

331 Shady Ridge Drive
Monroeville, PA 15146

May 18, 2018

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MAY 18 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Via Paper Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

RE: **Michele Hriadil and Francis Hriadil v. Duquesne Light Company**
Docket No. C-2016-2571726

Dear Secretary Chiavetta:

Attached please find a copy of Complainants

Motion for Continuance to Enable Complainants Expert Witness
to Participate in Our Hearing

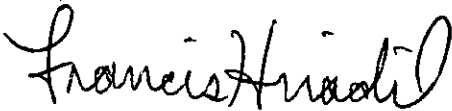
and

Request to Allow Complainants Expert Witness Testimony
by Telephone

A copy of this document has been served upon Judge Jeffrey Watson, the presiding PA PUC ALJ, and the Respondent's Counsel, Jeremy V Farrell, Esquire, in accordance with Commission regulations.

Please feel free to contact me if you have any questions.

Sincerely,



Francis Hriadil
Complainant
(412) 779-3314
hriadil@attglobal.net

Enclosure

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

MAY 18 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2016-2571726

**MOTION
FOR CONTINUANCE TO ENABLE
COMPLAINANTS EXPERT WITNESS
TO PARTICIPATE IN OUR HEARING
AND
REQUEST TO ALLOW
COMPLAINANTS EXPERT WITNESS
TESTIMONY BY TELEPHONE**

Filed by Michele and Francis Hriadil

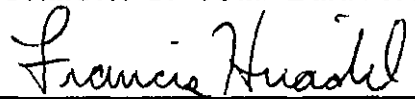
hriadil@attglobal.net
(412) 779-3314
331 Shady Ridge Drive
Monroeville, PA 15146

**MOTION FOR CONTINUANCE
TO ENABLE COMPLAINANTS EXPERT WITNESS TO PARTICIPATE IN OUR HEARING
AND
REQUEST TO ALLOW COMPLAINANTS EXPERT WITNESS TESTIMONY BY TELEPHONE**

TO: THE HONORABLE ALJ JEFFREY A. WATSON

ENCLOSED ARE COMPLAINANTS TWO (2) SUBMISSIONS:

1. MOTION FOR A CONTINUANCE OF THE HEARING, AND AN ADJUSTMENT IN THE LITIGATION SCHEDULE, TO ALLOW THE COMPLAINANTS EXPERT WITNESS TO PARTICIPATE IN OUR HEARING.
2. REQUEST FOR PERMISSION TO ALLOW THE TESTIMONY OF COMPLAINANTS EXPERT WITNESS BY TELEPHONE.



Francis Hriadil
May 18, 2018

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MAY 18 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

MICHELE HRIADIL and
FRANCIS HRIADIL,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2016-2571726

**MOTION FOR CONTINUANCE
TO ENABLE COMPLAINANTS EXPERT WITNESS TO PARTICIPATE IN OUR HEARING
AND
REQUEST TO ALLOW
COMPLAINANTS EXPERT WITNESS TESTIMONY BY TELEPHONE**

TO THE HONORABLE ALJ Jeffrey A. Watson:

1. Complainants wish to request a continuance of our Hearing to enable Dr. David O Carpenter MD to participate on our behalf as an expert witness. The Complainants also wish to utilize the telephonic options that the PA PUC provides to parties, as needed and requested, to enable to Dr. Carpenter's participation by telephone.

2. Pertinent Aspects of the Litigation Timeline to Date:

December 14, 2017 - A Pre-Hearing Conference call was held which included the Complainants, the Respondent, and Your Honor.

On this occasion, a Hearing was scheduled for April 26 - 27, 2018, and a Litigation Schedule was set.

Of note, on or before February 2, 2018, notification of participation by any expert witnesses, etc. for the Complainants was to be provided.

- September 11, 2017 - Complainants received Respondent's First Set of Discovery Requests Directed to Complainants.
- October 26, 2017 - After an agreed on an extension, Complainants served our Response 1 to Respondent's First Discovery Request, entitled Response to Respondent's First Set of Discovery Requests Directed to Complainants, containing 56 potential Exhibit documents and 4 Curriculum Vitae documents regarding potential expert witnesses.
- December 4, 2017 - Complainants served our Response 2 to Respondent's First Discovery Request, entitled Additional Documents in Response to Respondent's First Set of Discovery Requests Directed to Complainants, containing 67 additional potential Exhibit documents.
- February 1, 2018 - Respondent was served with Complainants Expert and Factual Witness Testimony Notification to Respondent, per the Litigation Schedule, in which Respondent was informed that none of the experts that Complainants have been in contact with were available to participate and provide expert testimony in the scheduled April 26 - 27, 2018 Hearing.
- February 6, 2018 - Due to issues related to Complainants dis-satisfaction with responses provided by the Respondent to a number of Complainants Discovery Interrogatories, Your Honor issued a ruling suspending the original Litigation Schedule. The unsatisfactory nature of many of the Respondent's Discovery responses necessitated a change in the Litigation Schedule.
- Your Honor's First Supplemental Prehearing Order, you rescheduled the Hearing for July 18 - 19, 2018. A new Litigation Schedule was set at that time.
- Of note, on or before April 30, 2018, notification of participation by any expert witnesses was to be provided by any party, to the opposing party.
- And, on or before May 18, 2018, notification of rebuttal testimony by any person other than the Complainant or Respondent is to be provided, to the opposing party.
- March 27, 2018 - Your Honor issued an Interim Order granting in part the Complainants Motion to Compel the Respondent to answer the Complainants Discovery Interrogatories.

April 30, 2018 - Respondent was served with Complainants Expert and Factual Witness Testimony Notification to Respondent, per the revised Litigation Schedule, in which Respondent was informed that none of the experts that Complainants have been in contact with are available to participate and provide expert testimony in the scheduled July 18-19, 2018 Hearing.

Furthermore, a letter was served to Your Honor, and copied to the Respondent, informing you that Dr. David O. Carpenter MD had agreed to participate in any Hearing on the behalf of the Complainants as an expert witness; but, he could not do so at the scheduled July 18 - 19, 2018 Hearing due to a conflict with his schedule. Additionally, Dr. Carpenter agreed to participate by phone to testify, etc. to mitigate expenses that would be cost prohibitive for the Complainants. Complainants inquired about a schedule adjustment / continuance that would allow Dr. Carpenter's participation at our Hearing.

May 7, 2018 - Complainants received a copy of Respondent's May 4, 2018 response served to Your Honor indicating their objection to Complainant's April 30, 2018 written request for an adjustment (i.e. continuance) in the Hearing schedule that would allow Dr David O Carpenter MD to participate in the Hearing on our behalf as an expert witness.

Complainants did not receive this notification until May 7, 2018.

May 11, 2018 - A letter was served to Your Honor, and copied to the Respondent, with Complainants response to the Respondent's May 4, 2018 written objections.

