

October 20, 2018

Via Electronic Filing and Via Certified Mail

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Keystone Building, Second Floor W.
400 North Street
Harrisburg, PA 17120

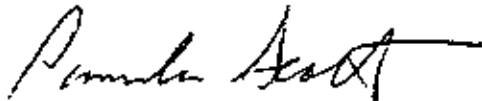
RE: Pamela Scott v. Duquesne Light Company
Docket No. C-2018-3004042

Dear Secretary Chiavetta:

Enclosed please find a copy of Complainant's Answer to Duquesne Light Company's Motion to Compel Discovery Responses that was dated October 15, 2018 from the law offices of Tucker Arensberg. As noted within my attached Answer, the Respondent failed to file their Motion to Compel within 10 days of my October 4, 2018 service of Complainant's Objections to Respondent's First Set of Discovery Requests Directed to Complainant, so I am not clear in my understanding as to whether the four objected-to interrogatories at this point in time are now deemed withdrawn pursuant to 015 Pa. Code Section 5.342.

As the PUC website states that their electronic filing system will not be available until Monday morning at 6:00am, I will not be able to electronically file this document until Monday; but anticipate no difficulty using U.S.P.S. Certified Mail today. ["IMPORTANT SYSTEM MAINTENANCE NOTICE - Friday, October 19, 2018 at 6 p.m. through Monday, October 22, 2018 at 6 a.m. The electronic filing system will not be available during this maintenance window."] A copy of this letter and document has been served upon Respondent (Paul Shane Miller and Jeremy V. Farrell of Tucker Arensberg, attorneys for Duquesne Light Company) in accordance with Commission regulations.

Sincerely,



Pamela Scott
134 Markham Drive
Pittsburgh, PA 15228-1008
(412) 998-8880

Encl: Complainant's Answer to Duquesne Light Company's Motion to Compel Discovery Responses; Verification; Certificate of Service
Cc: Paul Shane Miller & Jeremy V. Farrell (with enclosures)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PAMELA SCOTT

Complainant,

vs.

DUQUESNE LIGHT COMPANY

Respondent.

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Docket No. C-2018-3004042

**COMPLAINANT'S
ANSWER
TO RESPONDENT'S
MOTION TO
COMPEL DISCOVERY
RESPONSES**

Filed by Complainant
Pamela Scott
134 Markham Drive
Pittsburgh, PA 15228-1008

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PAMELA SCOTT	:	
	:	
Complainant.	:	
	:	
vs.	:	Docket No. C-2018-3004042
	:	
DUQUESNE LIGHT COMPANY	:	
	:	
Respondent.	:	

**COMPLAINANT'S ANSWER TO RESPONDENT'S MOTION TO COMPEL
DISCOVERY RESPONSES**

I, Pamela Scott, hereby respond to Duquesne Light Company's Duquesne Light Company's Motion to Compel Discovery Responses that was dated October 15, 2018 from the law offices of Tucker Arensberg.

I. Introduction

1. In this Motion to Compel, Duquesne Light Company seeks an order requiring Complainant Pamela Scott ("Complainant") to respond to four discovery requests previously submitted by Duquesne Light that she has objected to.

II. Relevant Factual Background

9. On October 4, 2018, Complainant served Complainant's Objections to Respondent's First Set of Discovery Requests Directed to Complainant ("Complainant's Objections to Discovery").

Answer: As the Respondent failed to file their Motion to Compel within 10 days of my October 4, 2018 service of Complainant's Objections to Respondent's First Set of Discovery Requests, I

am not clear in my understanding as to whether the four objected-to discovery requests at this point in time are now deemed withdrawn pursuant to 52 Pa. Code Section 5.342.

III. Argument

20. In Discovery Request No. 9, Duquesne Light is attempting to discover if Complainant has any educational training relating to smart meters, radiofrequency, or other subject matters raised in the Complaint.

21. If Complainant plans to testify about these topics at the hearing, Duquesne Light has a right to know if she has any educational knowledge or training about those subjects.

Answer: In reality, Duquesne Light's Discovery Request No. 9 sought irrelevant information that it showed no compelling need for: "Provide Your age and educational background, including but not limited to all colleges or universities that You attended and all degrees and/or certifications You have received."

If Duquesne Light was really only seeking to discover if Complainant has any educational training relating to smart meters, radiofrequency, or other subject matters raised in the Complaint, then it should not have not asked for my age as well as my entire educational background.

