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December 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: Evangeline Hoffman-Lorah v. PPL Electric Utilities Corporation
Docket No. C-2018-2644957

Dear Secretary Chiavetta:

Enclosed for filing are the Replies of PPL Electric Utilities Corporation to the Exceptions of Evangeline Hoffman-Lorah in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,

Devin Ryan

DTR/jl
Enclosures

cc: Honorable Elizabeth Barnes
Certificate of Service
Office of Special Assistants (*via e-mail*)

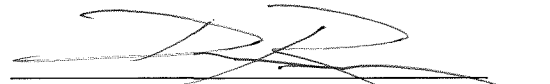
CERTIFICATE OF SERVICE

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).

VIA FIRST CLASS MAIL

Evangeline Hoffman-Lorah
1635 4th Street
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Date: December 17, 2018



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Evangeline Hoffman-Lorah,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2018-2644957
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**REPLIES OF PPL ELECTRIC UTILITIES CORPORATION TO THE
EXCEPTIONS OF EVANGELINE HOFFMAN-LORAH**

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I. INTRODUCTION

PPL Electric Utilities Corporation (“PPL Electric” or the “Company”), pursuant to 52 Pa. Code § 5.535, hereby respectfully submits these Replies to the Exceptions of Evangeline Hoffman-Lorah (“Complainant”). In the Initial Decision (“ID”), Administrative Law Judge Elizabeth H. Barnes (the “ALJ”) dismissed the Complainant’s Formal Complaint challenging the Company’s installation of a new advanced metering infrastructure (“AMI”) meter at her premises. The ALJ correctly held that the Complainant failed to prove by a preponderance of evidence that the installation of the AMI meter constitutes unsafe or unreasonable service under 66 Pa. C.S. § 1501.

On December 4, 2018, the Complainant filed Exceptions to the ID.¹

As explained herein, the Complainant’s Exceptions are without merit and should be denied. Accordingly, the Company respectfully requests that the Pennsylvania Public Utility Commission (“Commission”) deny the Complainant’s Exceptions and adopt the ID without modification.

II. REPLIES TO EXCEPTIONS

A. REPLIES TO EXCEPTION NO. 1² – THE ALJ PROPERLY FOUND THAT THE COMPLAINANT FAILED TO SUSTAIN HER BURDEN OF PROOF THAT INSTALLING THE NEW AMI METER WOULD VIOLATE SECTION 1501 OF THE PUBLIC UTILITY CODE

The Complainant disputes the ALJ’s finding that she has failed to meet her burden of proof that installing the new AMI meter would violate Section 1501 of the Public Utility Code. (Exceptions at 1) According to the Complainant, the ALJ erred in finding that there is no

¹ Per the Secretarial Letter dated November 15, 2018, the Complainant’s Exceptions were due by December 5, 2018, and PPL Electric’s Replies to Exceptions would be due 10 days after that date, *i.e.*, by December 17, 2018.

² The Complainant’s Exceptions were not numbered as required by the Commission’s regulations. *See* 52 Pa. Code § 5.533(b). Accordingly, PPL Electric is responding to the Complainant’s arguments as though each was separately numbered.

reliable scientific or medical basis to conclude that radiofrequency (“RF”) field exposure can cause or contribute to adverse health effects. (Exceptions at 1) The Complainant believes that “there have been no studies conducted regarding the safety to human health of these specific types of smart meters.” (Exceptions at 1) Further, the Complainant contends that she suffers from electromagnetic hypersensitivity (“EHS”), which was allegedly diagnosed by a medical professional. (Exceptions at 1) To the Complainant, this purported diagnosis should be given more credibility than the expert medical and scientific opinions offered by Dr. Mark Israel and Dr. Christopher Davis on behalf of PPL Electric. (Exceptions at 1) The Complainant also claims without substantiation that “agencies such as the World Health Organization, the Food and Drug Administration, the American Cancer Society, and others” have concerns about the deployment of AMI meters. (Exceptions at 1) The Complainant’s Exception No. 1 is without merit and should be denied.