May 14, 2018 - Complainants received a copy of Your Honor's May 10, 2018 Interim Order Regarding Complainants Request to Modify Litigation Schedule.

This motion and request is served to Your Honor, and copied to the Respondent, per Your Honor's ruling in your May 10, 2018 Interim Order.

MAY 18 2018

MOTION FOR CONTINUANCE

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

3. The Complainants have searched for recognized expert witnesses, who reside locally, who would be willing and available to provide expert testimony in our behalf at our Hearing. To date, the Complainants have not been able to find and arrange for any appropriate local witnesses to appear.

4. The Complainants have been in contact with various potential expert witnesses who reside out of state to inquire as to their willingness and availability to provide expert testimony in our behalf at a Hearing.

5. In our February 1, 2018 Expert Witness Testimony Notification to the Respondent, Complainants indicated that none of the potential expert witnesses we had been in contact with up to that point in time were available to participate in the then scheduled April 26 - 27, 2018 Hearing.

6. As a result of Complainants Motion to Compel that was filed against the Respondent, new Hearing dates were scheduled. Complainants re-contacted various experts we had been in communication with previously to inquire about the new Hearing dates. Dr. David O Carpenter MD was one of those experts. He then agreed to participate as an expert witness in our behalf, as long as the Hearing did not conflict with his scheduled commitments. He informed us that he, unfortunately, had a schedule conflict with the revised July 18-19, 2018 Hearing dates. However, there was some hope that his schedule might change and that he would be able to participate.

Complainants did not want to initiate the process of requesting a continuance of the revised July 18-19, 2018 Hearing dates, and burden the court unnecessarily, unless and until we were absolutely certain that Dr. Carpenter's schedule could not be changed. And, there was no need to inquire about arranging telephonic participation for Dr. Carpenter unless this schedule conflict could be resolved, and / or his participation was certain.

7. Complainants were in contact with Dr. Carpenter up through and including the morning of April 30, 2018. On April 30, Complainants received confirmation that Dr. Carpenter's schedule was fixed and the schedule conflict could not be resolved.

At this point that Complainants did two (2) things. In accordance with Your Honor's February 6, 2018 First Supplemental Prehearing Order, Complainants filed our April 30, 2018 Expert Witness Testimony Notification to the Respondent indicating that none of the expert witnesses we had been in contact were available to participate in the July 18-19, 2018 Hearing dates. And, Complainants immediately filed our April 30, 2018 written request to Your Honor to explain the circumstances and inquire about a continuance in the Hearing to allow Dr. Carpenter to participate as an expert witness in our behalf.

Complainants made every effort to comply with the Your Honor's revised Litigation Schedule with a Hearing date of July 18 - 19, 2018, and have been forced by the circumstances to have to request a continuance for the reasons indicated here-in.

8. The Complainants do not have the luxury of having expert witnesses on call or under contract and readily available to participate at any time. These independent experts have jobs, commitments, etc. Complainants have to seek these experts out, inquire if they are willing and able to participate, and then to try to coordinate and facilitate their participation in a manner and according to a schedule that does not conflict with their commitments and the court.

The Complainants can only hope that Your Honor can understand and appreciate the difficulty of this task. All that the Complainants can do is assure Your Honor that we have tried to do this in as conscientious and efficient of a manner as was possible; but, there are many things that are simply not within our control.

9. The Respondent was fully informed in writing, as part of Discovery, about Dr. Carpenter, his background, expertise, current position, business address, published expert reports, etc. well before any required deadlines. The extensive amount of information

concerning Dr. Carpenter that was served to the Respondent is summarized in detail in Complainants May 11, 2018 letter to Your Honor, as part of the Complainants response to the Respondent's May 4, 2018 written objections. Refer to Section 6., pages 5 - 7, in Complainants May 11, 2018 letter which is attached here-in as **Exhibit A**. Also, Dr. Carpenter's comprehensive 31 page Curriculum Vitae was served, as part of Discovery, to the Respondent on October 26, 2017, the first 6 pages of which are attached here-in as **Exhibit B**.

10. In Your Honor's May 10, 2018 Interim Order, you ruled that Complainants shall
"...indentify the dates the witness will be available to testify in person in Pittsburgh, PA and also by telephone, in July, August and September of 2018..."

Complainants conferred with Dr. Carpenter again for his latest up-to-date schedule and he has provided the following availability information:

Dr. Carpenter has commitments and is not available

in July, 2018:	July 18 - 20 (meetings in Washington, DC)
in August, 2018:	The week of August 6, 2018 (Aug 6 - Aug 10)
in September, 2018:	Every Tuesday starting at 4 pm (teaching class)

At present, Dr. Carpenter has no other commitments during these months, and is available Monday through Friday in August and September, except for the above listed dates and times, barring any unforeseen circumstances. Refer to Dr. Carpenter's email communications with Complainants, which indicates his commitments and availability, which is copied here-in as **Exhibit C**.

11. Dr. Carpenter has agreed to participate in the Complainants Hearing as an expert witness on our behalf; but, due to an unavoidable schedule conflict, cannot participate on the currently scheduled Hearing dates of July 18 - 19, 2018. Complainants do not have any other expert witness available that would be a comparable substitute for Dr. Carpenter and his expertise. As such, the Complainants are forced to seek a continuance to allow his participation.

**REQUEST TO ALLOW
COMPLAINANTS EXPERT WITNESS TESTIMONY BY TELEPHONE**

12. The PA PUC provides telephonic options to parties, as needed and requested.

13. During the December 14, 2017 Pre-Hearing Conference call, the Respondent indicated that it preferred an in-person Hearing. Complainants indicated that we are elderly and that Francis Hriadil has a number of chronic conditions that could potentially impede an in-person appearance. Otherwise, the Complainants indicated that they had no objections to appearing in-person. So, both opposing parties agreed to appear in-person barring any unforeseen circumstances.

At no time was the participation of and testimony by witnesses raised, and the logistics thereof. *There was no discussion or agreement that any and all witnesses must appear in-person.* There was nothing stated or agreed that telephonic options would not be permitted and available for witness participation, should it be needed or requested. And, the PA PUC and the February 6, 2018 First Supplemental Prehearing Order does not preclude telephonic participation by witnesses. Complainants would have filed an objection to any such stipulation as being prejudicial against the Complainants and our complaint.

The only agreement made was that the Complainants and the Respondent would appear in person, barring any unforeseen circumstances.

14. The Respondent, Duquesne Light Company (DLC), is a publicly traded company with revenues ~ \$806,100,000, net income ~ \$69,600,000, total assets ~ \$2,209,200,000, and being represented Tucker Arensberg, Attorneys.

The Complainants are two (2) elderly fixed income individuals, one (1) working full-time and one (1) retired, representing themselves *pro se*, who do not possess even a fraction of one percent of the revenues, net income, total assets, and resources available to the Respondent. The disparity here is pronounced.

