

John Kline
5611 Stradford Drive
Harrisburg, Pa. 17112

September 17, 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: John Kline v. PPL Electric Utilities Corporation
Docket No. C-2017-2621072

Dear Secretary Chiavetta,

This letter is to inform you that I have submitted my reply to PPL's Exceptions for Docket No. C-2017-2621072 of complainant John Kline via electronic filing. In addition to filing these Reply Exceptions with the Secretary of the Commission, a courtesy copy of the Exceptions has been e-mailed to the Commission's Office of Special Assistants (OSA) at ra-OSA@pa.gov.

Copies will be provided as indication in the certificate of service.

Respectfully submitted,

A handwritten signature in black ink that reads "John Kline". The signature is written in a cursive style with a long horizontal flourish at the end.

John Kline

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).

Reply to PPL's Exceptions Docket No. C-2017-2621072 by complainant John Kline

Via Email

Devin Ryan
dryan@postschell.com
Council for PP&L Electric Utilities Corporation
17 North Second Street
12th Floor
Harrisburg, PA 17101-1601

Respectfully submitted by:



John Kline

September 17, 2018

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

John Kline,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2017-2621072
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**REPLY TO EXCEPTIONS OF PPL ELECTRIC UTILITIES CORPORATION
TO THE INITIAL DECISION**

**John Kline
5611 Stradford Drive
Harrisburg, Pa 17112
Pro Se Complainant**

September 17 2018

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I. BACKGROUND

On August 24, 2017, John Kline filed a formal complaint against PPL Electric Utilities Corporation with the Pennsylvania Public Utility Commission (“Commission”). Regarding the safety and legality of installing a smart meter at his property, 5611 Stradford Drive, Harrisburg, Pennsylvania.

On September 13, 2017, PPL Electric filed its Answer to the Complaint.

On March 29, 2018, an in-person evidentiary hearing was held before Administrative Law Judge Elizabeth H. Barnes (the “ALJ”).

On May 16, 2018, PPL Electric filed its Main Brief.

On May 16, 2018, the John Kline filed his Main Brief.

On July 9, 2018, PPL Electric filed its Reply Brief.

On July 9, 2018, the John Kline filed his Reply Brief.

On August 16, 2018, the ALJ’s Initial Decision (“ID”) was issued.

On September 5, 2018 John Kline filed his Exceptions to the ALJ’s Initial Decision

On September 5, 2018 PPL Electric a limited Exception to the ALJ’s Initial Decision

Replies to the Exceptions are due on September 17, 2018

II. CLARIFICATION

In PPL Electric’s Exception dated September 5, 2018 they made the following claims:

- On May 17, 2018, the Complainant filed his Main Brief.
- On July 10, 2018, the Complainant filed his Reply Brief.

Whether a simple error or on purpose, these statements are misleading as they would indicate that John Kline filed his briefs a day late in both cases. The correct file dates

are listed above (Main Brief – May 16, 2018 and Reply Brief - July 9, 2018) and a snapshot from the PUC website below verifies the actual dates these briefs were filed.

Public Documents

Document Name	Document Type	eFiling Confirmation Number	Date Received	Date Served	Reference Docket Number
Cover Ltr & COS - John Kline	Certificate of Service	1689797	5/16/2018		
Main Brief - John Kline	Briefs	1689797	5/16/2018		
Reply Briefs - John Kline	Reply Briefs	1689797	7/9/2018		

Both briefs from John Kline were filed on time and on the same dates that PPL filed their briefs.

III. PPL'S EXCEPTION

PPL filed the following exception:

Exception No. 1: The ID did not need to make the fire safety recommendations because these recommendations have already been adopted by the Company or are unnecessary given the Company's established practices and procedures. ID at 18-19.

IV. ARGUMENT

The ID made the following correct recommendations for the first time in this proceeding:

"I encourage PPL and/or its Agents (i.e. Grid One Solutions) to perform a statistically relevant sample audit on its past meter installations and going forward to perform certain meter base checks (if it is not already doing so) prior to setting any meters as an added precaution against fires caused by micro-arcing. I recommend PPL and its Agents consult with other peer EDCs to determine and adopt the best practices

regarding customer meter base inspections. In summary, PPL should perform what tests serve to minimize any potential fires due to micro-arcing.

