

Reply to PECO's Motion to Require In-Person Testimony  
Docket No: C-2017-2621057

February 20, 2018

Your Honor,

Please forgive the novice errors of a litigant trying to fight an electric company pro se. The expense of hiring a lawyer to appropriately represent me while nothing more than simply asking for a medical accommodation (or have my electric power terminated) was estimated to be about \$100,000 - 150,000, with no guarantee of succeeding. The expense of this for our family is prohibitive and not reasonable. My entire case is about what is 'safe' and 'reasonable' as specified in Section 1501. Is it reasonable to have a customer pay over a hundred thousand dollars to hire counsel in order to fight for safe power?

Furthermore, any in-person testimony from an out of state expert witness is very expensive. The amount of stress and time alone to our family while preparing for this hearing pro se is unconscionable. My husband and I both have busy jobs, busy children, elderly parents (and just recently a death) and a business to maintain at the same time. Preparing for legal hearings is not our full time job as it is for PECO's counsel. Nor do we have anywhere near the same amount of financial resources as PECO has to dedicate toward fighting for safe and reasonable electric service.

Regarding Dr. Rea, I asked him if he would testify for me via teleconference. I did not ask him if he would travel. Again, I reiterate the expense of this process. Dr. Rea lives in Texas. He is a busy physician and runs a busy clinic in Dallas. His hourly rate is not inexpensive at his own clinic. I made the assertion that Dr. Rea is only available via teleconference from our perspective due to the expected extraordinary expense of paying for his time and travel expenses. I have already spent quite a bit of money traveling to Texas to see him, in part to acquire medical documentation for my case. There is no financial reward for us in this PUC case, and no financial reimbursements. Our expert witness costs cannot be absorbed by a \$1.5+ million customer base, as can PECO. The best outcome for us in this case is an electric meter that does not make me sick.

I included Dr. Rea on the expert witness list because I expected him to be my expert medical witness. Dr. Rea cannot walk, and is in his mid 80s. I have observed him valiantly negotiating 8 feet down the hall to his exam from his office using a walker with visible difficulty. With this cognitive observance, one easily concludes traveling to Pennsylvania is, at best, a hardship. I was aware Dr. Talmor testified from Florida in another case, and I had no reason to believe that this accommodation would not be granted to Dr. Rea as well. Even if Dr. Rea's time and travel expenses were not a limitation, I am most uncomfortable asking him to travel for reasons of respect, courtesy and common sense.

Regarding Dr. Milham...he told me he traveled to Arizona (begrudgingly, I understand) but isn't traveling to Pennsylvania, but would be happy to testify remotely. The prior PA PUC court cases of which I am aware were heavily weighted toward the health effects of RF damage from smart meters. It is imperative in our case to bring forward an additional known cause of health problems caused by smart meters, and I am aware of no other qualified expert for this problem than Dr. Milham. Since he has already stated that he would not travel to testify, making him attend in person would make it certain that he could not testify. In essence, it blocks us from even having a witness in this area. Blocking him from testifying at all is simply inequitable.

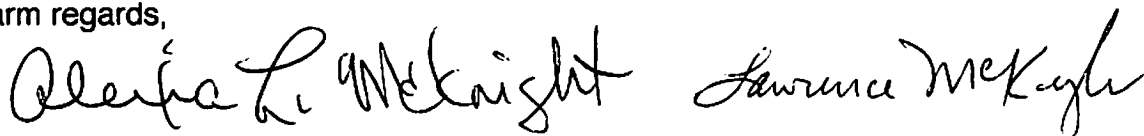
We have no intent on denying PECO opportunity to cross examine. However, physical presence is not needed to accomplish this. Teleconference allows real time question and answer. We could propose a video conference, which is even higher bandwidth to see faces and expressions, if that was a concern, although video may introduce more technological wrinkles, and additional expense for video equipment. However, in the end, the essence of the testimony will be recorded on written form only, and details of facial expressions would not be documented under any circumstance.

If PECO feels disadvantaged by my out-of-state experts, I'd remind PECO that they have tremendous advantage in time, legal resources, finances, and staff that I do not. Back and forth communication to my witnesses is available to them by preparing in advance as well as emailing and faxing in real time, if necessary.

I believe this is a tactic of a large corporation with extensive legal resources to intimidate a small family where they know well can't afford to fight in the same way. They know that if we cannot bring expert witnesses that they can and will attempt to throw out any evidence we present as hearsay. Alternatively, if they can attempt to cause us excessive expense to the point we have to give up or go bankrupt, they can win without ever having to prove their case.

Your Honor, thank you for your strong consideration. I am asking that you allow me to provide expert testimony without any additional financial burden on me, or any unnecessary burden on my elderly witnesses.

Warm regards,

The image shows two handwritten signatures in black ink. The signature on the left is 'Alexia L. McKnight' and the signature on the right is 'Lawrence K. McKnight'. Both are written in a cursive, flowing style.

Alexia L. McKnight  
Lawrence K. McKnight