15. To expect that the Complainants, with our limited resources, would have to shoulder an excessive and unnecessary burden / expense for any witnesses who would be available to participate in our Hearing in our behalf, and at any insistence by the Respondent that they “must” appear in-person, is unfair and unreasonable, and is prejudicial against the Complainants and our complaint.

The Complainants do not have the staff, personnel, or resources that are readily available to the Respondent. The ability of the Complainants to be able to produce expert witnesses in-person can in no way match that of the Respondent. It would be cost prohibitive for the Complainants to pay the travel expenses and salary compensation for any far-removed witness to appear in-person, and would preclude the Complainants from having any expert witnesses at all.

IN SUMMARY

16. The PA PUC Consumer Complaint Procedures Guideline states on page 12 that one may

“ask for a continuance, ... , no later than five days before the hearing.”

Complainants respectfully submit that we have good cause for our requested continuance of the July 18-19, 2018 Hearing, as we are tasked with having to produce a burden of proof and must provide a preponderance of evidence. The participation of Dr. Carpenter as an expert witness in our behalf is an important element in the Complainants efforts to fulfill that requirement.

Complainant Francis Hriadil possesses engineering expertise. Complainant Michele Hriadil possesses computer science expertise. Dr. Carpenter possesses considerable expertise in the areas of environmental health effects and health risks associated with radiofrequency (RF) radiation exposure etc. associated with Smart Meters and other similar types of emitting devices, and is an internationally recognized health expert in this regard. If Dr. Carpenter is

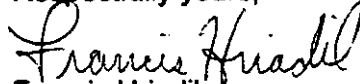
precluded from participating as an expert witness in his area of expertise, it will significantly impair the Complainants ability to meet our obligation.

The Respondent possesses many distinct advantages in terms of experience, personnel, and resources in this process which the Complainants cannot hope to match. The Complainants are seeking to present the full truth in this matter in as conscientious and comprehensive of a manner as possible, and to the best of our ability under the circumstances as they exist. If the objective of the Hearing is to get to the truth of the matters in question based on the latest independent scientific, medical, health, and governmental information that is available, in order to be able to make a valid and proper judgment concerning any violation of PA Utility Code § 1501, etc., then Dr. Carpenter's participation is indispensable to fulfilling that objective.

WHEREFORE, in light of these circumstances, Complainants Michele Hriadil and Francis Hriadil respectfully request that Your Honor rule to grant our requested continuance to enable Dr. Carpenter's participation, and that the Hearing dates and Litigation Schedule be adjusted accordingly. Furthermore, if so granted, and as Dr. Carpenter is located out of state and it would be cost prohibitive for the Complainants to produce him in-person, Complainants request that we be permitted to utilize the telephonic options that the PUC offers to facilitate his participation and testimony. Neither of these requests is unreasonable and they have been granted in other PA PUC Hearings.

Complainant's Certificate of Service has been filed with the Commission's Secretary, in accordance with Commission Regulations.

Respectfully yours,



Francis Hriadil
(412) 779-3314
331 Shady Ridge Drive
Monroeville, PA 15146
May 18, 2018

- EXHIBIT A -

331 Shady Ridge Drive
Monroeville, PA 15146

May 11, 2018

RECEIVED

MAY 18 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Judge Jeffrey Watson
PA PUC Pittsburgh Administrative Law Judge Office
301 Fifth Ave, Suite 220; Piatt Place
Pittsburgh, PA 15222

RE: **Michele Hriadil and Francis Hriadil v. Duquesne Light Company**
Request for Continuance
Docket No. C-2016-2571726

Cc: Jeremy V Farrell, Esquire, Counsel for Duquesne Light Company

Dear Judge Watson:

Complainants write this in response to Respondent's May 4, 2018 letter, which Complainant's did not receive until May 7, objecting to Complainant's April 30, 2018 written request for a continuance in the Hearing schedule that would allow Dr David O Carpenter MD to participate in the Hearing on our behalf as an expert witness.

1. Pertinent Aspects of the Timeline to Date:

December 14, 2017 - A Pre-Hearing Conference call was held which included the Complainants, the Respondent, and Your Honor.

On this occasion, a Hearing was scheduled for April 26 - 27, 2018, and a Litigation Schedule was set.

Of note, on or before February 2, 2018, notification of participation by any expert witnesses, etc. for the Complainants was to be provided.

September 11, 2017 - Complainants received Respondent's First Set of Discovery Requests Directed to Complainants.

October 26, 2017 - After an agreed on an extension, Complainants served our Response 1 to Respondent's First Discovery Request, entitled Response to Respondent's First Set of Discovery Requests Directed to Complainants, containing 56 potential Exhibit documents and 4 Curriculum Vitae documents regarding potential expert witnesses.

December 4, 2017 - Complainants served our Response 2 to Respondent's First Discovery Request, entitled Additional Documents in Response to Respondent's First Set of Discovery Requests Directed to Complainants, containing 67 additional potential Exhibit documents.

February 1, 2018 - Respondent was served with Complainants Expert and Factual Witness Testimony Notification to Respondent, per the Litigation Schedule, in which Respondent was informed that none of the experts that Complainants have been in contact with were available to participate and provide expert testimony in the scheduled April 26 - 27, 2018 Hearing.

- February 6, 2018 - Due to issues related to Complainants dis-satisfaction with responses provided by the Respondent to a number of Complainants Discovery Interrogatories, Your Honor issued a ruling suspending the original Litigation Schedule. The unsatisfactory nature of many of the Respondent's Discovery responses necessitated a change in the Litigation Schedule.
- Your Honor's First Supplemental Prehearing Order, you rescheduled the Hearing for July 18 - 19, 2018. A new Litigation Schedule was set at that time.
- Of note, on or before April 30, 2018, notification of participation by any expert witnesses was to be provided by any party, to the opposing party.
- And, on or before May 18, 2018, notification of rebuttal testimony by any person other than the Complainant or Respondent is to be provided, to the opposing party.
- March 27, 2018 - Your Honor issued an Interim Order granting in part the Complainants Motion to Compel the Respondent to answer the Complainants Discovery Interrogatories.
- April 30, 2018 - Respondent was served with Complainants Expert and Factual Witness Testimony Notification to Respondent, per the revised Litigation Schedule, in which Respondent was informed that none of the experts that Complainants have been in contact with are available to participate and provide expert testimony in the scheduled July 18-19, 2018 Hearing.
- Furthermore, a letter was served to Your Honor, and copied to the Respondent, informing you that Dr. David O. Carpenter MD had agreed to participate in any Hearing on the behalf of the Complainants as an expert witness; but, he could not do so at the scheduled July 18 - 19, 2018 Hearing due to a conflict with his schedule. Additionally, Dr. Carpenter agreed to participate by phone to testify and undergo cross-examination, to mitigate expenses that would be cost prohibitive for the Complainants.
- May 7, 2018 - Complainants received a copy of Respondent's May 4, 2018 response served to Your Honor indicating their objection to Complainant's April 30, 2018 written request for an adjustment (i.e. continuance) in the Hearing schedule that would allow Dr David O Carpenter MD to participate in the Hearing on our behalf as an expert witness.
- Complainants did not receive this notification until May 7, 2018.

