replaced with smart meters. She moved from that location, and improved immediately. (Tr: 70-72) Dr. Talmor testified credibly that many of his patients have developed ill health from smart meters. Tr: 72.

Dr. Talmor explained that the reason this was so, was because the body runs on electricity; the heart, brains and nerves run on electrical impulses. The brain and heart electrical systems can be scanned with EKG and EEG machines. The heart electrical impulses are actually so strong, an EKG can be taken several feet away from the heart. (Tr: 72) When the body is exposed to radio frequency or low frequencies of electromagnetic energy, it can interfere with the body’s electrical system. Tr: 72.

Dr. Talmor testified credibly that my EHS is similar to many of his patients, except that my sensitivities are even more pronounced. Tr: 72, 81. He testified credibly that sensitivities can develop over time, but one of his patients took six months to recover from just one use of a cell phone, so variability of individual tolerance for toxins, including electromagnetic energy, was very important to understand. Tr: 74-75.

Dr. Talmor's testimony regarding the prevalence of EHS and the volume of literature showing that electromagnetic energy can cause negative health effects was not contested by PECO. Tr: 76. 250,000 Swedish people with EHS are recognized as disabled by the Swedish government. It cannot be denied that, just like allergies to peanuts or penicillin, EHS exists, it is not a psychological disease. Tr: 76.

Dr. Talmor testified that ill health suffered by EHS patients are extremely variable, but examples are brain fog, depression, seizures, inability to function, confusion, rashes, and total incapacitation. Tr: 77-78.

Dr. Talmor testified that removal of the source of electromagnetic energy, the smart meter, was very important and patients see an immediate improvement. The patients have to mitigate all other sources of microwaves including Wi-Fi. Tr: 78.

Dr. Talmor testified credibly that certain factors predispose some people who are already weak, to develop sensitivities, such as metal toxicity especially mercury in the mouth in fillings, which affects every single system in the body, and those factors have to be lessened to the greatest extent possible in those with EHS to improve their health. Adding radiofrequency to mercury toxicity from teeth fillings affects the brain and nerves especially. Tr: 79-80. PECO forced me to spend monies I had set aside for removal of my amalgam fillings, which removal has benefitted other EHS individuals, but I had to use that money to pay for video conferencing of Dr. Talmor testimony required by PECO.

Dr. Talmor testified that the Lamech Australian study (on smart meter exposure symptoms) and “many, many (other) studies” show that exposure to radiofrequency fields can have significant side effects. Tr: 82.

Dr. Talmor testified credibly that radiofrequencies in my daily life, because of my EHS have made me totally disabled, that I cannot live a normal life and I am basically home bound. Tr: 83.

Dr. Talmor testified credibly that PECO should remove the AMR meter from my home, and replace it with a mechanical analog meter, in addition to replacing the two neighboring homes’ AMI meters with mechanical analog meters because of my extreme sensitivities. I should never have wireless Wi-Fi in my home because I am so sensitive. Tr: 83-84.

in fact, Dr. Talmor testified that placing a mechanical analog meter on my home instead of the AMR meter might not be sufficient to relieve my symptoms, but my health may require PECO to replace my closest neighbors’ meters with mechanical analog meters, also. Tr: 84.

Dr. Talmor testified credibly that the FCC limits did not protect anyone who was sensitive with EHS from ill health effects. Tr: 88.

Dr. Talmor testified credibly that moving an AMI meter 40 feet from my home might improve my symptoms but would not alleviate all my symptoms. He also testified credibly that some EHS patients are so sensitive to the harmonics caused by the digital meters, that the use of mechanical analog meters on their homes and the homes of their nearest neighbors is the only method that will relieve the EHS symptoms in those patients. Dr. Talmor testified credibly that some of the devices he sells may serve to reduce some EHS symptoms in some patients, but the results are variable depending on the patient. Tr: 111.

On cross examination, Dr. Talmor testified credibly that universities and those who support research into electromagnetic field ill health effects often are not interested in full disclosure on the downside of these types of technology. Tr at 102.

On cross examination, Dr. Talmor testified credibly that replacement of my AMR meter and those of my immediate neighbors with analog meters would improve my quality of life. At least I would have a safe place to recuperate at home. I might be able to go into town for longer periods of time because my body would not be as weak as it now. The radiofrequency fields make me weak, it is not just the symptoms, it is weakness, but at least at home I would be safe. He also answered questions about cell phone usage, using speakerphone for brief periods of time, may be tolerable; refrigeration is not the electromagnetic energy that I am particularly sensitive to, it is radiofrequency I am particularly sensitive to. Everyone is different. I should avoid being near anyone who is using a cell phone. But to what degree I can improve, that remains to be seen. Tr: 111-114.

**4. *The Court erred in not considering how, even if legal, the addition of an AMI meter onto my property would cause me grievous bodily harm just as the Commission ruled in case # C-2016-25473222, Robert J. Mattu.***

I am not asking for a blanket exception from the AMI meters for everyone- just for me based upon my need to avoid all wireless ...due to my EHS. The Commission ruled that these issues have to be decided on a case-by-case basis, and just because the utility followed all the rules, does not mean that a practice is safe for every single customer.