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File #: 167945

August 24, 2018

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Thomas Maslar v. PPL Electric Utilities Corporation
Docket No. C-2018-3003075**

**Michelle Kuntz v. PPL Electric Utilities Corporation
Docket No. C-2018-3003078**

**Brian Colella v. PPL Electric Utilities Corporation
Docket No. C-2018-3003179**

**Nelson Hess v. PPL Electric Utilities Corporation
Docket No. C-2018-3003337**

**Michele P. White v. PPL Electric Utilities Corporation
Docket No. C-2018-3003468**

**Mary Benhayon v. PPL Electric Utilities Corporation
Docket No. C-2018-3003491**

**Jonathan Barris v. PPL Electric Utilities Corporation
Docket No. C-2018-3003579**

Dear Secretary Chiavetta:

Enclosed for filing is the Prehearing Memorandum of PPL Electric Utilities Corporation in the above-referenced proceedings. Copies will be provided as indicated on the Certificate of Service.

ALLENTOWN HARRISBURG LANCASTER PHILADELPHIA PITTSBURGH PRINCETON WASHINGTON, D.C.

A PENNSYLVANIA PROFESSIONAL CORPORATION

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Rosemary Chiavetta, Secretary
August 24, 2018
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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Devin Ryan", with several overlapping strokes and a long horizontal line extending to the left.

Devin Ryan

DTR/jl
Enclosures

cc: Honorable Elizabeth Barnes
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA FIRST CLASS MAIL and/or E-MAIL

Thomas Maslar
3556 Apollo Court
Orefield, PA 18069

Michelle Kuntz
6614 Oak Drive
Slatington, PA 18080

Mary Benhayon
7450 Jackson Road
Mays Landing, NJ 08330

Jonathan Barris
150 Skinner Hill Road
Stroudsburg, PA 18360

Brian Colella
5929 Noela Road
Stroudsburg, PA 18360
E-mail: BColella1@gmail.com

Nelson Hess
2408 Crow Foot Drive
Auburn, PA 17922
E-mail: nelsonhess@gmail.com

Michele P. White
40 South Groffdale Road
Leola, PA 17540
E-mail: whitebml@comcast.net

Date: August 24, 2018


Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Thomas Maslar	:	Docket Nos. C-2018-3003075
Michelle Kuntz	:	C-2018-3003078
Brian Colella	:	C-2018-3003179
Nelson Hess	:	C-2018-3003337
Michele P. White	:	C-2018-3003468
Mary Benhayon	:	C-2018-3003491
Jonathan Barris	:	C-2018-3003579
	:	
Complainants,	:	
	:	
v.	:	
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**PREHEARING CONFERENCE MEMORANDUM OF
PPL ELECTRIC UTILITIES CORPORATION**

TO ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby files this Prehearing Conference Memorandum in the above-captioned matters in accordance with the Prehearing Conference Orders issued by Administrative Law Judge Elizabeth H. Barnes (“ALJ”), and states as follows:

I. INTRODUCTION

On June 28, 2018, PPL Electric was served with the Formal Complaint filed by Thomas Maslar at Docket No. C-2018-3003075.

On June 28, 2018, PPL Electric was served with the Formal Complaint filed by Michelle Kuntz at Docket No. C-2018-3003078.

On July 6, 2018, PPL Electric was served with the Formal Complaint filed by Brian Colella at Docket No. C-2018-3003179.

On July 11, 2018, PPL Electric was served with the Formal Complaint filed by Nelson Hess at Docket No. C-2018-3003337.

On July 18, 2018, PPL Electric was served with the Formal Complaint filed by Michele P. White at Docket No. C-2018-3003468.

On July 19, 2018, PPL Electric was served with the Formal Complaint filed by Mary Benhayon at Docket No. C-2018-3003491.

On July 24, 2018, PPL Electric was served with the Formal Complaint filed by Jonathan Barris at Docket No. C-2018-3003579.

On July 18, 2018, PPL Electric filed its Answer to the Complaint of Thomas Maslar.

On July 18, 2018, PPL Electric filed its Answer to the Complaint of Michelle Kuntz.

On July 26, 2018, PPL Electric filed its Answer to the Complaint of Brian Colella.

On July 31, 2018, PPL Electric filed its Answer to the Complaint of Nelson Hess.

On August 7, 2018, PPL Electric filed its Answer to the Complaint of Michele P. White.

On August 8, 2018, PPL Electric filed its Answer to the Complaint of Mary Benhayon.

On August 13, 2018, PPL Electric filed its Answer to the Complaint of Jonathan Barris.

Prehearing Conference Orders were issued by the ALJ at Docket Nos. C-2018-3003075, C-2018-3003078, C-2018-3003179, C-2018-3003337, C-2018-3003468, and C-2018-3003491 on August 8, 2018.

A Prehearing Conference Order was issued by the ALJ at Docket No. C-2018-3003579 on August 14, 2018.

On August 15, 2018, the ALJ scheduled a prehearing conference for Mr. Colella's proceeding at Docket No. C-2018-3003179 to be held on September 7, 2018.

II. SERVICE OF DOCUMENTS

PPL Electric Utilities Corporation respectfully requests that Devin T. Ryan, Esquire, and Amy E. Hirakis, Esquire be listed on the service list as counsel on behalf of PPL Electric. Their contact information is as follows:

Amy E. Hirakis (ID # 310094)
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101
Phone: 610-774-4254
Fax: 610-774-4102
E-mail: aehirakis@pplweb.com

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E-mail: dryan@postschell.com

Further, PPL Electric requests that Kimberly A. Klock, Esquire, and Garrett P. Lent, Esquire, be included on all electronic mail sent in this proceeding. Ms. Klock's e-mail address is kklock@pplweb.com, and Mr. Lent's e-mail address is glent@postschell.com.