2. Respondent has objected on the following assertions:

- a. The First Supplemental Prehearing Order scheduled an *in-person* Hearing.
- b. Duquesne Light must incur the expense to bring its witnesses in to testify live and Complainants should be held to the same standard.
- c. The Complainants have known of their need to obtain and disclose a testifying expert according to the Litigation Schedule, and have failed to meet that obligation.

Complainants will address each one of these assertions in turn, because they do not provide a full and complete representation of the circumstances.

3. Concerning the Respondent's assertion a. -

The First Supplemental Prehearing Order scheduled an *in-person* Hearing.

Complainant's Response:

The PA PUC provides telephonic options to parties, as needed and requested.

During the December 14, 2017 Pre-Hearing Conference call, the Respondent indicated that it preferred an in-person Hearing. Complainants indicated that we are elderly and that Francis Hriadil has a number of chronic conditions that could potentially impede an in-person appearance. Otherwise, the Complainants indicated that they had no objections to appearing in-person. So, both opposing parties agreed to appear in-person barring any unforeseen circumstances.

At no time was the participation of and testimony by witnesses raised, and the logistics thereof. There was no discussion or agreement that any and all witnesses must appear in-person. There was nothing stated or agreed that telephonic options would not be permitted and available for witness participation, should it be needed or requested.

And, the February 6, 2018 First Supplemental Prehearing Order does not preclude telephonic participation by witnesses.

The only agreement made was that the Complainants and the Respondent would appear in person, barring any unforeseen circumstances.

4. Concerning the Respondent's assertion b. -

Duquesne Light must incur the expense to bring its witnesses in to testify live and Complainants should be held to the same standard.

Complainant's Response:

As indicated in 3., there was no agreement in the December 14, 2017 Pre-Hearing Conference call nor any stipulation in the February 6, 2018 First Supplemental Prehearing Order preventing any party from utilizing the telephonic options provided by the PA PUC to facilitate the participation of any witnesses.

Complainants would have filed an objection to any such stipulation as being prejudicial against the Complainants and our complaint.

The Respondent, Duquesne Light Company (DLC), is a publicly traded company with revenues ~ \$806,100,000, net income ~ \$69,600,000, total assets ~ \$2,209,200,000, and being represented Tucker Arensberg, Attorneys.

The Complainants are two (2) elderly fixed income individuals, one (1) working full-time and one (1) retired, representing themselves *pro se*, who do not possess even a fraction of one percent of the revenues, net income, total assets, and resources available to the Respondent. The disparity here is glaring.

To expect that the Complainants, with our limited resources, would have to shoulder any such excessive and unnecessary burden / expense for any witnesses who would be available to participate in a Hearing in their behalf, because the Respondent insists that they "must" appear in-person, is unfair and unreasonable, and is prejudicial against the Complainants and our complaint.

The Complainants do not have the staff, personnel, and resources that are readily available to the Respondent. It would be cost prohibitive for the Complainants to pay the travel expenses and salary compensation for any far-removed witness to appear in-person, and would preclude the Complainants from having any expert witnesses at all.

5. Concerning the Respondent's assertion c. -

The Complainants have known of their need to obtain and disclose a testifying expert according to the Litigation Schedule, and have failed to meet that obligation.

Complainant's Response:

The Complainants have searched for recognized expert witnesses, who reside locally, who would be willing and available to provide expert testimony in our behalf at a Hearing. To date, the Complainants have not been able to find and arrange for any appropriate local witnesses to appear.

The Complainants have been in contact with various expert witnesses that reside out of state to inquire as to their willingness and availability to provide expert testimony in our behalf at a Hearing.

In our February 1, 2018 Expert Witness Testimony Notification to the Respondent, Complainants indicated that none of the expert witnesses we had been in contact with up to that point in time were available to participate in the then scheduled April 26 - 27, 2018 Hearing.

As a result of Complainants Motion to Compel that was filed against the Respondent, new Hearing dates were scheduled. Complainants re-contacted various experts we had been in communication with before to inquire about the new Hearing dates. Dr. David O Carpenter MD was one of those experts. He then agreed to participate as an expert witness in our behalf, as long as the Hearing did not conflict with his scheduled commitments. He informed us that he, unfortunately, had a schedule conflict with the revised July 18-19, 2018 Hearing dates. However, there was some hope that his schedule would change and that he would be able to participate.

Complainants did not want to initiate the process of requesting a continuance of the revised July 18-19, 2018 Hearing dates, and burden the court unnecessarily, unless and until we were absolutely certain that Dr. Carpenter's schedule could not be changed. Complainants were in contact with Dr. Carpenter up through and including the morning of April 30, 2018. On April 30, Complainants received confirmation that Dr. Carpenter's schedule was fixed and the schedule conflict could not be resolved.

It is at this point that Complainants did two (2) things. In accordance with Your Honor's February 6, 2018 First Supplemental Prehearing Order, Complainants filed our April 30, 2018 Expert Witness Testimony Notification to the Respondent indicating that none of the expert witnesses we had been in contact were available to participate in the July 18-19, 2018 Hearing dates.

And, Complainants immediately filed our April 30, 2018 written request to Your Honor to explain the circumstances and request a continuance in the Hearing to allow Dr. Carpenter to participate as an expert witness in our behalf.

Complainants made every effort to comply with the Your Honor's revised Litigation Schedule, and have been forced by the circumstances to have to request a continuance for the reasons indicated.

There was no need to inquire about arranging telephonic participation for Dr. Carpenter unless this schedule conflict could be resolved, and / or his participation was certain.

The Complainants do not have the luxury of having expert witnesses on call or under contract and readily available to participate at any time. These independent experts have jobs, commitments, etc. Complainants have to seek these experts out, inquire if they are willing and able to participate, and then to try to coordinate and facilitate their participation in a manner and according to a schedule that does not conflict with their commitments. I hope that Your Honor can understand and appreciate the difficulty of this task. All Complainants can do is assure Your Honor that we have tried to do this in as conscientious and efficient of a manner as was possible; but, there are many things that are simply not within our control.

6. Concerning the full and proper Notification of the Respondent of Dr. David Carpenter MD.

Your Honor's February 6, 2018 First Supplemental Prehearing Order stipulated that

"On or before April 30, 2018 any party wishing to present expert testimony ... must provide to the other party in writing, the name and business address of that expert and a written summary of the expected testimony of that expert."

Complainants supplied all of this information and more as part of our responses to Respondent's First Set of Discovery Requests Directed to Complainants.

What follows is a detailed list of what has been provided to the Respondent with regards to Dr. Carpenter and the dates that that material was provided:

- a. Complainants Response 1 to DLCs First Discovery Request, entitled Response to Respondent's First Set of Discovery Requests Directed to Complainant, which was served on the Respondent on October 26, 2017.