The ALJ properly concluded that there is no reliable scientific or medical basis to conclude that the AMI meter will not cause or contribute to any adverse health effects. (ID at 19-26) Indeed, the Company presented thorough, credible, and reliable expert testimony and exhibits demonstrating the new AMI meter will not cause or contribute to any adverse health effects. (PPL MB at 12-23)

First, Dr. Davis testified that the Federal Communications Commission (“FCC”) has determined safe public exposure levels for RF fields from devices that transmit RF signals, such as the AMI meters. (PPL MB at 15) The FCC safe public exposure limits are based on evaluations of the body of scientific research on RF fields and were adopted in consultation with other federal agencies, including the Food and Drug Administration (“FDA”) and the Environmental Protection Agency (“EPA”). (PPL MB at 15) The FCC continues to coordinate

with the agencies and to consider whether new scientific research shows any adverse effects from RF fields. (PPL MB at 15)

Based on the engineering specifications for the Landis & Gyr AMI meter being deployed by the Company, Dr. Davis calculated that the levels of RF fields from the AMI meters are **98,000 times lower** than the RF exposure safety limits established by the FCC. (PPL MB at 15) As a result, Dr. Davis found that “the RF field levels from the AMI meters being used by PPL Electric more than comply with the applicable FCC RF exposure limit.” (PPL MB at 15) Moreover, the RF signals from the AMI meter are of very short duration and will occur for only a total of 84 seconds over a 24-hour period. (PPL MB at 15)

Dr. Davis also testified that there are many sources of RF signals in the everyday environment and the RF fields from the AMI meter are much lower than from other typical sources. (PPL MB at 15-16) For example, RF fields from using cell phones can be over 260,000 times higher than the RF fields from the AMI meter, and RF exposures from microwave ovens can be over 820,000 times higher. (PPL MB at 16) Even 30 feet away from a person using a cell phone, the RF fields are 3 times higher than from the AMI meter. (PPL MB at 16) Notably, the record demonstrates that the Complainant used her cell phone for 5,630 minutes over a 10-month period. (PPL MB at 16) The RF field exposure from this amount of cell phone usage is equivalent to 1,333 years of continuous RF exposure at a distance of approximately one meter from the AMI meter. (PPL MB at 16)

Furthermore, the existing background levels of RF fields at Complainant’s residence are many times higher than the fields from the AMI meter. (PPL MB at 16) Dr. Davis testified that there are six television broadcast towers with a 50 mile radius of Complainant’s location. (PPL MB at 16) Based on the locations of each tower and their RF power outputs, the constant

background level of RF fields at Complainant's residence are **92.6 times higher** than the RF signals from the AMI meter. (PPL MB at 16) Thus, considering the AMI meter's RF fields are substantially lower than the FCC standard and many everyday sources, there is no reliable scientific basis to conclude very low levels of RF fields from the AMI meters being deployed by the Company can or will cause any adverse thermal or non-thermal biological effects in people. (PPL MB at 17) Notably, Dr. Davis's expert testimony on these points was not contradicted by any other expert testimony.

Second, Dr. Israel – the only medical expert to present testimony in this case – evaluated the scientific research on RF fields and adverse health effects. (PPL MB at 22) He testified that he has been systematically examining this research over the past several decades and that many hundreds of studies have been published. (PPL MB at 22) Dr. Israel stated that three groups of controlled laboratory studies on animals “are particularly informative because they address fundamental biological functions that are very sensitive to any disruption: genetics, reproduction, and growth and development.” (PPL MB at 22) Dr. Israel described a number of the studies in these areas which he considered good examples of well-designed and well-conducted studies, which found no adverse effects on genetics, fertility, reproduction, growth or development in the animals exposed to RF fields. (PPL MB at 22) Further, Dr. Israel provided examples of well-conducted animal studies on RF fields and cancer. (PPL MB at 22) These studies also did not find any increased incidence in cancer in the RF exposed animals compared to non-exposed animals. (PPL MB at 22)

Based on the body of scientific research showing no consistent and reproducible effects from RF fields on cancer and other adverse health effects, the World Health Organization (“WHO”) has concluded that “no adverse health effects have been established as being caused by

mobile phone use.” (PPL MB at 22) Many other public health authorities, including agencies in the Canada, the U.K., Sweden, Norway, the Netherlands, and New Zealand, among others, have recently reached similar conclusions. (PPL MB at 22) Further, several U.S. state public health authorities and public utility commissions have investigated claims about health effects from smart meters, all of which have found that RF fields from smart meters do not pose any public health risk. (PPL MB at 22-23)

