

Michael W. Chattin
PO Box 201
Rome, PA
18837
570-731-0114
December 1, 2017

RECEIVED

DEC - 1 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
PO Box 3265
Harrisburg, PA 17105-3265

RE: Michael W. Chattin v. PENNSYLVANIA ELECTRIC COMPANY
DOCKET NO. C-2017-2630649

To the PENNSYLVANIA PUBLIC UTILITY COMMISSION:

You have not responded to my formal complaint dated October 17, 2017 (enclosed sans exhibits) wherein I challenged you to produce your legal authority to mandate smart meters. Instead you chose to respond by citing your own PUC regulations 52 Pa. Code 5.61 in a flimsy attempt to stall, to restate and re-direct, and to control the essence of my complaint. Let me be clear again. When I asked you to provide me with your legal authority to mandate smart meters according to Act 129 (or any act for that matter), I did not ask you to cite your own regulations. Your regulations are not law. Therefore I must reject your entire answer (dated November 13, 2017) to my complaint of October 17, 2017. It is therefore clear that you wish to make my case about my alleged non-compliance with your regulations and not about the law (Act 129) which **does not** provide you the authority to mandate smart meters to individuals as you so exuberantly claim. Act 129 does mandate that electric power companies begin to implement the use of smart meter technology but with regard to the individual customers; implementation is spelled out in the Act in section 2807 (f)7(2)i – where implementation shall be “upon request from a customer that agrees to pay the cost of the smart meter at the time of the request.”

In summary, you have not answered my complaint. Therefore I consider your attempt to answer to my formal complaint of October 17, 2017 with your own regulations to be null and void as it is nothing but a tactic to avoid my **legitimate complaint** and as such is irrelevant to the question of your legal authority which is currently **not** in compliance with the law (Act 129). Therefore I will restate my original complaint. (enclosed except for exhibits)

I remain Sincerely,


Michael W. Chattin

COPY

Michael W. Chattin
PO Box 201
Rome, PA
18837
570-731-0114
October 17, 2017

COPY

PUC RE: Smart Meter Complaint
PO Box 3265
Harrisburg, PA 17105

To the Smart Meter Division of the PUC:

I am filing this formal complaint with your office due to the unwarranted and ruthless behavior on the part of our power company PENELEC. We have been threatened with having our power cut off and indeed did have our power cut off in the first week in July this year all because we decided to exercise our right to decide whether we will have a smart meter or not under (exhibit#1) the Act of October 15, 2008 P.L. 1592, No. 129 section 2807 (f)7(2)i which states: "upon request from a customer that agrees to pay the cost of the smart meter at the time of the request." This obviously means that I will get a smart meter if and when I (the customer) requests one. In fact, there is no mandatory language here or anywhere else in the entire act. The PUC is in direct conflict with this law by stating on its website (Smart Meter Q&A page) (exhibit#2) that smart meters are required in Pennsylvania. The PUC cites Act 129 as their authority but never provides a direct quote of the law. If it did, The public would become aware that they have a choice with respect to having a smart meter or not under this Act 129.

In our case our choice not to have a smart meter is a medical one. My wife Melanie is being treated for cancer and as such cannot have any more radiation due to her medical history. Her doctor, Dr. John Neely, wrote in a letter (exhibit#3) to PENELEC: "Melanie has no ability to tolerate any radiation from devices such as microwaves, cell phones, beepers, monitors, smart meters, etc. and has therefore had to eliminate all these items from her life." The letter goes on to explain why Melanie, who is under constant medical care, must have electricity to maintain her medications, climate control, and treatments. Therefore, arbitrarily cutting off power to her (our) home is out of the question and must not even be considered. (10 DAY SHUT-OFF NOTICE-June 2. 2017 exhibit#4)

PENELC did in fact shut off our power in the first week of July 2017. After PENELEC received Dr. Neely's letter, they turned the power on July 12, 2017. My wife Melanie and I were out of electricity, water, air-conditioning, refridgeration, and everything else electric for 4 (four) days. We have losses of expensive medications and
page one

food. In fact PENELEC has threatened our lives which such behavior. Now they are threatening to repeat this punishment all over again (exhibit#5) unless we take their smart meter. I know we are not alone. We have been speaking to others and if things do not improve real soon, it is beginning to smell like a class action suit of huge proportions. It is possible that PENELEC has already killed people by shutting off their power. I hope this letter has clarified the reasons for my complaint. Since when do Americans have no choice about the power they buy?

In summary, neither PENELEC nor the PUC has any authority or right to either: make law, modify any existing law, or threaten the lives of American citizens with their self-serving interpretations of the law. Only the legislature, which are the people, can actually make law. The People of Pennsylvania have *never* approved any mandated plan to force everyone to use smart meters. It is on this fact that my case rests. Both PENELEC and the PUC must therefore withdraw their mandate for smart meters. I would be relieved if you would withdraw those demands for me and my wife but I would not be satisfied. If you do not withdraw your demand for us to get a smart meter, then you will shut off my power again and I will be forced to sue you. If my wife dies as a result of this, you will be facing a wrongful death suit as well. Please do the right thing and allow Melanie and I to keep our old meter. In the end, it is a small request and legal under Act 129. I am,

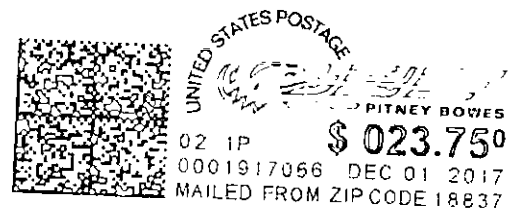
Michael W. Chattin

P.S.- exhibits #1,2,3,4 are enclosed

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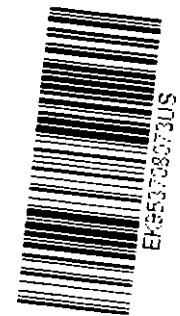
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