

December 14, 2018

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

**Re: Lydia and Alan Rieger v. Metropolitan Edison Company**  
**Docket No. C-2018-3005887**  
**Docket No. C-2018-3005877**  
**Docket No. C-2018-3005889**

Dear Secretary Chiavetta:

Attached please find our response and clarification to the Preliminary Objections of Metropolitan Edison Company in the above-referenced matter.

We are responding to Docket No. C-2018-3005887, our residence at 211 Ben Franklin Hwy. W., Birdsboro, PA 19508.

No. 3005877, at 553 Rock Hollow Rd., Birdsboro, PA 19508 will have a new owner on December 28, 2018 and therefore we will not pursue our complaint for that property, however, we would like it to go on record that we were not informed, by written notice or otherwise, that a smart meter was being installed on the property. Only the tenant whose name was on the electric bill was informed. Tenants come and go but owners remain longer and should also be informed.

No. 3005889, at 202 Cinder St., Birdsboro, PA 19508, does not have a Smart Meter yet, and nor do we want one. Tenants live there and at least one of them to our knowledge has health problems. We feel that they would do best without a Smart Meter on the home. We would like to pursue the complaint for this home, however, it is unclear to us how it benefits us to consolidate the complaints as they are 2 separate houses with 2 slightly different circumstances. We are requesting more information regarding Metropolitan's request to consolidate the complaints.

Finally, we are making a motion to request an extension on the reply to the Preliminary Objections as we were confused as to the 10 day deadline since the deadline for the New Matter is 20 days. We thought they were both 20 days.

Please contact us if you have any questions.

Sincerely,

Lydia R. Rieger

**BEFORE THE  
PENNSYLVANIA UTILITY COMMISSION**

**LYDIA AND ALAN RIEGER**

v.

**Docket No. C-2018-3005887**

**METROPOLITAN EDISON COMPANY**

**REPLY TO THE PRELIMINARY OBJECTION OF METROPOLITAN EDISON COMPANY  
TO OUR FORMAL COMPLAINT**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

We, Lydia and Alan Rieger (“Complainants”) are responding to Metropolitan Edison Company’s Preliminary Objections and clarifying our complaint where necessary, as follows:

**I. Introduction**

1. Agreed.
2. Agreed in part and denied in part. Yes, there is an Act 129 of 2008 (“Act129”) Denied in part that nowhere in Act 129 does it require deployment of a meter which is harmful to consumers’ health or to consumers with medical conditions.
3. Agreed. I, Lydia Rieger, discussed with Met-Ed that we wanted to opt out of having a smart meter installed due to health, safety, and privacy reasons.
4. Denied. Met-Ed’s installation of an RF emitting, transient- and harmonic-producing Smart Meter on our home would be detrimental to our family’s health and anyone else’s health who enters our home, which would be in violation of 66 Pa.C.S. § 1501. In addition, Met Ed’s forced deployment of an RF emitting, transient- and harmonic-producing Smart Meter would be harmful especially to

the health of one of our family members. We have a family member living in our home who is disabled and has numerous health issues that would be adversely affected by a smart meter's emissions. In addition, I, Lydia Rieger, operate a business in the home that includes tutoring young children, and teaching numerous community classes to all ages, pre-school children to senior citizens. Having a smart meter in place of our analog meter in the front of the home where people enter and then remain for 1-3 hours at a time, would be harmful to their health, especially if they are electro-hypersensitive. I have no way of knowing which students are sensitive, and once we would find out that they are having health issues because of a Smart Meter where they take their classes, they would most certainly not want to continue coming for classes where their health is being compromised, which would be unfortunate for their continued learning and growth, not to mention it would be bad for my business. Furthermore, Act 129 does not mandate that Met-Ed install RF emitting Smart Meters to medically vulnerable persons. In fact, Act 129 does not mandate RF emitting Smart Meters whatsoever. The Commission has the jurisdiction to hear allegations of violations of 66 Pa.C.S. § 1501. In addition, we are very concerned regarding the safety of our home, due to reports of many house fires after installation of the Smart Meters, including explosions, fire damage and death due to fire. We are very concerned, also, that if a smart meter is installed in our home, a house which is over 250 years old, that the installation process as well as the operation of the Smart Meter would interfere with our wiring and our appliances' normal operation. We will hold Met Ed directly responsible should there ever be any

damages that it caused by their Smart Meter if one is installed in our home. It is our understanding that there are constant RF emissions with the Smart Meters and no way to turn them off or to adjust them. Moreover, we are requesting that Met-Ed state the amount of radiation and dirty electricity emitted from a Smart Meter at a hearing. The public Utility Code and the Commission's regulations require that regulated utilities like Met Ed furnish and maintain adequate, efficient, safe, and reasonable service and facilities 66 Pa. C.S. Section 1501; 52 Pa Code Section 57.194.