In addition, Dr. Israel reviewed the published scientific research on EHS from the perspective of a medical doctor. (PPL MB at 19-20) He was the only medical doctor to provide expert testimony in this case. Dr. Israel testified that claimed symptoms related to EHS are more accurately described as “Idiopathic Environmental Intolerance” (“IEI”), in which “idiopathic” means “cause unknown,” rather than electromagnetic hypersensitivity. (PPL MB at 19) This is consistent with a recommendation from the WHO. (PPL St. No. 2, p. 13) Dr. Israel evaluated the scientific research on IEI and found that “[r]eliable studies dating back to at least 2002 and also recent reviews of the studies by experts and reviews by expert panels of public health authorities have found IEI and the variety of symptoms attributed to it are not caused by exposure to RF fields.” (PPL MB at 20) For example, a systematic review of 46 studies involving 1,175 individuals who claimed IEI symptoms found that people claiming IEI symptoms from RF fields could not replicate the claimed effect under controlled laboratory conditions. (PPL MB at 20) Another recent study found that people who claimed IEI symptoms from RF fields reported lower levels of well-being when they knew they were exposed to RF fields, but when they did not know if they were being exposed, their reports of symptoms were not associated with RF fields. (PPL MB at 20) That study concluded that “it is IEI-EMF individuals’ belief that exposure to RF EMFs will cause harm, rather than actual exposure itself,

that results in the presence of symptoms in IEI-EMF individuals.” (PPL MB at 20) Moreover, the research on IEI has been evaluated by credible public health entities and expert groups, including the United Kingdom Health Protection Agency (2012), the Royal Society of Canada (2013), the New Zealand Ministry of Health (2015), and the European Commission’s Scientific Committee on Emerging and Newly Identified Health Risks (2015). (PPL MB at 21) Based on their reviews of the scientific research, these entities concluded there is no reliable scientific evidence that exposure to RF fields causes claimed IEI symptoms. (PPL MB at 21)

Dr. Israel evaluated the few medical records produced by the Complainant in this proceeding, which were prepared by a local internist in 2018. (PPL MB at 19) Notably, these medical records do not include any description of the internist evaluating or diagnosing electromagnetic sensitivity. (PPL MB at 19) The records merely state that the patient “thinks she has EMF sensitivity” and is “concerned about EMF sensitivity.” (PPL MB at 19-20) Moreover, the medical records state that the Complainant “denies fatigue,” her rate and rhythm are “regular,” and describes her mood as “upbeat & stable.” (PPL MB at 20) Additionally, although the Complainant contends that her tinnitus is caused by her alleged EHS, the medical records reveal that she was examined by an ENT (ear/nose/throat) expert who “did not specify [a] possible cause of tinnitus.” (PPL MB at 20) Thus, the Complainant’s medical records do not support her allegation that she has been diagnosed with EHS.

Dr. Israel also evaluated whether there is a credible scientific basis for Complainant’s claim that exposure to RF fields causes or contributes to tinnitus. (PPL MB at 21) There have been a number of studies on whether exposure to RF fields causes or contributes to tinnitus. (PPL MB at 21) Several studies, including the Landgrebe study cited by the Complainant (Complainant’s Exhibit 21), found no increase in tinnitus related to exposure to RF fields from

cell phones or other sources, such as cell phone broadcast towers, cordless telephones, and wireless networks. (PPL MB at 21) Therefore, there is no reliable scientific basis to conclude that exposure to RF fields from the AMI meters being used by PPL Electric causes or contributes to tinnitus. (PPL MB at 21)

Thus, the Company presented overwhelming evidence through its scientific and medical expert witnesses, Dr. Christopher Davis and Dr. Mark Israel, to support the ALJ's finding that there is no reliable basis to conclude that the new AMI meter will cause or contribute to any adverse health effects. (ID at 14-16)