As part of Discovery document production, the following material was supplied along with their source references:

- **Exhibit E-1: BioInitiative 2012 Report.**

BioInitiative Report: A Rationale for Biologically-based Public Exposure Standards for Electromagnetic Radiation, December 31, 2012. BioInitiative Working Group, Cindy Sage and **David O. Carpenter**, Editors. This is a 1479 page document. I do not have the complete document in my possession, and it would be prohibitive to print it all out; but, all 1479 pages are available online for detailed review at any time. Many experts have summarized, reported, and referenced the Report's conclusions and recommendations, in other documents that have been supplied here. It is readily available in its entirety at [<http://www.bioinitiative.org>].

- **Exhibit E-6: Letter to the PA PUC Concerning the Adverse Health Effects Associated with Exposure to RF radiation, etc. from Smart Meters, from Dr. **David O. Carpenter, M.D.**, Director of the Institute for Health and the Environment, University of Albany. **This letter was written by Dr. Carpenter specifically in our behalf of our and is a summary of what Dr. Carpenter will testify to.****

- **Exhibit E-15:** "Public Health Implications of Wireless Technologies" Pathophysiology Journal, January 2009, Cindy Sage, **David Carpenter, MD.** [[http://www.pathophysiologyjournal.com/article/S0928-4680\(09\)00017-0/fulltext](http://www.pathophysiologyjournal.com/article/S0928-4680(09)00017-0/fulltext)]
- **Exhibit E-16:** Smart Meters: Correcting the Gross Misinformation. Institute for Health and the Environment, University at Albany, Director, **David Carpenter, MD.** [<https://ecfsapi.fcc.gov/file/7022118538.pdf>]
- **Exhibit E-22:** Exposure to (Cell Phone) RF Radition Linked to Tumors. Official statements by Christopher Portier, retired Head of the NTP, and **David Carpenter, MD.** [<https://mauihawaiitheworld.wordpress.com/2016/05/27/exposure-to-cell-phone-rf-radiation-linked-to-tumors/>]

Also referenced, was the document filed as part of

Complainant's Response to Respondent's Preliminary Objections to Formal Complaint - (Served November 29, 2016).

Exhibit 1 of 4: (2 pages) **David Carpenter M.D.**, Public Health Physician and Former Dean of the School of Public Health at the University at Albany, on the faulty report by the California Council on Science and Technology entitled, "Health Impacts of Radiofrequency from Smart Meters." Dr. Carpenter asserts and has testified that "there is conclusive evidence for adverse health effects in humans." [http://sagereports.com/smart-meter-rf/docs/letters/Carpenter_final_CCST.pdf]

Concerning **Expert Witnesses**, the following notification was supplied:

David O Carpenter, MD

Director, Institute for Health and the Environment, University at Albany Area of Expertise - Primarily, Health Effects and Risks

Note: Dr. Carpenter has written a letter to the PA PUC and ALJ Watson on our behalf, which is included in this Discovery response as **Exhibit E-6.**

Concerning **Curriculum Vitae**, the following was supplied:

Exhibit CV-1: David O Carpenter, MD

Background / Curriculum Vitae, **which included his business address.**

Dr. Carpenter has written a letter to the PA PUC and ALJ Watson on our behalf, which is included in this Discovery response as **Exhibit E-6.**

- b. Complainants Response 2 to DLCs First Discovery Request, entitled Additional Documents in Response to Respondent's First Set of Discovery Requests Directed to Complainants, which was served on the Respondent on December 12, 2017.

- **Exhibit E-32:** BiInitiative 2012 Report.

BiInitiative Report: A Rationale for Biologically-based Public Exposure Standards for Electromagnetic Radiation, December 31, 2012. BiInitiative Working Group, Cindy Sage and **David O. Carpenter**, Editors. 1557 pages. Many experts have summarized, reported, and referenced the Report's

conclusions and recommendations, in other documents that have been submitted. [<http://www.bioinitiative.org>].

The complete document was provided on the included DVD.

- **Exhibit E-53: HEALTH_1 - 3 min - video - 2011_04 David Carpenter MD Public Health Physician on Smart Meter Dangers.mp4**
[<https://www.youtube.com/watch?v=n7L21XOC2wA>]
Video document was provided on the included DVD.

- **Exhibit E-58: HEALTH_6 - 84 min - video - 2014_12_19 Health Effects of Electromagnetic Fields with David Carpenter, MD.mp4**
[<https://www.youtube.com/watch?v=KiVPzLmq0Dk&list=PL-IY8-YePWRnnHdDAjpwzeJEpbnd3NfmJ>]
Video document was provided on the included DVD.

So, the Respondent was fully informed in writing concerning Dr. Carpenter, his background, expertise, current position, business address, published expert reports, etc. well before any required deadline.

The only items that remained in question until just recently was Dr. Carpenter's consent and availability to participate.

7. Concerning Dr. Carpenter's availability to participate, I have copied his last email to me below:

Date: 04/30/2018 16:09
To: "hriadil@attglobal.net" <hriadil@attglobal.net>

Hi Francis:

I'm out of town the week of June 5-7, June 11th, July 18-20 and the week of August 6. But I have no other commitments at present. I'm sorry my schedule is complicated. David

David O. Carpenter, MD
Director, Institute for Health and the Environment
A Collaborating Centre of the World Health Organization
University at Albany
5 University Place
Rensselaer, NY 12144

8. The PA PUC Consumer Complaint Procedures Guideline states that one may

"ask for a continuance, ... , no later than five days before the hearing."

Complainants submit that we have good cause for our requested continuance of the July 18-19, 2018 Hearing, as we are tasked with having to produce a burden of proof and must provide a preponderance of evidence. The participation of Dr. Carpenter as an expert witness in our behalf is an important element in the Complainants ability to meet that requirement.

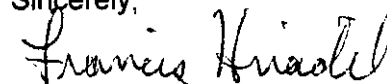
Complainant Francis Hriadil processes engineering expertise. Complainant Michele Hriadil processes computer science expertise. Dr. Carpenter possesses considerable expertise in the areas of environmental health effects and health risks associated with radiofrequency (RF) radiation exposure etc. associated with Smart Meters and other similar types of emitting devices, and is an internationally recognized health expert in this regard. If Dr. Carpenter is precluded from participating as an expert witness in his area of expertise, it will significantly hinder the Complainants ability to meet our obligation.

The Respondent possesses many distinct advantages in this process that the Complainants cannot hope to match. The Complainants are seeking to present the full truth in this matter in as conscientious of a manner as possible and to the best of our ability, under the circumstances that exist. If the objective of the Hearing is to get to the truth of the matters in question based on the latest independent scientific, medical, health, and governmental information that is available, in order to be able to make a proper judgment concerning the violation of PA Utility Code § 1501, etc., then Dr. Carpenter's participation is indispensable to fulfilling that objective.