5. Denied. As a result, the Complainants request that the Preliminary Objections be denied and that the Commission:

- a. Grant our request for opting out from the unsafe electrical supply to our residence by allowing us to keep our analog meter and not install an Electro Magnetic Field (EMF) and Radio Frequency (RF) radiation /RF emitting, transient- and harmonic-producing Smart Meter;
- b. Accept the Formal Complaint in its entirety and as further clarified here in the response; and,
- c. Grant Complainants such other relief as may be just and reasonable under the circumstances.

## **II. Met-Ed's Background**

6. Agreed.
7. Denied in part. I, Lydia Rieger, contacted Met-Ed about opting-out of a smart meter mainly due to health and safety concerns. I may have stated privacy issues as well because Smart Meters have the capability to monitor electricity

usage constantly, and at any given time of day, which is synonymous to surveillance, which is indeed a privacy issue.

8. Agreed, we filed a Formal Complaint. The PUC would have the rest of the information.
9. The PUC would have to answer.

### **III. Met-Ed's Argument**

10. This requires a legal conclusion.
11. This requires a legal conclusion.
12. Admitted.
13. Admitted in part and denied in part.

First sentence is admitted. Second and third sentence are denied. Moreover, Met-Ed has violated 66 Pa.C.S. § 1501 of the Public Utility Code and their threats are in violation, forcing consumers to make the unreasonable choice of either going without electricity or accepting a metering device which is harmful to their health.

14. Admitted.
15. Admitted in part and denied in part. Complainants deny the allegations of the last sentence in full. Complainants challenge the provision of Met-Ed's service that includes the installation of a smart meter which will provide unsafe emissions that are harmful to people, especially to those with disabilities. Moreover, the deployment of a RF emitting Smart Meter is not required by Act 129, especially if it is damaging to one's health.
16. Denied. All of the cited cases in the footnotes were heard before the Susan Kreider decision in January of 2016 where the Commission held that Ms.

Kreider had a right to a hearing on the harmful effects of the AMI metering under 66 Pa.C.S. § 1501. The PA PUC should follow almost all other states and allow my family to opt out of having a smart meter on our property for health reasons: See for example, California, Maryland, Texas, Vermont, Maine, North Carolina, Florida, Washington State, Nevada, and Arizona to name a few. By way of further answer, Complainants are asking to opt out of having a Smart Meter to prevent any health problems, especially for our disabled family member. We do not want to take our chances with the installation of a smart meter; rather, we would like to prevent potential problems, safety-wise and health-wise. There are many cases of people who already have health problems who are being affected badly by the emissions of the Smart Meters. We do not want to take any chances of this happening. We also do not wish to expose the students in the community who take classes here to the harmful emissions of a Smart Meter.

17. Denied. The Formal Complaint as clarified here states a violation of 66 Pa.C.S. § 1501 upon which the Commission can grant relief.
18. Denied. Complainants are asking to opt-out of the installation of a Smart Meter based upon their disabled family member and the members of the community who come for classes, among other health and safety reasons, to not have an RF emitting, and transient- and harmonic-producing device installed on the property in violation of Met-Ed's responsibilities under 66 Pa.C.S. § 1501. Therefore, the Complainants' Complaint must not be dismissed. As a matter of law, Met-Ed must furnish electricity which is safe for the Complainants, and Met-Ed is not permitted to install a Smart Meter on

the Complainants' residence which would be harmful to any of their residents' health. Met-Ed has also told us that if we do not accept the Smart Meter that they will turn off our electricity. This is not only absurd, it is abusive. Our disabled family member needs a stair lift which is run by electricity to enter and leave the home as well as to use her bedroom and bathroom. Turning off our electricity because we would refuse an unneeded and harmful Smart Meter would be cruel and abusive to our well-being, especially to our disabled family member.

