

Diana Sabatine
315 Possum Hollow Road
Latrobe, Pennsylvania [15650]
(724) 689-9771

October 11, 2018

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Via E-Service

**Re: Notice and Petition for Judicial Determination of Jurisdiction
Diana Sabatine v. West Penn Power Company
Docket No. C-2018-3002804**

Dear Secretary Rosemary Chiavetta,

Please file the attached Notice and Petition for Judicial Determination of Jurisdiction,
Docket No. C-2018-3002804. Thank you.

Sincerely,



Diana Sabatine

cc: Lauren M. Lepkoski, Esquire
Tori L. Giesler, Esquire
First Energy Service Company
First Energy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001
Accepts E-Service:

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Diana Sabatine

v.

WEST PENN POWER COMPANY

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Docket No. C-2018-3002804

**NOTICE
AND
PETITION FOR JUDICIAL DETERMINATION OF JURISDICTION**

TO: Judge Jeffrey Watson

This Petition calls for clarification of jurisdiction of the Administrative Courts of the COMMONWEALTH OF PENNSYLVANIA PUBLIC UTILITY COMMISSION (PUC).

Quoted from a letter signed by Rhonda L. Daviston, Assistant Counsel for the COMMONWEALTH OF PENNSYLVANIA PUBLIC UTILITY COMMISSION: **“the exclusive method for a ratepayer or other person to initiate a complaint against a public utility is for the ratepayer to file a formal complaint with the Secretary of the Commission.”** Emphasis added.

There are two issues of jurisdiction that the above statement by Rhonda Daviston raises.

1. The instant formal complaint as filed is filed not by a person, but by a people, living and breathing with a soul, in Common Law, on the land, not in the territory. From Rhonda Daviston’s language, she implies that a ratepayer is a person. Does this court have jurisdiction to issue decisions for complaints other than by persons, or **is said jurisdiction limited to fictitious entities** only?


2. The instant formal complaint as filed is not only against a utility, but also is against the COMMONWEALTH OF PENNSYLVANIA PUBLIC UTILITY COMMISSION. **Does this court have jurisdiction to order the PUC to change policy, procedures, rules, or rulings?**

Act 129 of 2008 is being improperly interpreted by the PUC. The word “shall” in Act 129 means there is no escape from the plain language meaning. The plain language of the act is “at the customer request.” There is nothing in the statute or the history of the statute to think that “at the customer request” means anything but what it says and is only emphasized by the word “shall” that precedes it. I have presented this statute to numerous people and after reading it, the only ones who think that it is mandatory are some electric company employees and some employees of the Commonwealth of Pennsylvania. It is a Maxim of Law that a statute be interpreted according to the language of the people, not the language of lawyers or utility companies. How else can the people know what is required of them?

Does this court have jurisdiction to order a change of interpretation of Act 129 of 2008?

If there is no response within ten (10) days, **I will assume your silence is admission that your court does not have jurisdiction over my claim.**

Dated: October 11, 2018



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C-2018-3002804 - Diana Sabatine v. WEST PENN POWER COMPANY

FILE WITH:

ROSEMARY CHIAVETTA, SECRETARY
PENNSYLVANIA PUBLIC COMMISSION
COMMONWEALTH KEYSTONE BUILDING
P.O. BOX 3265
HARRISBURG, PENNSYLVANIA 17105-3265
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WITH A COPY TO:

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