PPL Electric's attorneys are authorized to accept service on behalf of the Company in this proceeding. PPL Electric requests that the Commission and all parties of record serve copies of all discovery requests and answers, correspondence, Commission Orders, and any other documents issued in this proceeding on its attorneys in Harrisburg, Pennsylvania.

The Company agrees to receive service of documents electronically in this proceeding.

III. ISSUES

PPL Electric believes the presently identified issues are: (1) whether the Complainants have the ability to opt-out of the installation of the new automated metering infrastructure ("AMI") meter under Act 129 of 2008; and (2) whether the Company's installation of the new AMI meter at the Complainants' premises would violate 66 Pa. C.S. § 1501. As stated in the

Company's Answers to the Complaints, PPL Electric maintains that there is no opt-out of the new AMI meter installation under Act 129 and that the installation of its new AMI meters would not violate Section 1501 of the Public Utility Code. Further development of issues may await the submission of direct testimony by the Complainants.

IV. WITNESSES AND EVIDENCE

The Company plans to call William J. Hennegan, Scott Larson, Dr. Christopher C. Davis, and Dr. Mark A. Israel to testify on its behalf. The witnesses' contact information and expected testimony are as follows:

William J. Hennegan – Manager - Advanced Meter System Operations
PPL Electric Utilities
Two North Ninth Street
Allentown, PA 18101

Scott Larson – Senior Engineer
PPL Electric Utilities
1 Scotch Pine Dr.
Hazle Township, PA 18202-9760

Dr. Christopher C. Davis, Ph.D.
Professor of Electrical and Computer Engineering
University of Maryland
Electrical and Computer Engineering
2124 Jeong H. Kim Engineering Bldg.
College Park, MD 20742

Dr. Mark A. Israel, M.D.
Professor of Medicine
Dartmouth Medical School
1 Medical Center Dr.
Lebanon, NH 03756

Mr. Hennegan is expected to testify about customer communications, customer account history, the Company's privacy policies related to the new smart meters, the smart meters' privacy protections, and any customer service or account issues that may arise in this proceeding.

Mr. Larson is expected to testify about PPL Electric's Smart Meter Plan, the Company's current smart meter rollout, the technical specifications of the smart meters, the safety of smart meters, issues related to fire safety, the smart meters' privacy protections, and any other issues that may arise pertaining to the Company's smart meters in this proceeding.

Dr. Davis is expected to testify about the nature and physical properties of radio frequency (RF) fields, whether there is an established biophysical or biological mechanism for RF fields from AMI and/or AMR systems to cause adverse effects in humans, methods for determining a person's exposure to RF fields, and how the RF fields from PPL Electric's AMI system compare to the FCC's RF exposure standards and to RF field exposures from other sources in everyday life.

Dr. Israel is expected to testify about the medical and scientific studies on radio frequency (RF) fields and health, and whether there is a reliable medical or scientific basis for concluding that RF fields from PPL Electric's AMI system will cause or contribute to the adverse health effects claimed by Complainants.

Please note that the witnesses PPL Electric will ultimately call at hearing will depend on the issues raised in discovery and during the course of this proceeding. The Company reserves the right to call additional witnesses, if necessary.

Further, the Company proposes to submit written testimony and exhibits for all of its witnesses in these cases. Such an approach will provide the *pro se* Complainants with a better opportunity to: (1) review the Company's evidence about these complex issues in advance of the hearing; and (2) prepare their response at the evidentiary hearing. Moreover, this approach will reduce the time needed at the evidentiary hearing for PPL Electric to present its case in chief.

V. PROCEDURAL SCHEDULE

PPL Electric will endeavor to work with the parties on a mutually agreeable procedural schedule prior to the prehearing conference. In the meantime, the Company proposes the following schedule:

Prehearing Conference	August 29, 2018
Complainants' Documentary Exhibits and Written Expert Testimony	October 22, 2018
PPL Electric's Written Rebuttal Testimony and Exhibits	November 29, 2018
In-Person Hearings	January 9-10, 2018
Main Briefs	February 12, 2018
Reply Briefs	March 5, 2018

If the parties are able to agree on a schedule before the prehearing conference, the Company will inform the ALJ of the proposed schedule.

VI. DISCOVERY

PPL Electric intends to engage in discovery early in this proceeding, consistent with the Commission's regulations. *See* 52 Pa. Code § 5.331(b). The Company also encourages the use of informal discovery processes as the proceeding progresses. *See id.* § 5.322. The Company is not aware of any discovery issues and does not propose any special orders regarding discovery or modifications to the discovery rules. PPL Electric proposes that discovery conclude prior to the date of the evidentiary hearing.

VII. PROTECTION OF CONFIDENTIAL INFORMATION

PPL Electric does not oppose the issuance of a protective order in this proceeding to protect against the public disclosure of health records or other confidential information.

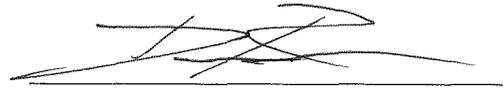
VIII. SETTLEMENT DISCUSSIONS

To date, no settlement discussions have been held. However, PPL Electric is willing to work with the parties in an effort to resolve these proceedings through settlement.

IX. CONSOLIDATION

PPL Electric does not oppose the efficiencies of procedurally consolidating the above-captioned proceedings for the purposes of holding one set of hearings. However, to the extent that any of the Complainants intend to present expert testimony on health issues, safety issues, or both, or documentary health records from doctors or other medical professionals, PPL Electric maintains that each of those cases should have a separate hearing because those complainant-specific issues need to be addressed individually.

Respectfully submitted,



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Date: August 24, 2018

Attorneys for PPL Electric Utilities Corporation