19. Denied. Met-Ed is violating 66 Pa.C.S. § 1501 upon which the Commission can grant relief. To subject people to an unsafe RM emitting device is unconscionable. For Met Ed to subject its customers to a device that harms its customers is just incomprehensible. The Commission can certainly allow us to opt-out of a Smart Meter, like other states have done.
20. This proceeding is in the public interest. If such a device is detrimental to one's health, then it is Met Ed's responsibility to prove otherwise. Not only would a Smart Meter affect those living here, it would affect the general public who is coming to take classes in our home. In addition, we personally know at least one friend who is electro-hypersensitive and if a Smart Meter were installed in our home, our friend would not be able to visit us in our home without exposing herself to the harmful emissions that make her sick.
21. Admitted in part and denied in part. Many people suffer from electro-hypersensitivity, which is a known as a disability. The *Kreider* case was heard

on March 9, 2016. They withdrew their Complaint because they went off grid.

- a. See for example: *Randall-Albrecht vs PECO* – C-2016-253766. See also the following cases where the customers allege that they suffer from electro-hypersensitivity and were granted hearings.

*Bachman vs PECO* – C-2017-2623504

*Hriadal vs Duquesne Light* – C-2016-2571726

*Kreider vs PECO* – C-2015-2469655

*McKnight vs PECO* – C-2017-2621057

*Murphy vs PECO* – C-2015-2475726

*Paul vs PECO* – C-2015-2475355

*Povacz vs PECO* – C-2015-2475023

- b. Sentences 6 and 7 are denied. It is true that we have not experienced health effects *after* a smart meter has been installed, but nobody should have to wait to see if they will be affected by something that has been proven harmful. Also, as mentioned before, we have no way of knowing who may have electro-hypersensitivity who will come to our home for community classes. Reasons of health and safety are not generic reasons; these are very real and specific as previously mentioned.

22. Evidence needs to be provided before assuming why a case was legally dismissed.

23. Evidence needs to be provided before assuming why a case was legally dismissed.

24. Denied. Smart Meters should not be implemented if it is damaging to one's health. It is against the law.
25. Denied. It does not give Met Ed the authority to install Smart Meters to harm its consumers who have health problems and in which it can make the health issue worse. Furthermore, a utility company should never terminate the service of a customer who refuses a harmful device to be installed in his home.
26. Denied. Met-Ed's installation of an RF emitting, transient- and harmonic-producing Smart Meter on our home would be detrimental to the health of the disabled person living in our residence and to any other person who is electro-hypersensitive entering our home whether or not it is for the purpose of community education, which would be in violation of 66 Pa.C.S. § 1501.

**IV. Conclusion**

WHEREFORE, Complainants respectfully request that the Commission deny Met-Ed's Preliminary Objections and 1) grant Complainants' request for opting-out of the installation of an RF emitting, transient- and harmonic-producing Smart Meter; 2) allow the Formal Complaint to proceed in its entirety as clarified here in our response to Met-Ed's Preliminary Objections; and, 3) grant such other relief as may be just and reasonable under the circumstances. In this case, I believe that a fair and impartial hearing should be granted.

Respectfully submitted,

Lydia and Alan Rieger

Dated: December 14, 2018

211 Ben Franklin Hwy. W.

Birdsboro, PA 19508

610-639-1439

610-639-4355

[doggonegoodstaging@gmail.com](mailto:doggonegoodstaging@gmail.com)

[askalan4homes@gmail.com](mailto:askalan4homes@gmail.com)

**BEFORE THE**

**PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**LYDIA AND ALAN RIEGER**

**v.**

**Docket No. C-2018-3005887**

**METROPOLITAN EDISON COMPANY**

**CERTIFICATE OF SERVICE**

We hereby certify that we have this day served a true copy of our response of the Preliminary Objections of Metropolitan Edison Company to our Formal Complaint, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Dated: December 14, 2018

Lydia and Alan Rieger

211 Ben Franklin Hwy. W.

Birdsboro, PA 19508

610-639-1439

610-639-4355

doggonegoodstaging@gmail.com

askalan4homes@gmail.com