

Rosemary Chiavetta, Secretary, PA PUC, Commonwealth Keystone Bldg. 400 North street, 2 nd Floor Harrisburg, Pa 17120

West Penn Company;

April 4, 2018.

First Energy Service Company; 2800 Pottsville Pike, P.O. Box 16001, Reading Pa, 19612-6001.

Docket # C-2018-3000257

Kim Betchy, @ 140 Inwood Ave. Carmichaels, Pa 15320.

my response to your preliminary objections:

I just realized, that I mailed my response to W.P.P.c. address instead of what was on the paper work, so I will correct that and get this add-on to you.

Also, I was to respond with in 10-days. The paper work was drafted on March 26, 2018; post marked on March 28, 2018 and I did not receive it until March 30, 2018. So therefore, that does not allow much time to prepare, but I will do my best.

The previous response was mailed out on April 3, 2018.

You stated that if the Commission did rule in the Complainant's favor and required the company to remove the currently installed a smart meter at the service location, the Commission would be forcing the company to be in violation of Act 129. The company would not be in violation cause Act 129 does not mandate for install and it is not a law. But, you are in violation of forcing those smart meters on customers, spying, invading their privacy, with out their consent and dangers to ones health!

I should not have to bear the burden of proof to show that the AMI Smart Meters are unsafe. In general, there is no proof that these meters are safe, other than by PECO'S employee and their paid expert witness testimony and with no outside third party certification on the meters, e.g., Underwriters Laboratories (UL) seal or approval. I here just attempting to inflict their unsafe meters upon us with out our consent; against basic fundamental property rights; and in excess of PECO's regulatory authority granted by both federal and PA law. Both those government authorities make the smart meter program voluntary only Published 109-58 the Energy Policy Act of 2005.; 1252. Smart Metering; PA; HB2200, 2807 (f) 7 (2) and PA, P.L. 1592, No. 129.

Current standard AMI Smart Meters contain numerous plastic parts which are prone to overheating (thus the built-in PECO " alarm system "), especially if or when PECO sends out microwave message instructions to their meters to raise temperature monitoring levels to prevent summer heat buildup "false alarms." Standard AMI Smart Meters are not built with surge resistors. The meter has flammable plastic meter parts, establishes PECO's legal culpability for supplying unsafe and unreliable utility service, something violating the PA PUC Mission

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statement.

Consumers are forcefully subjected to 3.5 GHz and an added 2.4 GHz without their knowledge or consent with unknown side effects, which basically is an experiment on the human organism. Our homeowners insurance will not cover that unsafe meter if it would catch fire and burn ones home down. what does that tell us ? They will not cover it because it does not have the (UL) sealed approval on it. Will the power company's pay for their homeowners policy (FIRE LOSS)?

PECO fails to provide additional incriminating information, the Port Angeles City Council Public Works and Utilities in Washington State ended the Smart Meter program and approved a \$ 1.8 million settlement so that all water and electric meters will be free of the controversial, electromagnetic Smart Meter components.

Act 129/SB2200 as published in the public record did not mandate AMI Smart Meters. Based upon the preponderance of evidence that the PA, State Legislature did not vote into law a mandatory smart meter bill/act, as published in the public record, the PA PUC is guilty of administrative agency overreach in creating regulations contradictory to legislation passed by the only law-making entity in the state-the State Legislature. Therefore, according to the laws of the Commonwealth of PA and the United States of America, I should not be made to accept an UNICERTIFIED as "safe" AMI smart meter, nor have my electric service terminated because I am not in violation of Act 129/SB2200.

CONCLUSION AND PROPOSED ORDERING PARAGRAPHS;

Whereas, this case comes before this Honorable Court seeking a decree of relief from legal and customer harassment tactics by PECO and the PA PUC regarding the mandated retrofitting of an AMI Smart Meter on to me @ 140 and 150 Inwood ave. Carmichaels, Pa, 15320.

