

ANSWER TO NEW MATTER

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NOV 10 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

1. Admitted.

2. Admitted.

3. Admitted

4. Denied in part and admitted in part. Admitted that on or about July 24, 2018,

Complainant called Met-Ed to state that the implementation of a Smart Meter would be detriment to her health and that Complainant was sensitive to EMF and Radio Frequency (RF) radiation. Complainant has never denied Met-Ed access to the meter on the property.

5. It is Admitted that, Met-Ed (Metropolitan Edison Company) did say they would turn off my electricity if I did not comply with installing a Smart Meter. Act 129 of 2008 ("Act 129") did not say such device should be place on such persons as with a health problem or condition. Third, when I called Met-Ed, I told the representative that a Smart Meter will be detriment to my health and that I am sensitive to Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation. Complainant specifically denies that Act 129 requires the deployment of radio frequency on persons who are sensitive to Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation and/or have health conditions. Met-Ed actions has not been reasonable and will be causing me harm by allowing me to be exposed to Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation against my will in violation of §1501 and §1501. In short, Met-Ed wants me to choose between my health and a Smart Meter or no Electricity. Complainant has never denied Met-Ed access to the meter on the property. Therefore, I am not in violation of any rule. Further, Met-Ed is forcing me to agree to a Smart Meter being placed on my

home which is in violation of §1501 and §1502. Further, Act 129 did not state it is a mandate and the language of Act 129 was an opt-in law as was stated in the house senate journal.

6. I have stated my health issues and more information will be presented at the hearing to support my claim. There are many people who have certain sensitivities. For one example – Suppose there was a law that states everyone must eat peanuts. However, some are sensitive or allergic and may die from consuming peanuts. Would the law still insist and mandate that “everyone must eat peanuts” even if it causes them ill health or even death. Well, thank god that is not the case because it would be catastrophic. The same applies here. Many consumers are sensitive to Smart Meters including myself and some with health issue become worse when exposed to Smart Meters negative health effects. I am certain the law would not force such hardship on its citizens. For Met-Ed to mandate such harm to its consumers is beyond words. Met-Ed is in violation of harming its consumers health and is in violation of 66 Pa.C.S. §1501 and §1502.

In addition, with Met-Ed’s Smart Meter being next to my 300 gallons of propane tanks is a major safety and fire hazard. Smart Meters are known to have a history of catching on fire. Therefore, Met-Ed is in violation of 66 Pa.C.S. §1501 and §1502.

§ 1501 Character of service and facilities.

Every public utility shall furnish and maintain adequate, efficient, **safe**, and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, 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. Such service also shall be reasonably continuous and without unreasonable interruptions or delay. Such service and facilities shall be in conformity with the regulations and orders of the commission. Subject to the provisions of this part and the regulations or orders of the commission, every public utility may have reasonable rules and regulations governing the conditions under which it shall be required to render service. Any public utility service being furnished or rendered by a municipal corporation beyond its corporate limits shall be subject to regulation and control by the commission as to service and extensions, with the same force and in like manner as if such service were rendered by a public utility. The commission shall have sole and exclusive jurisdiction to promulgate rules and regulations for the allocation of natural or artificial gas supply by a public utility; and

§ 1502 Discrimination in service

No public utility shall, as to service, make or grant any unreasonable preference or advantage to any person, corporation, or municipal corporation, or subject any person, corporation, or municipal corporation to any unreasonable prejudice or disadvantage. No public utility shall establish or maintain any unreasonable difference as to service, either as between localities or as between classes of service, but this section does not prohibit the establishment of reasonable classifications of service.

7. It is a fact that I am sensitive to Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation. I get severe headaches, burning, tingling sensations on my body,

insomnia and heart palpitations just to name a few. In fact, if relevant, at hearing, I will be presenting facts, etc. to support my claim.

8. It is a fact that Met-Ed Smart Meter is a fire hazard being next to 300 gallons of propane tanks on the property which can kill many people. Met-Ed is in violation of 66 Pa.C.S. §1501 and §1502. Further, I am sensitive to Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation. I get severe headaches, burning, tingling sensations on my body, insomnia and heart palpitations just to name a few. In fact, if relevant, at hearing, I will be presenting facts, etc. to support my claim.
9. It is a fact that the Smart Meter will cause unsafe conditions and that Met-Ed is in violation of 66 Pa.C.S. §1501 and §1502. If relevant, at the hearing I will be presenting facts, etc. to support my claim.
10. It is a fact that Met-Ed Smart Meters are a fire hazard being next to 300 gallons of propane tanks on the property which can kill many people. Met-Ed is in violation of 66 Pa.C.S. §1501 and §1502.
11. It is a fact that Met-Ed is ignoring Complainant request to abstain from installing a Smart Meter on the premises. In addition, there is no way to turn off or adjust the RF emitting constantly every day. Moreover, Act 129 did not say such device should be place on such persons as with a health problem or condition.
12. Denied. It is agreed that Complainant alleges that Smart Meters may be a part of a mesh network or part of a point-to-point network, either of which emits RF many thousands of times per day which is dangerous and is in violation of Pa.C.S. §1501 and §1502. In addition, there is no way to turn off or adjust the RF emitting constantly every day in order to limit my exposure. Therefore Met-Ed is in violation of Pa.C.S. §1501 and

§1502. Complainant will provide proof that Met-Ed Smart Meters are dangerous to consumers more than they are reporting.