I recommend PPL and its Agents verify that the Underwriter's Inspection Certificate is present on every AMI meter prior to its installation as an additional precaution."

ID at 18-19.

A. **REPLY TO EXCEPTION 1:**

The fact that PPL would object to being held accountable to the safety of the meters and meter installations is in and of itself suspect. Although I agree with the ALJ's recommendation in this area I do not believe they went far enough. It is the responsibility of the Commission and the Utility Companies to assure the safety of all of their customers not just a "relevant sample audit". How can the Commission or PPL state that an installation is complete and successful when they believe there could be meter enclosures with problems? The fact that thousand more meters may not be functioning properly and customers could be at risk, yet PPL is objecting to these inspections would constitute a violation of 66 Pa. C.S. §150.

- (1) An electric utility shall use reasonable effort to properly warn and protect the public from danger, and shall exercise reasonable care to reduce the hazards to which employees, customers, the public and others may be subjected to by reason of its provision of electric utility service and its associated equipment and facilities.

Safety issues described by the ALJ in the ID could be caused by the use of unlicensed electrical workers in the initial installation process. Therefore all meter sockets should

be checked and inspected not just a “statistically relevant sample” since an electrical contractors license was not required by PPL’s sub-contractors.

- It would be reasonable to assume that some of these newly hired and newly trained installers were not qualified to make the determination of the condition of the meter enclosures.
- It would also be reasonable to assume that due to inexperience and compensation plans (which incent them to work fast) some installers did not alert PPL of problems they should have at the point of initial installation and installations were made in faulty meter enclosures putting the customer at a safety risk.

PPL has not provided any evidence in their responses to substantiate the fact that previous installations were properly inspected and safety issues were reporting and repaired. I would also like to address the following statements by PPL.

First, PPL Stated that “the Company has had two sets of audits performed on its past meter installations: one by Grid One Solutions LLC (“Grid One”), which is the contractor who installs the new AMI meters, and TESCO - The Eastern Specialty Company (“TESCO”). To date, Grid One has completed 5,790 audits, and TESCO has completed approximately 37,000 audits”. (PPL Exception page 3).

This information was not previously presented during these proceedings when safety issues were addressed. I strongly object to PPL’s attempt to introduce testimony now via written statements by counsel , in its exception filing, sworn to by Mr. Larsen, that I do not have the opportunity to cross examine him on, that could have been introduced at the hearing but was not.

Second, PPL Stated that “PPL Electric or its agents already “perform certain meter base checks prior to setting any meters” as recommended by the ID. ID at 18. Indeed, PPL Electric’s contractor, Grid One, inspects all meter bases before installing the new AMI meters. The technicians employed by Grid One receive training on how to identify issues with the meter bases. When discovering a potential issue, these technicians report the issue so that the customer-owned meter base can be repaired or replaced by the Company. To date, PPL Electric has repaired or replaced approximately 10,000 meter bases”. (PPL Exception page 3).

This information was not previously presented during these proceedings when safety issues were addressed. I strongly object to PPL’s attempt to introduce testimony now via written statements by counsel , in its exception filing, sworn to by Mr. Larsen, that I do not have the opportunity to cross examine him on, that could have been introduced at the hearing but was not.

Third, PPL Stated that “the ID’s recommendations for the Company to consult with peer electric distribution companies (“EDCs”), adopt best practices, and perform additional tests during meter base inspections are unnecessary as well. PPL Electric already has consulted with peer EDCs about these issues, performed extensive investigation and testing concerning these issues, and adopted best practices, including the in-depth inspections of the customer-owned meter bases before the new AMI meters are installed”,

“In April of 2013, PPL Electric partnered with TESCO to investigate meter failures due to hot socket conditions. The scope was to identify root cause, develop comprehensive test plan for meters, develop a site audit plan, and create a test fixture to simulate conditions. The root cause of these hot socket conditions was identified as loose or broken jaws within the customer-owned meter bases. This situation would create an air gap around the meter blade; paired with any type of vibration, micro-arcing would occur creating a rise in temperature”.

