

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CONCHITA M BRAUN

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2018-3003001

**RESPONSE TO METROPOLITAN EDISON COMPANY'S
ANSWER AND NEW MATTER- DATED JULY 16, 2018**

I, Conchita M Braun, as one of the People, claim all my rights known and unknown, waiving none, seek the Commission's protection of my rights and as stated in the Commission's Mission Statement seek the Commission's help to ensure my safety, my public interest and to help me make an independent decision in the matter here in question. I file this Response to the Answer and New Matter from Metropolitan Edison Company dated July 16th, 2018.

OPENING STATEMENT

In early May, I contacted Metropolitan Edison Company (the Company) to inform them that I did not want my current Analog Meter to be replaced by a Smart Meter. As suggested by them I went to the PA PUC's website and decided to submit an Informal Complaint with the PA PUC Bureau of Consumer Services (BCS). While waiting for a

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reply from the PUC to my Informal Complaint and even though I informed the Company of such filing, I kept getting conflicting letters from the Company, on one day they were saying that the installment would be placed on hold and immediately after that, I would get threatening letters saying my power may be subject to being shut off. By the end of May I had not heard back from the PUC and decided to send them another letter, this time certified to ensure they received it. I again notified the Company, but I still continued to get notices that my power would be shut off. I was getting ready to travel overseas and had still not heard back from the PUC, so on or around June 20th, I contacted the PUC and the PUC Secretary's office, to find out the status of my Informal Complaint. No one knew anything about it, even though I had proof of delivery from the post office that it was received in early June. The lady, with whom I spoke from the PUC Secretary's office, said that the only way to stop the Company to shut my power off was by filing a Formal Complaint. After not getting any information about my Informal Complaint from the PUC and due to Metropolitan Edison's conflicting actions on how to proceed plus their threatening letters of having the power shut off, and being that at the time I was going to be on a trip overseas for a couple of weeks, I was left with no other recourse, but to File a Formal Complaint.

My Formal Complaint was then submitted on June 21st, 2018.

(The statements made above are described in more detail, in my Reply to Paragraph 3 to the Preliminary Objections filed by the Company on July 16th. That reply is being filed today along with this response to Answer and New Matter.)

In my Formal Complaint, based on health, privacy and safety concerns, I request relief from the installation of this device and ask to delay the installment of the Smart Meter until 2023, in doing so the Company would not be out of compliance with Act 129.

Smart Meters emit constant electromagnetic/ frequency radiation (EMF/EMR), throughout the house, which is a known health hazard. This affects all its occupants, human or animal and the wildlife and nature around it. It pollutes the environment inside and outside the home. Creating dirty electricity throughout.

As stated in my Complaint, I have EMF/EMR (electromagnetic frequency/radiation) hypersensitivity, which is an officially recognized medical condition from the National Center for Biotechnology Information, a division of the National Institute of Health. My symptoms manifest when I'm in an environment where this kind of radiation is present. It is a similar condition as people suffering from allergies to bee stings, medicines, foods such as peanut butter, X-ray dyes, etc. The similarity with people that have these kind of allergies and those with EMR hypersensitivity is that when there is contact/exposure with the culprit of the symptoms, be it a bee sting, peanut butter or in my case exposure to the radiation, the body reacts and causes the symptoms to manifest. My symptoms can range from headaches, dizziness, nausea, ringing in the ears, rapid heart palpitations, sweats, restlessness, sleeplessness, involuntary twitching, cramping of extremities, confusion, brain fog, generalized weakness, among others. Furthermore, the cumulative effects of continued exposure to this form of radiation further aggravates the condition and also affects those without this kind of hypersensitivity and can manifest overtime and produce heart conditions, cancer, and other serious health issues. Due to my sensitivity I have

protected myself in my home for years, by avoiding this kind of exposure. In my house I have my router off most of the time. When I turn it on, I disable the Wifi and if I need to connect it, is only for limited use; I use a wired Ethernet cable when I need to get on my computer; my cell phone is on only when necessary and I have the Wifi and Bluetooth features disabled; when not in use the cell phone it is either off, or with the cellular data tuned off/or on airplane mode; I don't own cordless phones, only wired phones; I avoid being in areas of high exposure for long periods of time, whenever I can help it. After years of taking all these precautions, why would I want a Smart Meter? A device that would emit radiation constantly throughout my house, compromising my health, my safety and my privacy and that of those in my home and property. How can something that has not been proven to be safe, quite the contrary, be forced in people's own homes against their will?