Despite all of this thorough, credible, and reliable evidence rebutting the Complainant's allegations, the Complainant avers that she met her burden of proof. The Complainant mistakenly believes that the science is unsettled and, therefore, the new AMI meter should not be installed. (Exceptions at 1) However, that clearly is not the case, as demonstrated by the unrebutted expert testimony of Dr. Davis and Dr. Israel. Moreover, assuming *arguendo* that the Complainant were correct, the Complainant fails to recognize that "a person does not sustain his or her burden of proof in an electric and magnetic field exposure case when the record evidence, 'taken as a whole, leads to the ultimate finding and conclusion that the scientific studies at present are inconclusive.'" (ID at 13) (citing *Letter of Notification of Phila. Elec. Co. Relative to the Reconstructing and Rebuilding of the Existing 138 kV Line to Operate as the Woodbourne-Heaton 230 kV Line in Montgomery and Bucks Counties*, 1992 Pa. PUC LEXIS 160, at *210-11) (June 29, 1992) (Initial Decision) ("*Woodbourne-Heaton*") Therefore, even under the Complainant's view of the evidence, she would fail to meet her burden of proof.

Moreover, the Complainant failed to demonstrate that the AMI meter has caused or contributed to or will cause or contribute to her alleged EHS and tinnitus. (ID at 20-21) As the

ID correctly found, the Company's un rebutted expert testimony greatly outweighs the Complainant's evidence that she has been diagnosed with EHS and tinnitus and that such conditions will be worsened by the new AMI meter. (ID at 19-26) Indeed, most of the Complainant's evidence was hearsay evidence that contained substantial flaws and mischaracterizations, as pointed out by PPL Electric in its Main Brief. (PPL MB at 25-31) Accordingly, the ALJ correctly gave the Complainant's evidence little to no weight. (ID at 19-26)

In addition, the record demonstrates that the Complainant only experiences symptoms when she believes she is in the presence of AMI meters. The Complainant testified that she would experience these symptoms when she is at home or at her daughter's property, on the basis that the Company's new AMI meters were installed in her neighborhood and her daughter's neighborhood. (PPL MB at 31) When she has been away from those areas, she claimed her symptoms would dissipate. (PPL MB at 31)

However, the daughter's neighborhood is located in Port Clinton, Pennsylvania. (PPL MB at 31) The record demonstrates that the Company has not installed any new AMI meters in Port Clinton. (PPL MB at 31) Therefore, contrary to the Complainant's belief, she has not been exposed to the Company's new AMI meter when she visits her daughter. As the ALJ observed, the Complainant's experiences are consistent with those observed in recent reliable study, which, as noted previously, found that "it is IEI-EMF individuals' belief that exposure to RF EMFs will cause harm, rather than actual exposure itself, that results in the presence of symptoms in IEI-EMF individuals." (ID at 21; *see* PPL MB at 31) Thus, the Complainant's summary of experienced symptoms cannot support a finding that the Company's new AMI meters cause, contribute to, or exacerbate adverse health effects.

Finally, the Complainant erroneously claims that agencies such as the WHO and FDA have concerns about the deployment of AMI meters. (Exceptions at 1) As explained previously, the WHO actually has concluded, based on the body of scientific research showing no consistent and reproducible effects from RF fields on cancer and other adverse health effects, that “no adverse health effects have been established as being caused by mobile phone use.” (PPL MB at 22) With regard to RF fields specifically from smart meters, the 2011 review by WHO’s agency IARC did not classify them as being carcinogenic, probably carcinogenic or even possibly carcinogenic. (PPL RB at 5) Instead, IARC concluded that for these environmental exposures to RF fields, the research was “inadequate” to support conclusions about cancer causation. (PPL RB at 5) As explained above, the FCC has adopted safe public exposure limits for RF fields, and the RF levels from the AMI meters are 98,000 times lower than those FCC exposure limits. (PPL MB at 15) In addition, several U.S. state public health authorities and Public Utility Commissions have investigated claims about health effects from smart meters and have concluded that RF fields from smart meters do not pose any public health risk. (PPL MB at 22-23)

In sum, after reviewing and weighing all of the evidence, the ALJ correctly found that there is no reliable basis to conclude that the new AMI meters will cause or contribute to any adverse health effects.

For these reasons, the Complainant’s Exception No. 1 should be denied.