WHEREFORE, in light of these circumstances, Complainants Michele Hriadil and Francis Hriadil respectfully request that Your Honor rule to grant our requested continuance to enable Dr. Carpenter's participation. Furthermore, if so granted, and as Dr. Carpenter is located out of state and it would be cost prohibitive for the Complainants to produce him in-person, Complainants request that *we be permitted to utilize the telephonic options that the PUC offers to facilitate his participation.* Neither of these requests is unreasonable and they have been granted in other PUC Hearings.

Complainant's Certificate of Service has been filed with the Commission's Secretary, in accordance with Commission Regulations.

Sincerely,



Francis Hriadil, Complainant

(412) 779-3314

hriadil@attglobal.net

May 11, 2018

- EXHIBIT B -

CURRICULUM VITAE

Name: David O. Carpenter

RECEIVED

Home Address: 2749 Old State Road
Schenectady, New York 12303

MAY 18 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Positions Held:

Director, Institute for Health and the Environment
University at Albany
Professor, Environmental Health Sciences
School of Public Health, University at Albany
5 University Place, A217, Rensselaer, NY 12144

Education: 1959 B.A., Harvard College, Cambridge, MA
1964 M.D., Harvard Medical School, Boston, MA

Positions Held:

- 9/61-6/62 Research Fellow, Department of Physiology, University of Göteborg, Sweden with Professor Anders Lundberg
- 7/64-6/65 Research Associate, Department of Physiology, Harvard Medical School, Boston, MA under the direction of Dr. Elwood Henneman
- 7/65-2/73 Neurophysiologist, Laboratory of Neurophysiology, National Institutes of Mental Health, Dr. Edward V. Evarts, Chief, Assistant Surgeon, USPHS, currently a Reserve Officer in the USPHS.
- 2/73-3/80 Chairman, Neurobiology Department Armed Forces Radiobiology Research Institute, Defense Nuclear Agency, Bethesda, MD
- 3/80-9/85 Director, Wadsworth Center for Laboratories and Research, New York State Department of Health, Albany, NY
- 9/85-1/98 Dean, School of Public Health, University at Albany
- 9/85-Pres. Professor, Departments of Environmental Health Sciences and Biomedical Sciences, School of Public Health, University at Albany.
- 9/85-7/98 Research Physician, Wadsworth Center for Laboratories and Research, New York State Department of Health, Albany, NY
- 1/98-1/05 Adjunct Professor in the Center for Neuropharmacology & Neuroscience, Albany Medical College, Albany, NY
- 2001-Pres. Director, Institute for Health and the Environment, University at Albany, SUNY, Rensselaer, NY. The Institute was named a Collaborating Center of the World Health Organization in 2011.
- 2005-Pres. Senior Fellow, Alden March Bioethics Institute, Albany Medical College/Center, Albany, New York

Editor-in-Chief: Cellular and Molecular Neurobiology, 1981 - 1987

Editorial Advisor: Cellular and Molecular Neurobiology, 1987 - Present

Editorial Boards: Journal of Public Health Management and Practice, 1995 - 2002

International Journal of Occupational Medicine & Environmental Health
1996 - Present

Journal of Alzheimer's Disease – Associate Editor, 2007-2009
Reviews in Environmental Health; 2008-present
International Archives of Occupational and Environmental Health; 2009-present.
Journal of Environmental and Public Health, 2009-present.
Environmental Health Perspectives, 2010-present

National and International Committees:

- 1978, 1981 Physiology Study Section (Ad hoc member)
- 1979-1985 NIH International Fellowship Study Section
- 1974-1981 Member, Steering Committee of the Section on the Nervous System, American Physiological Society (Chairman of the Committee, 9/76-4/80)
- 1981-1989 Member, USA National Committee for the International Brain Research Organization
- 1985-1986 Committee on Electric Energy Systems of the Energy Engineering Board, National Research Council
- 1986-1987 Member, Neurophysiology Peer Panel for the National Aeronautics and Space Administration
- 1987-1989 Member, Science Advisory Council of the American Paralysis Association
- 1987-1990 Advisory Panel for the Electric Energy System Division, U.S. Department of Energy
- 1985-1993 Committee #79, National Council on Radiation Protection and Measurements
- 1986-1997 Member, Legislative and Education Committees, Association of Schools of Public Health
- 1989-1994 Member, Neuroscience Discipline Working Group, Life Sciences Division of the NASA
- 1994, 1995 Federation of American Societies for Experimental Biology Consensus Conference on FY 1995 Federal Research Funding
- 1994-1997 Member, Legislative Committee of the Association of Schools of Public Health
- 1997 Member, Executive Committee of the Association of Schools of Public Health
- 1997-2000 National Advisory Environmental Health Sciences Council of the National Institutes of Health
- 1998-Pres. Member, U.S. Section of the Great Lakes Science Advisory Board of the International Joint Commission
- 2000-Pres. Member, Board of Directors, Pacific Basin Consortium for Hazardous Waste Health and Environment; Treasurer, 2001-2004, 2008-pres; Chair, 2004-2008
- 2001-2008 United States Co-Chair, Workgroup on Ecosystem Health of the Science Advisory Board of the International Joint Commission
- 2002-2003 Member, Committee on the Implications of Dioxin in the Food Supply, The National Academies, Institute of Medicine
- 2003-2008 Member, United States Environmental Protection Agency, Children's Health Protection Advisory Committee
- 2003-Pres. Chair, Advisory Committee to the World Health Organization and National Institute of Environmental Health Sciences on collaborative activities.
- 2007-2011 Chair, Workgroup on Risks vs. Benefits of Fish Consumption, Science Advisory Board, International Joint Commission.

State and Local Committees:

- 1980-1987 Executive Secretary, New York State Power Lines Project
- 1985-1989 Board of Scientific Advisors, Institute of Basic Research, OMRDD, N.Y.
- 1986-1989 Member, Steering Committee, Health Policy and Administrative Consortium of the Capital District
- 1991-1992 Member, Connecticut Academy of Sciences and Engineering Committee on Electromagnetic Field Health Effects
- 1991-1992 Member, Board of Directors of the Capital District Chapter of the Alzheimer's Disease and Related Disorders Association, Inc.
- 1991-1992 Member, State Task Force for the Reform of Middle Level Education in NY State
- 1992-1993 Member, State Needs Task Force on Health Care and Education
- 1987-1998 Delegate-at-Large, New York State Public Health Association
- 1991-1995 Member, Board of Directors of the Capital District Amyotrophic Lateral Sclerosis Association
- 1994 Chair, Council of Deans, University at Albany, SUNY
- 1997-2008. Member, Board of Directors, (Chair 1998-2004) Albany-Tula Inc.: A Capital Region Alliance
- 2000-Pres. Member, Board of Directors, Healthy Schools Network, Inc.
- 2000-2003 Member, Medical Advisory Board, Hepatitis C Coalition, New York
- 2000-2004 Member, Environmental Protection Agency /National Association of State Universities and Land Grant Colleges Task Force
- 2001-2008 Member, Board of Directors, Environmental Advocates of New York
- 2004-2007 Member, Ad Hoc Advisory Group on Brownfield Cleanup Standards
- 2005-Pres. Member, Schooling Chefs Curriculum Advisory Board
- 2005-2008 Member, Board of Directors, Citizens Environmental Coalition
- 2006-2009 Member, Board of Directors, Marine Environmental Research Institute
- 2007-2009 Member, New York State Renewable Energy Task Force