That I am not in violation of Act 129 with no termination of electric power service to my home and the other home @ 150 Inwood ave, Carmichaels, Pa 15320 as I provided a preponderance of evidence that Act 129/HB2200 is illegally enforced due to the administrative overreach of the PA PUC which, therefore, makes the act as implemented and administered by the PA PUC not enforceable. Whereas I seek to have my US Constitution and Pennsylvania Constitution rights to remain intact; enforced, not violated, nor impinged upon by PECO and / or the PUC. Whereas the ADA requires that I should at a minimum be reasonably accommodated, and not forced to have a smart meter, which may kill me or adversely affect my health, as so many other cases before this Honorable Court have claimed but have been overruled.

Furthermore, my electricity as an older American in winter cold and summer heat and humidity should not be disconnected. This is a threat to my very life. PECO seems unaware of the consequences of their draconian demands. Reasonable accommodation on the part of PECO, including the PA PUC's erroneous interpretation of HB2200/Act 129 (2008), Whereas, Act 129 (2008) implementation regulations generated by the PA PUC and PECO's smart meter retrofits

are at legal variance with HB2200, 2807 (f) 7 (2) Legislative History as published of public record and enacted into law, and must be enforced retroactively for all utility customers in the Commonwealth:

I request that this Honorable Court to instruct the PA, PUC to issue immediately revised and corrected implementation rules and regulations for AMI Smart Meters for electric, natural gas and water utilities customer services to reflect the non-mandatory status of smart meters the PA, State Legislature intended, enacted and was published of public record in the PA House and Senate Journals, and further issue automatic opt-outs with no special service fees, as PA consumers have suffered greatly due to misinformation and faulty implementation rules and regulations, including utility company harassment in some cases, as various Complaints had and still have pending cases before the PA PUC and this Honorable Court. It is well established under federal and state law that administrative agencies are creatures of statute and may not establish regulations outside the boundaries established by the legislative. (5)

PA State Senator Fumo is on record in PA Senate Journal October 8, 2008 (pp. 2626-2631) stating, In addition we did not mandate smart meters, but we made them optional, Therefore, the PA PUC, PECO and all public utilities in PA by law must adhere to and abide by the optional smart meter mandate enacted by the PA State Legislature, as only the PA State Legislature can make law, not the PA PUC, a state administrative agency. Whereas, a preponderance of evidence exists that the PA PUC overreached it's administrative powers when formulating implementation regulations for HB2200/Act 129 (2008) thereby causing much physical, emotional, mental and health harms to utility customers who are sensitive to EMF/RF/ELF electronic pollution and or persons with health issues which can be impacted by EMF/RF/ELF non thermal radiation waves.

PECO has no right, nor authority, to make personal decisions for myself, especially regarding my health status, wanting to protect my health from further damages that can and will compromise my immune system and general wellbeing. However, PECO's opinionated legalese proffers 'safe' and inserts that word. The very fact that PECO's FlexNet AMI Smart Meter does not have the Underwriters Laboratories icon prominently displayed anywhere on it's display or housing indicates 'safety' is dubious and, therefore, not proven. Consequently, PECO cannot make nor offer spurious decisions regarding my mandated acceptance of an unsafe AMI Smart Meter to or by this Honorable Court and /or the PA PUC, which essentially is in violation of Act 129 as published of public record and enacted by the PA Legislature, the only law-making entity in the commonwealth. There is the UN's Universal Declaration of Human Rights (7), which in Article 3 states: Everyone has the right to life, liberty and security of person." Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers." Article 30 " Nothing in this Declaration may be interpreted as implying for any state, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein."

Respectfully submitted, I did not have a lawyer representing me; I am representing myself. As you can see from my argument, Conclusion and Ordering Paragraphs there's alot that's not legally correct regarding AMISmart Meters in PA and utility customers have had the "Wool pulled over them and by utility companies harassment techniques, which has to stop, as many people are suffering from and with electromagnetic hypersensitivity and other health issues since AMI Smart Meters were retrofitted on to their utility meters. Some customers have three; electric, natural gas and water!

