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November 17, 2017

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

**RE: Tony Ramos v. PECO Energy Company
PUC Docket No. C-2017-2623107**

Dear Ms. Chiavetta:

Enclosed for filing with the Commission is *Motion of PECO Energy Company Requesting an In Person Hearing* 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,



Shawane Lee
Counsel for PECO Energy Company

SL/alb
Enclosure

cc: Honorable Katrina L. Dunderdale

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

TONY RAMOS	:	
	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2017-2623107
	:	
PECO ENERGY COMPANY	:	
	:	
Respondent	:	

**MOTION OF PECO ENERGY COMPANY
REQUESTING AN IN PERSON HEARING**

PECO Energy Company ("PECO Energy"), hereby requests that the telephonic hearing scheduled on November 29, 2017, be converted to an In Person hearing before Administrative Law Judge Darlene Davis Heep and states the following:

1. A telephonic hearing is scheduled to take place November 29, 2017, before Administrative Law Judge Katrina L. Dunderdale.
2. In his formal complaint, the Complainant disputes a bill transferred to him and threatened service termination arising from a \$9,018.27 bill.
3. In addition to the billing dispute, the Complainant ticks the box "I am having a reliability, safety or quality problem with my utility service." The Complainant alleges in his complaint that he has "suffered health issues and strange electrical issues" since his PECO Smart Meter was installed. The Complainant requests to replace his AMI meter with an analog meter and stated he will obtain a medical certificate if needed.
4. On January 28, 2016, the Commission issued an Order in the matter Susan Kreider v. PECO, C-2015-2495064, which for the first time, allowed an evidentiary hearing on whether radio frequency fields from PECO's AMI meters caused or exacerbated human health effects.

5. Since the Kreider Order, the Commission has permitted PECO customers to proceed to hearing on their claims of AMI health effects.

6. The AMI health effects hearings have been scheduled before Administrative Law Judge Darlene Davis Heep who has, to date, presided over thirty-four (34) AMI health cases and has seventeen (17) cases scheduled for hearing through April 2018.

7. To defend against the AMI health effects allegations, PECO presents a medical doctor to testify that PECO's meters do not cause health effects. PECO additionally presents a physicist to testify to the Radio Frequency levels of PECO's meter, and a PECO engineer to testify regarding the Landis and Gyr meter and PECO's tariff. These witnesses must appear before Administrative Law Judge Heep in four separate matters on December 5-15, 2017. They will thus be engaged in intensive hearing preparation in the days prior to those already-scheduled hearing dates, and are not available for hearing on November 29.

8. As the Complainant has raised a health effect from PECO's AMI meter, PECO will need to put on a full defense of its expert witnesses.

9. A standard AMI health effects case is held over a minimum of an eight-hour hearing day. Because of the technical nature of the testimony to be presented and hearing duration, PECO Energy is requesting the case to be held in person and before the Public Utility Commission Administrative Law Judge assigned to the health matters.

10. Additionally, the company will not be able to adequately present the company's expert testimony with the data, graphs and records if the hearing is conducted telephonically.

11. PECO avers that the Complainant will not be substantially prejudiced if he is to appear in person in the Philadelphia office because his Delaware County residence is only 31 minutes away from Philadelphia.

12. PECO has reached out to the Complainant and left a voicemail message and sent email correspondence requesting his position on PECO's request. The Complainant has not responded.

13. Accordingly, based on the AMI health effects allegations raised in the Complainant's formal complaint, PECO Energy requests that the telephonic hearing be converted to an In Person hearing before Administrative Law Judge Darlene Davis Heep.

WHEREFORE, PECO requests that the telephonic hearing be converted to an in person hearing in the Philadelphia Administrative Law Judge offices before Administrative Law Judge Darlene Davis Heep.

Respectfully Submitted,



Ward Smith
Shawane L. Lee
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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

TONY RAMOS

Complainant

v.

PECO ENERGY COMPANY

Respondent

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:
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DOCKET NO. C-2017-2623107

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.



Shawane L. Lee

Date: November 17, 2017

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

TONY RAMOS	:	
Complainant	:	
	:	
v.	:	DOCKET NO. C-2017-2623107
	:	
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 Motion in the above matter upon all interested parties by mailing and emailing a copy, properly addressed and postage prepaid to:

Tony Ramos
1557 Chichester Avenue
Linwood, PA 19062
Via Email – marine7@outlook.com

Administrative Law Judge Katrina L. Dunderdale
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222
Via Email



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Shawane.Lee@exeloncorp.com

Dated at Philadelphia, Pennsylvania, November 17, 2017.