Honors, Awards and Fellowships:

- 1959 B.A. awarded *magna cum laude*. Thesis entitled "Metamorphosis of visual pigments: A study of visual system of the salamander, *Ambystoma tigrinum*" (Thesis advisor, Professor George Wald)
Elected to Phi Beta Kappa and to Sigma Xi
- 1964 M.D. awarded *cum laude* for a thesis in a special field. Thesis entitled "Electrophysiological observations on the importance on neuron size in determining responses to excitation and inhibition in motor and sensory systems" (Thesis advisor, Dr. Elwood Henneman)
- 1964 Awarded the Leon Resnick Prize given to a Harvard Medical School graduate showing promise in research
- 1970 Awarded the Moseley Traveling Fellowship for study in England (Fellowship declined)
- 1971 Invited as Visiting Professor of Physiology, Centro de Investigacion y de Estudios Avanzados, del Institute Politecnico Nacional, Mexico 14, D.F., Mexico, for 3 months

- 1982, 1986 Visiting Professor of Physiology, Department of Physiology, Kyushu
 1987 University, Fukuoka, Japan, for a period of three months each
 1989 Awarded Jacob Javits Neuroscience Investigator Award from the National
 Institute of Neurological and Communicative Diseases and Stroke
 1999 Awarded Homer N. Calver Award from the American Public Health
 Association for studies in environmental health.
 2001 Awarded 2001 Academic Laureate from the University at Albany
 Foundation.
 2010 Awarded the Albion O. Bernstein, M.D. Award in recognition of an
 outstanding contribution to public health and the prevention of disease through
 lifelong research of environmental health hazards and for limitless devotion to
 medical education by the Medical Society of the State of New York.

Federal Grants Held: (Principal Investigator Only)

- 1980-1983 United States Air Force, "Mechanisms of Radiation-Induced Emesis in Dogs",
 \$76,847 total direct costs.
 1982-1988 National Institute of Health, "Mechanisms of Desensitization at Central Synapses",
 \$464,786 total direct costs.
 1984-1986 Defense Nuclear Agency, "Mechanisms of Radiation-Induced Emesis in Dogs",
 \$330,504 total direct costs.
 1986-1996 National Institute of Health, "Mechanisms of Excitatory Amino Acids Actions and
 Toxicity", 1986-1989 \$231,848 total direct costs; 1990-1996 \$562,926 total direct
 costs.
 1989-1993 National Institute of Health, "Mechanisms of Lead Neurotoxicity" \$373,576 total
 direct costs
 1990-1995 National Institute of Environmental Health Sciences, Superfund Basic Research
 Program, "Multidisciplinary Study of PCBs and PCDFs at a Waste Site", D.O.
 Carpenter, P.I. \$5,783,419 total direct costs.
 1995-2001 Fogarty International Center, National Institutes of Health, International Training
 Program in Environmental and Occupational Health. A Central/Eastern European
 Environ/Occup Training Program, D.O. Carpenter, P.I. \$657,520 total costs.
 1995-2001 National Institute of Environmental Health Sciences, Superfund Basic Research
 Program, "Multidisciplinary Study of PCBs," D.O. Carpenter, P.I. \$12,653,709 total
 direct costs.
 1998-1999 Environmental Protection Agency, A Indoor Air Risk at Akwesasne - Pilot Project,
 D.O. Carpenter, P.I. \$9,996 total costs.
 2000-2002 Association Liaison Office for University Cooperation in Development,
 A Cooperative Program in Environmental Health between the Institute of Public
 Health at Makerere University, Kampala, Uganda and the School of Public Health,
 University at Albany, USA, D.O. Carpenter, P.I. \$96,432 total costs.
 2001-2007 Fogarty International Center, National Institutes of Health, International Training
 Program in Environmental and Occupational Health. A Multidisciplinary
 Environmental Health Training, D.O. Carpenter, P.I. \$850,000 total costs.
 2006-2011 Pakistan-US Science and Technology Cooperative Program (US National
 Academy of Sciences). "Association of particulate matter with daily morbidity in

- an urban population,” D.O. Carpenter, P.I., \$391,104 total costs.
- 2009-2013 Exploratory Center on Minority Health and Health Disparities in Smaller Cities. Project 2: Environmental contaminants and reproductive health of Akwesasne Mohawk women. \$387,825 for year 1. D.O. Carpenter, Co-PI.
- 2010-2013 Department of the Army, “Gulf War Illness: Evaluation of an Innovative Detoxification Program: D.O. Carpenter, P.I., \$636,958 total costs.
- 2010-2013 Higher Education for Development of the United States Agency for International Development, “Drinking Water Supply, Sanitation, and Hygiene Promotion : Health Interventions in Two Urban Communities of Kampala City and Mukono Municipality, Uganda”. D. O. Carpenter, P.I., \$299,736 total costs.
- 2011-2016 National Institute of Environmental Health Sciences (1R01ES019620), “Protecting the health of future generations: Assessing and preventing exposures.” PK Miller, FA von Hippel, CL Buck and DO Carpenter, Co-P.I.s, \$471,521 for the period 8/08/11-4/30/12, \$2,354,871 for the period 2011-2016.

Research Interests:

- Exposure to persistent organic pollutants and risk of diabetes, cardiovascular disease, and hypertension.
- Cognitive and behavioral effects of environmental contaminants on children (IQ, ADHD) and older adults (dementias, Parkinson’s Disease and ALS).
- Ionizing and non-ionizing radiation biology.
- Effects of air pollution on respiratory and cardiovascular function.

Other Professional Activities:

Host, The Public Radio Health Show (a 30 min public health information show carried on 170+ stations nationwide), plus the Armed Forces Radio Network and Voice of America, 1985-2001. Authored a biweekly health column in The Troy Record, a local newspaper, 1997-1999.

Major Peer-Reviewed Publications:

1. Carpenter, D.O., Lundberg, A. and Norrsell, U. Effects from the pyramidal tract on primary afferents and on spinal reflex actions to primary afferents. *Experientia*, 18:337, 1962.
2. Carpenter, D.O., Engberg, I. and Lundberg, A. Presynaptic inhibition in the lumbar cord evoked from the brain stem. *Experientia*, 18:450, 1962.
3. Carpenter, D.O., Lundberg, A. and Norrsell, U. Primary afferent depolarization evoked from the sensorimotor cortex. *Acta Physiol. Scand.*, 59:126-142.
4. Carpenter, D.O., Engberg, I., Funkenstein, H. and Lundberg, A. Decerebrate control of reflexes to primary afferents. *Acta Physiol. Scand.*, 59:424-437, 1963.
5. Carpenter, D.O., Engberg, I. and Lundberg, A. Differential supraspinal control of inhibitory and excitatory actions from the FRA to ascending spinal pathways. *Acta Physiol. Scand.*, 63:103-110, 1965.

