

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Jay Larry Moyer, Complainant

V.

Docket No. C-2015-2511904

PPL Electric Utilities Corporation, Respondent

Complainant's Filing of Exceptions

May 11, 2018

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The following comments (exceptions) are submitted in the hope that, for the sake of accuracy in the record, the Commission will correct the errors, inaccuracies, and omissions presented here.

1. "Finding of Fact #16" misrepresents "meter aggregation". The definition of "meter aggregation" in the Public Utility Code is a broad one that has general application to all renewable systems, whether physical or virtual.

The definition of "meter aggregation" in the Code makes no reference to a "two-mile" limitation. It is apparent that ALJ Judge Cheskis has relied on the misleading description in PPL's Net Metering Rider. In its rider, PPL associates "meter aggregation" with a two-mile limit ("Metering Provisions", item 3) However, the limitation "within two miles" applies only to virtual meter aggregation. 52 Pa. Code § 75.14(e) That prerequisite is established in the AEPS Act itself (Section 2, "net metering") and again in 52 Pa. Code § 75.12, "virtual meter aggregation")

The two-mile provision is not part of the more general definition of "meter aggregation". This blurring of distinctions must not stand, and the language of the tariff may not be permitted to override the language of the Public Utility Code. The Commission should adhere strictly to the definitions provided in the Code.

2. Findings of Fact #21 and #22 involve misinformation.
 - a. In what appears to be a typing error, Finding of Fact #21 says a credit of \$738.61 was posted to my account.

- b. Finding of fact #22 contradicts the credit cited in #21, saying instead that a credit of \$783. 61 was applied.
 - c. Neither amount above (738.61 or \$783.61) appears as an item of credit (Or “Excess Credit”), although the bill dated June 10, 2016 shows a balance that is substantially reduced.
3. Some “Findings of Fact” reflect confusion and/or do not correspond to the established and demonstrated “facts”.
- a. Finding of Fact #36 incorrectly associates all net metering customers with “a single bi-directional meter”. The “single bi-directional meter” is a unique feature that applies specifically to “physical meter aggregation”. In virtual meter aggregation, by contrast, there is no “single” meter capable of completing the aggregation process. Virtual metering involves multiple meters, one of which, as in my case, may be a bi-directional meter.¹
 - b. Finding of Fact #37 is misleading. The fact is that PPL carries 100% of generation into the next billing series, not only the “excess generation”. None of the electricity generated in the immediate generating period is used in the immediate period. This anomaly is a function of PPL’s “one-month lag”.
 - c. “Finding of Fact #38” misrepresents virtual meter aggregation. It overlooks the fact that many virtual metering systems involve more than two meters. In 2006, the Commission cited a survey of “farm operations” and reported an average of seven meters per farm.²
 - d. “Finding of Fact #43” states incorrectly that my system uses a “non-residential meter”. During the life of my system, three different meters have been used, and none of these has been identified as “non-residential”. The present meter, in fact, is a bi-directional meter no different from those installed for homeowners with rooftop solar systems. (See footnote #1, above)

¹ “. . . on January 6, 2011, PPL Electric changed the meter at the host account to a single bidirectional meter. Since that time, Mr. Moyer has had the same meter at his host account.” PPL Rebuttal Testimony, March 6, 2015, at 54

² The survey was conducted by the Pennsylvania Department of Agriculture. (Final Rulemaking Order, L-00050174, entered June 23, 2006, at 21)

4. The Initial Decision omits all reference to the multiple phone calls which were made to me by PPL representatives and which were cited in the Formal Complaint. In several of these phone calls, representatives made premature claims about the status of two consolidated complaints then pending before the Commission (Docket #C-2011-2273645 and C-2014-2444864). In those phone calls, which occurred prior to the public release of the Initial Decision, these PPL representatives, made explicit statements indicating knowledge of the as-yet-unreleased Initial Decision. These statements were made at a time when PPL representatives had no lawful right to that information, and their claims suggest strongly that they had unlawful communication with one or more members of the Commission's staff.

In the request for discovery, which I filed on January 7, 2016, I made an effort to obtain the records of these phone calls, but I was prevented from obtaining this evidence by the Commission's action.³

The Initial Decision asserts that the "ex parte allegations . . . fail to state a claim upon which relief can be granted". ALJ Judge Cheskis dismisses the allegations although they are based on substantial evidence, even as the Commission (through a stay of Discovery) refuses to consider the evidence available in the telephone

³ An order issued by Dennis J. Buckley on January 13, 2016, stayed the discovery request and remained in effect for more than two years.

conversations. No adequate reason is given for omitting all reference to those phone calls, or for preventing discovery of their conversations which are specified in the initial allegations. I'm requesting that the Commission acknowledge the occurrence of these numerous phone calls and explain its rationale for preventing discovery of their contents which were identified in the allegations.

Respectfully Submitted

May 11, 2018



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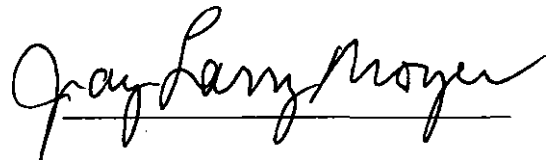
RE: Docket No. C-2015-2511904

I hereby certify that I have this day served a true copy of the foregoing letter and attachment upon the parties, listed below, in accordance with the requirements of § 1.54 (relating to service by a party).

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~~May 6, 2018~~

May 11, 2018



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