13. It is not a belief but a fact about Smart Meters dirty Electricity. It is agreed that Complainant states that there would also be “dirty electricity” or transients or harmonics on the household wiring which can affect Complainants health.

14. It is Agreed that the deployment of any Smart Meter device by Met-Ed on her property presents an unsafe environment for complainant and finds Met-Ed in violation of 66 Pa.C.S. § 1501 and § 1502 of the Public Utility Code.

15. Admitted.

16. Admitted.

17. Admitted.

18. It is a fact that Met-Ed's deployment of any energy monitoring meter on Complainant's property must be sure it does not invade Complainant privacy, is safe and proper for the accommodation, convenience, and safety of Complainant.

19. Admitted.

20. It is agreed that Complainant is willing to be billed on an estimated basis retaining the analog meter on her home.

21. Complainant respectfully request that the Commission:

(1) Met-Ed is in violation of §1501 and §1502 and I am requesting accommodation to keep my old Analog Meter.

(2) Allow Complainant to retain an Analog Meter which is safe for Complainant health and in prevention of a fire on the property.

(3) The Commission should compel Met-Ed to provide electrical service and metering that is safe for Complainant, considering her unique medical condition and the close proximity of 300 gallons of propane too close to the Smart Meter.

22. Complainant ask that the Commission order a permanent stay of any termination on the part of Met-Ed against Complainant for any alleged denial of access to the meter at the subject premises.

New Matter – Legal Insufficiency

23. Not Applicable

24. Admitted in part and denied in part. Fact: I contacted Met-Ed to let them know that a Smart Meter would be detriment to my health. I was told no, and that if I refused, my electricity would be turned off. I then filed a Formal Complaint.

25. Denied. Act 129 does not state that Smart Meters should be place on consumers home that have a sensitivity to Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation and/or health problems. The PUC has jurisdiction to hear, and which, in fact, mandates the PUC to hear this formal complaint, taking all my allegations as true.

26. Denied. Act 129 does not state that Smart Meters should be place on consumers home that have a sensitivity to Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation. The order would not grant the harming of individuals with sensitivity to Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation and or those with health problems. The PUC has jurisdiction to hear, and which, in fact, mandates the PUC to hear this formal complaint, taking all my allegations as true.

27. Admitted in part and denied in part. It is admitted that no previous complaints were filed except for the one on July, 30, 2018. Reason: I was not living in Pennsylvania at the

time the SMP was passed/approved and was unaware that Met-Ed had implemented these Smart Meters that harms its consumers.

28. Denied. There is nothing in Act 129 which mandates its consumers be subject to RF emitting and harmonic transient producing meters/ high Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation, especially those that are sensitive to EMF/Radiation such as Complainant.
29. Denied insofar as Met-Ed has omitted many relevant Commission precedents from January 2016 and beyond which have held that the Commission must grant hearings to complainants who are similarly situated. Met-Ed is in violation of harming consumers health and is in violation of §1501 and §1502.
30. Denied. Act 129 did not mandate Smart Meters. The Commission mis-interpreted the Act.
31. Denied. My Amended Complaint filed contemporaneously with my responses to Met-Ed's Answer and New Matter and to Preliminary Objections set forth substantial allegations of violations of §1501 and §1502 as regards my health and safety. Section §1501 of the Public Utility Code states: **Every public utility shall furnish and maintain adequate, efficient, safe, and reasonable service and facilities, and shall make all such repairs, changes, alterations, substitutions, extensions, 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. Section 1502 states, No public utility shall, as to service, make or grant any...unreasonable prejudice or disadvantage.**

I. CONCLUSION

Based on the foregoing, Complainant respectfully request that the Commission not dismiss her case but be permitted to go to hearing in the future and an Order granting the relief requested and any other remedy that the Commission deems just and appropriate. Alternatively, Complainant requests that this matter be set for mediation. If, for any reason no resolution is reached by Met-Ed and Complainant, then Complainant requests a hearing and not a pre-hearing conference.

Respectfully submitted,


Barbara McDonald

Date: November 10, 2018

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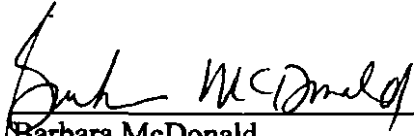
NOV 10 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

VERIFICATION

I, Barbara McDonald, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect to be able to prove the same at a hearing held in this matter.

I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).



Barbara McDonald
Complainant

Date: November 10, 2018

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIVED

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Barbara McDonald

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v.

Docket No. C-2018-3003758

Metropolitan Edison Company

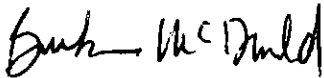
Certificate Of Service

I hereby certify that I have this day served a true copy of the Reply of Barbara McDonald to Preliminary Objections and Answer and New Matter of Metropolitan Edison Company upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54.

Service by E-File/ Certified Mail Return Receipt, as follows:

Lauren M. Lepkoski
Tori L. Giesler
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001

Dated: November 10, 2018



Barbara McDonald
243 East Broad Street
East Stroudsburg, PA 18301

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East Stroudsburg, PA 18301

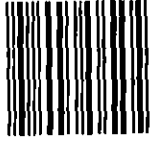
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Rosemary Chiavetta
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