6. Henneman, E., Somjen, G.G. and Carpenter, D.O. Excitability and inhibibility of motoneurons of different sizes. *J. Neurophysiol.*, 28:599-620, 1965.
7. Henneman, E., Somjen, G.G. and Carpenter, D.O. Functional significance of cell size in spinal motoneurons. *J. Neurophysiol.*, 28:560-580, 1965.
8. Somjen, G.G., Carpenter, D.O. and Henneman, E. Selective depression of alpha motoneurons of small size by ether. *J. Pharmacol.*, 148:380-385, 1965.
9. Somjen, G., Carpenter, D.O. and Henneman, E. Response of motoneurons of different sizes to graded stimulation of supraspinal centers of the brain. *J. Neurophysiol.*, 28:958-965, 1965.
10. Carpenter, D.O., Engberg, I. and Lundberg, A. Primary afferent depolarization evoked from the brain stem and the cerebellum. *Arch. Ital. Biol.*, 104:73-85, 1966.
11. Carpenter, D.O. and Henneman, E. A relation between the threshold of stretch receptors in skeletal muscle and the diameter of axons. *J. Neurophysiol.*, 29:353-368, 1966.
12. Carpenter, D.O. Temperature effects on pacemaker generation, membrane potential, and critical firing threshold in *Aplysia* neurons. *J. Gen. Physiol.*, 50:1469-1484, 1967.
13. Chase, T.N., Breese, G., Carpenter, D., Schanberg, S. and Kopin, I. Stimulation-induced release of serotonin from nerve tissue. *Adv. Pharmacol.*, 6A:351-364, 1968.
14. Carpenter, D.O. and Alving, B.O. A contribution of an electrogenic Na⁺ pump to membrane potential in *Aplysia* neurons. *J. Gen. Physiol.*, 52:1-21, 1968.
15. Olson, C.B., Carpenter, D.O. and Henneman, E. Orderly recruitment of muscle action potentials. *Arch. Neurol.*, 19:591-597, 1968.
16. Carpenter, D.O. Membrane potential produced directly by the Na⁺ pump in *Aplysia* neurons. *Comp. Biochem. Physiol.*, 35:371-385, 1970.
17. Carpenter, D.O. and Gunn, R. The dependence of pacemaker discharge of *Aplysia* neurons upon Na⁺ and Ca⁺⁺. *J. Cell. Physiol.*, 75:121-127, 1970.
18. Kraus, K.R., Carpenter, D.O. and Kopin, I. R. Acetylcholine-induced release of norepinephrine in the presence of tetrodotoxin. *J. Pharmacol. Exp. Therap.*, 73:416-421, 1970.
19. Barker, J.L. and Carpenter, D.O. Thermosensitivity of neurons in the sensorimotor cortex of the cat. *Science*, 169:597-598, 1970.
20. Carpenter, D.O., Hovey, M.M. and Bak, A. Intracellular conductance of *Aplysia* neurons and squid axon as determined by a new technique. *Intl. J. Neurosci.*, 2:35-48, 1971.
21. Carpenter, D.O., Breese, G., Schanberg, S. and Kopin, I. Serotonin and dopamine: Distribution and accumulation in *Aplysia* nervous and non-nervous tissues. *Intl. J. Neurosci.*, 2:49-56, 1971.
22. Hovey, M.M., Bak, A.F. and Carpenter, D.O. Low internal conductivity of *Aplysia* neuron somata. *Science*, 176:1329-1331, 1972.
23. Carpenter, D.O. Electrogenic sodium pump and high specific resistance in nerve cell bodies of the squid. *Science*, 179:1336-1338, 1973.
24. Carpenter, D.O. and Rudomin, P. The organization of primary afferent depolarization in the isolated spinal cord of the frog. *J. Physiol. (Lond.)*, 229:471-493, 1973.
25. Shain, W., Green, L.A., Carpenter, D.O., Sytkowski, A.J. and Vogel, Z. *Aplysia* acetylcholine receptors: Blockage by and binding of α -bungarotoxin. *Brain Res.*, 72:225-240, 1974.
26. Pierau, Fr.-K., Torrey, P. and Carpenter, D.O. Mammalian cold receptor afferents: Role of an electrogenic sodium pump in sensory transduction. *Brain Res.*, 73:156-160, 1974.

- EXHIBIT C -

**emails to Complainants from Dr. David O Carpenter MD
indicating his commitment schedule and availability**

Date: 04/30/2018 16:09
To: "hriadil@attglobal.net" <hriadil@attglobal.net>

Hi Francis:

I'm out of town the week of June 5-7, June 11th, July 18-20 and the week of August 6. But I have no other commitments at present. I'm sorry my schedule is complicated. David

David O. Carpenter, MD
Director, Institute for Health and the Environment
A Collaborating Centre of the World Health Organization
University at Albany
5 University Place
Rensselaer, NY 12144

Date: 05/15/2018 09:00
To: "hriadil@attglobal.net" <hriadil@attglobal.net>

Hi Francis:

This is very good news. My schedule for July and August has not changed. In September I teach every Tuesday at 4PM, but if we can arrange for me to testify by phone I could do that earlier in the day. At present I don't have any travel plans for September, but I do hope you will give me plenty of warning as my calendar fills up fast. David

David O. Carpenter, MD
Director, Institute for Health and the Environment
A Collaborating Centre of the World Health Organization
University at Albany
5 University Place
Rensselaer, NY 12144

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MAY 18 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2016-2571726

CERTIFICATE OF SERVICE

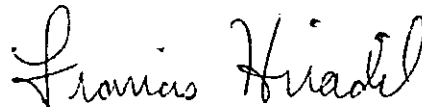
I hereby certify that I have this day served a true copy of the foregoing document upon the participant listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant):

Via Paper Filing
Judge Jeffrey Watson
PA PUC Pittsburgh Administrative Law Judge Office
301 Fifth Ave, Suite 220
Piatt Place
Pittsburgh, PA 15222

Via Paper Filing
Jeremy V Farrell, Esquire
Paul S Miller, Esquire
1500 One PPG Place
Pittsburgh, PA 15222
(412) 594-5619 (Fax)

Counsels for Respondent, Duquesne Light Company

Dated this 30th day of April 2018



Michele and Francis Hriadil
331 Shady Ridge Drive
Monroeville, PA 15146

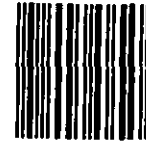
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hriadil@attglobal.net



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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

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