

Jeannette and Craig Pavlick
4200 Colonial Drive
Murrysville, PA 15668
(724) 733-1793

July 25, 2018

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JUL 25 2018

VIA E-FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

In Re: Jeannette and Craig Pavlick v. West Penn Power Company
Docket No. C-2018-3002723

Dear Secretary Chiavetta:

Attached is our Reply to Preliminary Objections of West Penn Power Company in the above-referenced matter. This document has been served on the Respondent as shown in the Certificate of Service.

Please contact us with any questions.

Sincerely,



Jeannette Pavlick



Craig Pavlick

CC: Reply to Preliminary Objections
Certificate of Service

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

JEANNETTE PAVLICK AND CRAIG PAVLICK

:

v.

:

Docket No. C- C-2018-3002723

WEST PENN POWER COMPANY

:

**REPLY TO PRELIMINARY OBJECTIONS OF
WEST PENN POWER COMPANY**

TO: THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, we, Jeannette Pavlick and Craig Pavlick ("Complainants"), are responding to West Penn Power Company's ("West Penn" or the "Company") Preliminary Objections as follows:

I. Introduction

1. Admitted.
2. We are not able to admit or deny this paragraph as Act 129 does not require deployment of a meter which is harmful to customers such as Complainants.
3. Agreed in part and denied in part. On June 13, 2018, Complainants contacted the Company representative and the representative did not provide any information relating to the accumulative potential harmful health concerns in using the smart meter.
4. Denied. Act 129 does not mandate that West Penn deploy EMF radiation producing smart meters which would be harmful to the health of Complainants and would constitute a violation of 66 Pa. C.S § 1501. The Commission has the jurisdiction to hear allegations of violations of 66 Pa. C.S § 1501.
5. Denied. As a result, the Complainants request that the Preliminary Objections be denied and that the Commission: (1) Grant Complainants' request for an exemption from installation of an unsafe device connected to their residence and an accommodation from the installation of a radiation producing smart meter which would be harmful to the health of the Complainants. (2) Accept the Formal Complaint in its entirety; and, (3) Grant Complainants such relief as may be just and reasonable under the circumstances.

II. West Penn's Background

6. Admitted.

7. Denied. Please see response to Paragraph 3.
8. Admitted.
9. Admitted. West Penn filing envelope contains red postage stamps of July 6 and another of July 7, 2018, with the later date with zero postage. Certificate of Service is dated July 5, 2018. Also, Complainants were out of town and were unable to Reply until this time to these Preliminary Objections.

III. West Penn's Argument

10. This requires a legal conclusion.
11. This requires a legal conclusion.
12. Admitted.
13. Admitted in part and denied in part.
Sentence 1 is admitted. The last two sentences are denied. In that, West Penn has violated 66 Pa. C.S § 1501 of the Public Utility Code giving the Complainant the option of either of using a meter that is potentially harmful to the health of Complainant or to go without electricity.
14. Admitted.
15. Admitted in part and denied in part. The last sentence is denied as the deployment of the radiation emitting smart meter is not required by Act 129.
16. Denied. Complainants are asking for accommodation by way of harmful effects and exposure to the smart meter radiation.
17. Denied. The Formal Complaint states a violation under 66 Pa. C.S § 1501 upon which the Commission can grant relief.
18. Denied. Act 129 does not require the installation of a radiation emitting meter that has not been fully tested for health and safety problems.
19. Denied. Please see response to Paragraph 17.
20. Admitted. This is in the public interest in that the smart meter poses a potential health risk and fire risk.
21. Denied. Under 66 Pa. C. S. § 1501, Ms. Kreider had the right to a hearing on the harmful effects from the EMF radiation smart meter. Complainants are asking for a fair and impartial hearing regarding their concerns and the potential effects of exposure from the smart meter.
22. Denied. Complainants are not familiar with the details of this case and cannot comment.

23. The Complainants' Formal Complaint should stand on its own. Under 66 Pa. C. S. § 1501, the Commission can grant an accommodation.
24. Denied. Complainants are not familiar with the details of this case and cannot comment.
25. Denied. Act 129 does not require the installation of a radiation emitting meter that has not been fully tested for health and safety problems.

IV. **Conclusion**

WHEREFORE, for the foregoing reasons, Complainants respectfully request that the Commission deny West Penn's Preliminary Objections and (1) grant Complainants' request of remediation of unsafe delivery of electricity to our residence and an accommodation from the installation of a radiation producing smart meter; (2) allow the Formal Complaint in its entirety to proceed; and (3) grant the Complaint such other relief as may be just and reasonable under the circumstances.

Dated: July 25, 2018


Jeannette Pavlick


Craig Pavlick

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JEANNETTE PAVLICK AND CRAIG PAVLICK :
 :
 v. : Docket No. C- C-2018-3002723
 :
 WEST PENN POWER COMPANY :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Reply of Jeannette Pavlick and Craig Pavlick to Preliminary Objections of West Penn Power Company upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54.

Service by First Class Mail, postage prepaid, as follows:

Lauren M. Lepkoski

Tori L. Giesler

FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001

Dated: July 25, 2018

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU



Jeannette Pavlick



Craig Pavlick

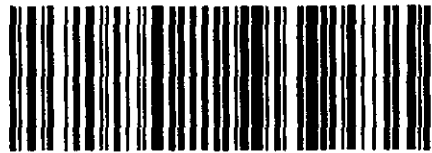
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nettpav@yahoo.com
nettpav@yahoo.com



Craig Pavlick
4200 Colonial Dr.
Murrysville, PA 15668-1302

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

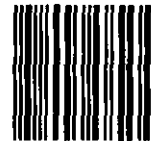
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Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120