B. REPLY TO EXCEPTION NO. 2 – THE ALJ CORRECTLY HELD THAT PPL ELECTRIC IS LEGALLY REQUIRED TO INSTALL THE NEW AMI METER

The Complainant alleges that the ALJ erred in concluding that PPL Electric is legally required to install the new AMI meter on her premises. (Exceptions at 1-2) The Complainant alleges that the AMI meter installation provisions of Act 129 of 2008 (“Act 129”) were intended

as an opt-in, whereby the AMI meter would only be installed upon customer request. (Exceptions at 1-2) As alleged support, the Complainant cites alleged comments by a Pennsylvania legislator about the legislation. (Exceptions at 1-2) Further, the Complainant claims that she has been denied “numerous requests to read the law in its entirety” and that such denial violates the Pennsylvania Right to Know Law. (Exceptions at 2) As explained below, the Complainant’s Exception No. 2 is without merit and should be denied.

The ALJ correctly held that PPL Electric is legally required to install the RF Mesh meter on the Complainant’s property by Act 129 and Commission orders. (ID at 32-34) Section 2807(f) of the Public Utility Code prescribes that electric distribution companies, like PPL Electric, must file smart meter plans and “**shall** furnish smart meter technology” in any of the following situations: (1) “[u]pon request from a customer that agrees to pay the cost of the smart meter at the time of the request”; (2) “[i]n new building construction”; and (3) “[i]n accordance with a depreciation schedule not to exceed 15 years.” 66 Pa. C.S. § 2807(f)(1)-(2) (emphasis added). In interpreting the smart meter provisions of Act 129, the Commission declared that EDCs must “deploy smart meters system-wide” because of the requirement that smart meters be deployed “in accordance with a depreciation schedule not to exceed 15 years.” *Smart Meter Procurement and Installation*, Docket No. M-2009-2092655, p. 14 (Order entered June 24, 2009) (“*Smart Meter Implementation Order*”). The Commission also “recognize[d] that deployment of smart meters on a piecemeal or individual basis could involve greater costs than a systematic system-wide deployment.” *Id.*, pp. 9, 14.³ Therefore, PPL Electric must install the new smart meters for every customer in its service territory, including the Complainant.

³ See also *Springirth v. Nat’l Fuel Gas Distrib. Corp.*, 1991 Pa. PUC LEXIS 44, at *1-3, 6, 16-17 (Order entered Apr. 12, 1991) (dismissing complaint of customer seeking to make installation of automated meter reading devices optional, noting that the Commission previously found in another case that “[t]he customer should not be given the option of refusing installation of equipment” because “[t]o permit customer discretion in this area would

In addition, Act 129 was not drafted as an opt-in bill. The Complainant mistakenly relies upon Section 2807(f)(2)(i) in support of her argument, which states that an EDC “shall furnish smart meter technology . . . [u]pon request from a customer that agrees to pay the cost of the smart meter at the time of the request.” (Exceptions at 2) However, that statutory provision merely enables a customer to request a smart meter if he or she wants one installed sooner than the meter would be installed pursuant to the EDC’s deployment schedule. Indeed, Section 2807(f)(2)(iii) mandates that the Company install the new AMI meter “[i]n accordance with a depreciation schedule not to exceed 15 years.” (PPL MB at 10) As interpreted by the Commission, subparagraph (iii) requires the Company and other EDCs to install the new AMI meters for all their customers. (PPL MB at 10) Therefore, Act 129 is not an opt-in statute.

Moreover, nothing in Act 129 permits a customer to “opt-out” of a smart meter installation. (PPL MB at 11) Indeed, the Commission previously has found in several cases that Act 129 mandates the installation of new AMI meters and contains no such opt-out language. *See, e.g., Starr v. PECO Energy Co.*, Docket No. C-2015-2516061, p. 11 (Order entered Sept. 1, 2016); *Frompovich v. PECO Energy Co.*, Docket No. C-2015-2474602, pp. 8-10 (Order entered May 3, 2018). Specifically, in *Starr*, the Commission observed that it has “rejected similar claims that the installation of smart meters is not mandatory or that an opt-out is permissible under Act 129.” *Starr* at p. 11. Although bills have been proposed in the General Assembly to add such an opt-out (see, e.g., House Bill 1564 of 2017-2018 Session), they have not been enacted. (PPL MB at 11) Thus, the Complainant cannot opt-out of the AMI meter installation.