I have no educational knowledge or training relating to smart meters, radiofrequency or other subject matters raised in the Complaint.

22. Similarly in Discovery Request Nos. 11 and 12, Duquesne Light is seeking to determine if Complainant has any scientific or medical work experience.

23. This information is relevant because if Complainant plans to testify about scientific or medical issues at the hearing, Duquesne Light has a right to know if she has any professional experience relating to these topics.

Answer: In reality, Duquesne Light's Discovery Request No. 11 used the vague term "performed work" ["Have You ever performed work or been employed in the scientific or medical fields?"] while Discovery Request No. 12 was specific and asked about "each employer that You performed work for in the scientific or medical fields". It is still unclear as to whether Duquesne Light is seeking irrelevant lifetime "performed work" in, for example, volunteer activities such as helping at an elementary school science fair.

If Duquesne Light was seeking to determine if Complainant has any professional experience relating to these topics, then that is the question Duquesne Light should have asked.

i have no professional experience relating to smart meters, radiofrequency, or other subject matters raised in the Complaint.

24. Finally in Discovery Request No. 16, Duquesne Light is seeking to obtain any documents relating to the subject of radio frequency, smart meters, or the allegations raised in the Complaint.

25. This information is relevant because if Complainant plans to testify at the hearing about these topics, Duquesne Light has a right to know what she has written about them previously.

Answer: Duquesne Light's Discovery Request No. 16 was overreaching, unreasonable, burdensome, and asked for privileged information: "Outside of the Documents and pleadings already produced in connection with Your Formal Complaint, produce any Document(s) that You have prepared in whole or in part that relates to the subject of radio frequency, Smart Meters, and/or Your Formal Complaint."

The Respondent's Definitions in their First Set of Discovery Requests Directed to Complainant stated that "The term 'Document' shall mean any written, typed, printed, graphic, or recorded material that is currently in Your possession, custody, or control or that was formerly in Your possession, custody, or control. A Document is in Your 'control' if You have ownership, possession, or custody of the Document or if You have the right to secure the Document or a copy from any person or entity that has possession of it. The term 'Document' includes, but is not limited to, electronic mail or email, text messages, social media postings, comments, and messages, medical records, articles, studies, word processed documents, digital presentations, facsimiles, instant messages, calendars, diaries, appointment books, agendas, journals, drafts, voicemail messages, post cards, post-it notes, reports, logs, message slips, invoices, checks, paystubs, letters, memoranda, agreements, contracts, tax returns, bank statements, spreadsheets, video recordings, audio recordings, computer programs, printouts, and all other written, graphic, or electronic materials of any nature whatsoever."

Further, the Respondent's Instructions required "You must produce each Document in its entirety even if only part of the Document is responsive to the document request."

This means, for example, that if I had kept a diary and ever written about radio frequency, smart meters, and/or my Formal Complaint in such a diary that Duquesne Light Company claims a right to obtain a copy of the entire diary.

WHEREFORE, Complainant respectfully requests that the Commission limit the Respondent to Discovery that falls within the parameters of 52 Pa. Code Section 5.361.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Pamela Scott". The signature is written in a cursive style with a large initial "P" and a long horizontal flourish at the end.

Pamela Scott, Complainant
134 Markham Drive
Pittsburgh, PA 15228-1008
(412) 998-8880

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PAMELA SCOTT	:	
	:	
Complainant,	:	
	:	
vs.	:	Docket No. C-2018-3004042
	:	
DUQUESNE LIGHT COMPANY	:	
	:	
Respondent.	:	

CERTIFICATE OF SERVICE

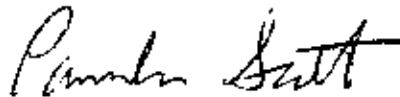
I, Pamela Scott, hereby certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service by a party).

VIA ELECTRONIC FILING AND CERTIFIED MAIL:

Paul Shane Miller & Jeremy V. Farrell
Tucker Arensberg
1500 One PPG Place
Pittsburgh, PA 15222

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Keystone Bldg. 2nd Floor W
400 North Street
Harrisburg, PA 17120

Dated this 20th day of October, 2018



Pamela Scott
134 Markham Drive
Pittsburgh, PA 15228-1008
(412) 998-8880