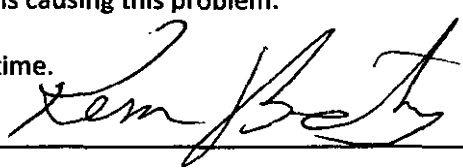
Shortly after PECO started retrofitting AMI SMs, numerous meters exploded and/or caught fire damaging homes, which homeowners insurance policies did not and will not cover! PA is rather unique insotar as utility customers are not permitted to have an Opt-out from AMI SMs, which is not necessary,since the original HB2200 bill was signed into law as Act 129 (2008) as NOT mandatory," and basically it is an "OPT-IN" law;see HB2200, 2807 (f) 7 (2) (i).

We demand that legislature passed into law regarding AMI Smart Meters-not mandatory, and not be forced to accept what the PA PUC thought, " believed " or wrote as implementation regulations. The PUC's implementation regulations have caused health harms to numerous utility customers and family members, so the Commonwealth must be made accountable for the untenable wrong committed by one of it's administrative agencies.

West Penn Power Company, never gave me any notices that they were going to remove my analog meter and install a Killer smart meter, they do not have my consent to remove and replace a spying, unsafe smart meter. Furthermore, they do not have my permission to record data usage and pass it on to Government or a third party. I demand that an analog meter to be re-installed and that the property @ 150 Inwood Ave. be allowed to keep the present analog, so that power can be restored. It has taken some time to put this all together, due to the fact that I cannot spend that much time on the computer at one time due to the side affects of how much radiation that I am being exposed to. Like I said in previous letters, I could leave my property and go to my moms place that has no smart meter and everything goes away, when I return, it all comes back. None of us are above the law! NOTE; Please excuse lines with-in this response, not sure why the printer is causing this problem.

Thank You; for your time.

Kim Betchy



Date;

2-5-18

West Penn Power

April, 2, 2018.

76 south main street A-rpc. Akron Ohio, 44308-1890

Docket # C-2018-3000257 Kim Betchy 140 Inwood ave. Carmi, Pa 15320.

My response to your Preliminary Objections:

On page 2, # 3, you quoted three different times that disputed rights were mailed to her, that is incorrect, wppc. never ever sent a response of anything of any kind to me. Also on the same page you quoted a foreign meter had been installed and a potential unsafe condition. That meter came from Rockford, IL. and is government approved. I made sure of that before I purchased that analog meter.

There is a contradiction to the Legislative History, intent, enactment, and what was published in official public state records declaring AMI Smart Meters are not mandated! Basically, the bill SB2200, as passed by the PA Legislature, is/ was an " opt IN bill ", refer to HB2200, 2807 (F) 7 (2) (i)!

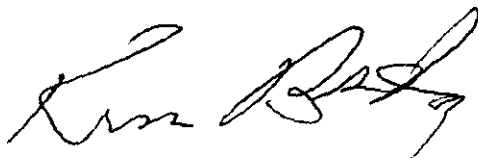
AMI Smart Meters operate on microwaves to send, receive and collect information to and from the meters at customer's homes. Those messages can occur every 15 seconds, which can allow Dirty Electricity, (harmonics or sinusoidal waves) to travel over the copper wires inside the walls of customer's homes every 15 seconds every hour, every day of every month of every year, as customers cannot turn them off like you can your cell phone. microwave oven, etc.

Page 3 You stated that Act 129 is the Law, that is incorrect, there is nothing in there that states that the smart meters is mandatory or that it's the law that we must except those meters! Same page; you stated dismiss the allegations regarding the neighboring property with prejudice. I OWN THAT PROPERTY @ 150 Inwood ave. Carmichaels, pa 15320. So therefore that property will not be excluded.

Page 4; A repeat page from page 2. Page 5; Also a repeat.

Page 7; You stated that the Complainant does not have standing to file a complaint or request relief on behalf of the resident or owner of the neighboring property located @ 150 Inwood ave. Carmichaels, pa 15320. That statement is incorrect! I am the property owner.

Page 8; Quotes that have nothing to do with this case!



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Secretary
- Rosemary Chiavetta