Such an act, of installing the device against the home owner's wishes and with knowledge by the Company, as in my case as given in writing in my Informal and Formal Complaints, that my health and the health and well being of the property occupants is being affected as well as the privacy rights and safety being compromised, would clearly be a violation of the Fourth Amendment, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated" It would also be in violation of the Consumer Bill of Rights, " The right to safety, the right to be informed, the right to choose, and the right to be heard, the right to satisfaction of basic needs, the right to redress, the right to consumer education, and the right to a healthy environment"; and in violation of the Public Utility Code. " To furnish

and maintain adequate, efficient, **safe and reasonable service** and facilities.” 66 Pa. C.S. Section 1501 (emphasis added). Also Metropolitan Edison Company is obligated to “make all such repairs, **changes, alterations, substitutions and improvements** in or to such service and facilities **as shall be necessary or proper for the accommodation, convenience and safety of its patrons, employees and the public.** (Emphasis added) Furthermore, the original bill SB2200/Act 129 (2008) **as originally signed and published on public record, declared that AMI Meters are not mandated, being instead an OPT-IN bill.** *Re HB2200 Statute 2807 (f) 7 (2) (i)* ; Act 129 also states that it is to be done **upon customer request and to be implemented in new construction, in Federal housing and Federal Buildings.** None of which applies in my case. Furthermore, as previously stated, Act 129 gives the Electric companies until 2023, to install these meters.

REVIEW AND RESPONSE TO ANSWER AND NEW MATTER

Along with this response to the Answer and New Matter I’m also including my reply to the Preliminary Objections. On the reply to the Preliminary Objections to paragraph 3, the sequence of communication between the Company and myself is stated in detail. Please refer to it, if more clarification is needed on the following response to the Answer and New Matter.

I disagree with the Company’s statement, on their Answer and New Matter, where the *Company denies that they had active intent to terminate service to the Service Location as any termination efforts ceased upon receipt of an informal complaint.* This is

incorrect, since I informed the Company that I had sent informal complaint letter/s to the PUC and even sent them copies of the letters and after that I kept getting threatening letters of having my power shut off. I would get contradicting statements and actions from the Company. I would get replies to my emails that would say that the installment would be put on hold and days later I would get notifications that they had been trying to contact me to install the Smart Meter and if I didn't respond I would be subject to having they service shut off. After going back and forth several times and reinstating that an Informal Complaint had been sent and that I was waiting to hear back from the PUC, two more letters were sent to me from the Company as 10 day notices, threatening to shut my power off. I kept getting conflicting information from the Company. It kept me baffled and confused as to how to properly proceed and what to expect. For this reason I also disagree with the statement the Company makes, *that the Company avers that at all times relevant to this proceeding the Company's actions were reasonable*. It didn't seem reasonable to me, as a lot of stress and frustration was caused by the Company's confusing responses, actions and lack of consideration to my concerns.

Further I disagree with the Company's statement that they are required to have the meters installed by mid-2019. According to Act 129, the companies have until 2023. As referred by the Company, *the Companies Smart meter Deployment Plan, filed June 16, 2014 proposed that 98.5% of Met-Ed's customers would receive smart meters by the end of mid-2019 and the remainder by the end of 2022*. (Emphasis added)

Proposed does not mean mandated.

The Company's Denial of paragraph 5 of my Formal Complaint, is like saying that they don't recognize the Commission's Mission Statement. It's the Commission's responsibility to look out for the consumers concerns and safety. Furthermore the Company referral to my concerns as beliefs and opinions is hurtful and dismissive. It seems rather unfair that to defend my own property rights, my right to ensure a healthy and safe environment in my own home, that I would have to go through a confusing and complicated legal process to do so. This process of defending my home, my right to health and well being is making me subject to undue stress, frustration, aggravation, confusion, taking time away from my family, friends and work commitments, due to having to spend that time to take care of this matter, having to endure all this just because I'm being denied the right to have a say on what I can decide to have or not in my own home, a home that I have worked hard for, proudly cared for, pay a lot of money for, where lovingly and through lot of years and dedication created a safe haven for my family, my pets and myself, only to then be denied the right to make my own decisions? I never in my wildest dreams thought that I would ever be put in this kind of situation, in the land of the free. To add to it, the legal documents and process is complicated, taxing and time consuming, for a common person such as myself. I cannot state enough the amount of days and hours that it has taken me to read through the documents, and try to understand its contents to the best of my ability and then try to respond in the best way I possibly can. As a matter of fact in reading through the New Matter several times, I cannot see what New Matter the Company is referring to, as it appears that there is no New Matter. Comparing the Answer and New Matter is seems almost identical to the

content of the Preliminary Objections filed by the Company, to which I already have issued a reply.

For the reasons set forth above I respectfully request that the Answer and New Matter be stricken, in part or in full and that the relief sought by the Company in the Answer and New Matter and in the Preliminary Objections be denied.

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CERTIFICATE

I hereby certify that the Statements made by me are true. I am aware that if any of the statements made by me are willfully false I am subject to punishment.

Submitted by,

Dated: August 14th 2018



Conchita M Braun

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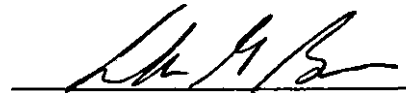
CERTIFICATE OF SERVICE

I hereby certify that I have this day August 14th, 2018 served my Response to the Answer and New Matter by Metropolitan Edison Company to the following:

Rosemary Chiavetta, Secretary
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