“Based upon these findings PPL Electric developed a test fixture, the TESCO 3100-L Hot Socket Test Simulator, and successfully recreated the exact micro-arcing scenario in a controlled environment with the ability to control and monitor temperature at the meter blades. The Company also developed an enhanced field inspection criterion that was integrated into all applicable metering department instructions. Further, PPL Electric provided a training course about the enhanced field inspection

criterion. The Company's findings also were shared with peer utility groups through the Association of Edison Illuminating Companies".

This information was not previously presented during these proceedings when safety issues were addressed. I strongly object to PPL's attempt to introduce testimony now via written statements by counsel , in its exception filing, sworn to by Mr. Larsen, that I do not have the opportunity to cross examine him on, that could have been introduced at the hearing but was not.

Fourth, PPL Stated that "In addition, during meter base inspections, the Company's contractor already: (1) verifies that conductor terminals are tight; (2) identifies and addresses any defects during installation, i.e., loose or broken socket jaws, significantly corroded and rusty socket jaws, and compromised meters that leak or are degraded by rodent or insect infestation; and (3) checks that the common neutral is common to all exposed metal surface. Thus, the Company is already performing the tests need to "minimize any potential fires due to micro-arcng." ID at 18.

This information was not previously presented during these proceedings when safety issues were addressed. I strongly object to PPL's attempt to introduce testimony now via written statements by counsel , in its exception filing, sworn to by Mr. Larsen, that I do not have the opportunity to cross examine him on, that could have been introduced at the hearing but was not.

As I stated previously, although I agree with the ALJ's recommendation in this area I do not believe they went far enough. The ALJ should have also made recommendations regarding the health issues with the smart meters not just the safety issues regarding overheating and fires. ALJ Barnes and other ALJ's having continuously

ruled that there that there is no reliable medical basis to conclude that RF fields from the AMI meters being used cause or contribute to the development of illness or disease (Kline ID page 16). The opinion of the ALJ in this case and numerous other cases has been based solely on the testimony of PPL witnesses Dr. Davis and Dr. Israel. All evidence and in many cases expert testimony has been completely ignored. As stated in Kline exceptions page 1, The issue of smart meter safety involves a complex scientific subject. John Kline and PPL through their attorneys and expert witnesses hardly did it justice in the time allotted. Also, with utmost respect, neither the ALJ nor the Commission is equipped to decide either the scientific issues about the health risks of RF exposure in general any Complainant's individual health issues. For these reasons—relating to the complexity of the science and the need to get it right on a subject that could seriously affect the health of Complainant —the Commission should be loath to weigh in on the scientific issue of whether RF exposure can possibly cause harm to Complainant. It would be prudent, and well within the Commission's authority, to refrain from deciding the causation issue on the grounds that there is no definitive scientific answer and to defer to the judgment of the Health Department. If so, the Commission should decide that, under the circumstances, it would be at the very least unreasonable under Section 1501 to force John Kline to accept RF exposure over his objection and against the overwhelming evidence that has been presented.

If the Commission elects to decide the scientific issue of whether RF exposure can possibly cause harm to John Kline or his family, then it should decide based on the

NTP report and all other evidence presented by John Kline that there is at least the possibility of harm to him from RF exposure, and that forcing Mr. Kline to accept a smart meter installed at his property would be unsafe to him under Section 1501.

V. CONCLUSION

WHEREFORE, the Pennsylvania Public Utility Commission should deny PPL Electric Utilities Corporation's limited Exception and enter a Final Order that rejects the ALJ's Interim Decision of August 16, 2018, and orders PPL to grant Complainant's request for an accommodation under Section 1501 by using some means other than an RF-emitting smart meter installed on his property to collect data about electric usage for billing purposes. Specifically a meter of his choice.

Respectfully submitted,



John Kline
5611 Stradford Drive
Harrisburg, Pa 17112
Pro Se Complainant

September 17, 2018