Furthermore, a legislator’s comments about the statute do not control the analysis of whether an opt-out is permitted under Act 129. (PPL RB at 16) Under the Pennsylvania

be inefficient and uneconomical”) (quoting *Stenker v. The York Water Co.*, Docket No. C-871318 (Order entered July 27, 1987)).

Statutory Construction Act, “[w]hen the words of a statute are clear and free from all ambiguity, the letter of it is not to be disregarded under the pretext of pursuing its spirit.” 1 Pa. C.S. § 1921(b). Here, as explained previously, the plain language of Act 129 states that electric distribution companies, like PPL Electric, “shall” install the new AMI meters. *See* 66 Pa. C.S. § 2807(f)(2) (emphasis added). Importantly, the word “shall” has been declared by Pennsylvania courts to mean “must.”⁴ Therefore, the AMI meter installation is mandatory, and a few legislators’ comments about the interpretation of the statute need not and should not be considered. *See* 1 Pa. C.S. § 1921(c).⁵

Based on the foregoing, the Complainant’s Exception No. 2 should be denied.

C. REPLY TO EXCEPTION NO. 3 – THE COMPLAINANT INCORRECTLY ALLEGES THAT SHE HAS FILED A FORMAL COMPLAINT FOR HER OTHER PROPERTY

The Complainant contends in her Exceptions that she has “a separate formal complaint filed for the address of 4 North Street, Port Clinton, PA 19549, a property which [she owns] and where [her] daughter resides.” (Exceptions at 2) When she referenced this property during the evidentiary hearing, the Complainant states that such reference “was only to illustrate [her] personal experiences with smart meters.” (Exceptions at 2) The Complainant also claims that she is including a “separate formal complaint for this property.” (Exceptions at 2)

⁴ *See Whiteford v. Dep’t of Transp.*, 728 A.2d 1127, 1131 (Pa. Cmwlth. 2001) (“[T]he word ‘shall’ denotes a mandatory, not discretionary instruction.”) (citations omitted); *C.B. v. J.B.*, 65 A.3d 946, 952 (Pa. Super. 2013) (finding that “[t]he use of ‘shall’ means . . . must” and that to hold otherwise “would be to flout the legislative will”); *In re Canvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*, 843 A.2d 1223, 1233 (Pa. 2004) (“[W]e are not compelled to pretend that ‘shall’ means ‘may’ under Section 3146.6(a).”); *Griesmer v. Hill*, 36 Pa. Super. 69 (Pa. Super. 1908) (“This provision is mandatory, and not directory merely. It means what it says. The word ‘shall’ means ‘shall’ [The defendant] not only may but ‘must.’”).

⁵ Additionally, even if the statute were ambiguous, the “administrative interpretations of such statute” should be considered and given substantial weight. *Id.* § 1921(c)(8). Indeed, the Commission, which is the entity charged with implementing and enforcing Section 2807(f) of the Public Utility Code, has issued several orders holdings that there is no opt-out under the statute. (PPL MB at 10-11) Thus, there is no opt-out under Act 129, and PPL Electric must install the new AMI meters.

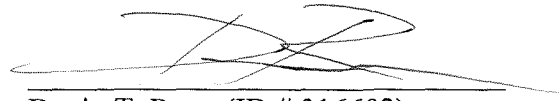
PPL Electric clarifies that there is no separate formal complaint on file with the Commission for this separate address. Indeed, the Complainant fails to cite any docket number in support of her contention. The Complainant may have sent a letter to the Company or the Commission referencing this other property, but that does not constitute a formal complaint. Notwithstanding, PPL Electric agrees with the Complainant that the other property will not be subject to the disposition of this proceeding.

For these reasons, the Complainant's Exception No. 3 should be denied.

III. CONCLUSION

WHEREFORE, for all the foregoing reasons, as well as those more fully explained in the Initial Decision of Administrative Law Judge Elizabeth H. Barnes, the Company respectfully requests that the Pennsylvania Public Utility Commission deny the Exceptions filed by Evangeline Hoffman-Lorah and adopt the Initial Decision without modification.

Respectfully submitted,



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