

Diana Sabatine  
Non-domestic  
c/o 315 Possum Hollow Road  
Latrobe, Pennsylvania [15650]  
(724) 689-9771

January 9, 2019

**Via E-Service**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

**Re: Diana Sabatine v. WEST PENN POWER COMPANY  
Docket No. C-2018-3002804**

Dear Secretary Chiavetta,

Please file the *Third Amended Notice and Petition for Judicial Determination of Jurisdiction* for E-Filing in the above referenced docket number. This document has been served on the Respondent as shown in the Certificate of Service.

Sincerely,



Diana Sabatine

Enclosure(s)

**E-Service and Certificate of Service:**

Judge Jeffrey Watson, Pennsylvania Public Utility Commission  
Lauren Marissa Lepkoski, Esquire, Tori L. Gielser, Esquire, First Energy Service  
Company

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**DIANA SABATINE**

v.

**WEST PENN POWER COMPANY**

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**Docket No. C-2018-3002804**

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**NOTICE TO FIRST ENERGY CORPORATION TO PLEAD**

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TO: Lauren Marissa Lepkoski, Esquire, Tori L. Gielser, Esquire, First Energy Service Company, First Energy Corporation

You are hereby notified that, if you do not file a written response denying or correcting the enclosed *Third Amended Notice and Petition for Judicial Determination of Jurisdiction* within twenty (20) days from service of this Notice, the facts set forth by Diana Sabatine to be true, thereby requiring no other proof. All pleadings must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy served to Diana Sabatine, and where applicable, the Administrative Law Judge presiding over the case.

**File with:**

Rosemary Chiavetta, Secretary  
Pennsylvania Public Commission  
Commonwealth Keystone Building  
P.O. Box 3265  
Harrisburg, Pennsylvania 17105-3265  
*Via E-Filing*

**With a copy to:**

Diana Sabatine  
Non-domestic  
c/o 315 Possum Hollow Road  
Latrobe, Pennsylvania [15650]

All Right Reserved

Dated: January 9, 2019

  
\_\_\_\_\_  
Diana Sabatine

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Diana Sabatine**

v.

**WEST PENN POWER COMPANY**

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**Docket No. C-2018-3002804**

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

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To: Judge Jeffrey Watson, Administrative Law Judge, Pennsylvania Public Utility Commission

**THE HEART OF THE MATTER:**

**THE QUESTION OF THE COURT'S JURISDICTION**

- A. In *Interim Order Denying Petition for Review of Law by Pennsylvania Commonwealth Court to Determine Jurisdiction*, dated December 27, 2018 Respondent states: "The Petition fails to state clearly and concisely the controversy and uncertainty which is the subject of the Petition or the relief being sought by Complainant. Further, it is unclear from the Petition, what relief is being sought by Complainant."
- B. For the sake of clarity, there are at least **three distinct challenges to jurisdiction**.

**THIRD CHALLENGE TO JURISDICTION**

- C. In a letter from the PUC signed by Rhonda Daviston, Assistant Counsel for the

Pennsylvania Public Utility Commission (PUC) Ms. Daviston admits: **“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.

D. From Judge Jeffrey Watson’s Interim Order dated October 17, 2018, **“Complainant bears the burden of proof and must demonstrate by a preponderance of the evidence that Respondent violated its tariff, the Public Utility Code or a Commission order or regulation, and that he is entitled to the relief requested in the Complaint”** that Judge Jeffrey Watson does not have proper jurisdiction to grant the relief requested (to change the interpretation of Act 129 of 2008). Emphasis added.

E. Close examination of Ms. Daviston’s above admission and Judge Jeffrey Watson’s admission in Interim Order dated October 17, 2018, raises an issue that make Us question the jurisdiction of the PUC over the Complainant at all. Since it appears to the Complainant that the PUC is in collusion with First Energy and other EDC’s, this complaint is not just against First Energy. This complaint is also against the PUC, it’s officers and employees.

**WE WISH FOR THE FOLLOWING RELIEF AS TO THE THIRD CHALLENGE TO JURISDICTION**

F. **Specific relief requested:** We wish the PUC provide lawful proof of jurisdiction over a complaint made against the PUC, it’s officers and employees.


G. **Specific relief requested:** If this court **does not** have jurisdiction over the PUC, it's officers and employees, We wish Judge Jeffery Watson, Esquire, of the Administrative Court of the PUC, to continue this case until it can be moved to a court of competent jurisdiction.

H. **Specific relief requested:** If this court **does not** have jurisdiction over the PUC, it's officers and employees, We wish Judge Jeffery Watson, esquire, of the Administrative Court of the PUC, to forbid any assault on Our property by deployment of any home controller, meter, or other digital device by First Energy or its agents until this case can be moved to a court of competent jurisdiction.

All Rights Reserved

With all due respect,

Dated: January 9, 2019

  
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c/o 315 Possum Hollow Road  
Latrobe, Pennsylvania [15650]  
(724) 689-9771

**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  
***Accepts E-Service***

**WITH A COPY TO:**

THE HONORABLE JUDGE JEFFREY A. WATSON  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
OFFICE OF ADMINISTRATIVE LAW JUDGE  
PIATT PLACE, SUITE 220  
301 FIFTH AVENUE  
PITTSBURGH, PA 15222  
***Accepts E-Service***

LAUREN MARISSA LEPKOSKI ESQUIRE  
TORI L. GIELSER, ESQUIRE  
FIRSTENERGY SERVICE COMPANY  
2800 POTTSVILLE PIKE  
PO BOX 16001  
READING PA 19612  
**610.921.6203**  
***Accepts E-Service***

Diana Sabatine  
315 Possum Hollow Road  
Latrobe, Pennsylvania [15650]  
**724.689.9771**  
***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**

**CERTIFICATE OF SERVICE**

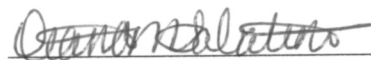
I hereby certify that I have this day served a true copy of the *Third Amended Notice and Petition for Judicial Determination of Jurisdiction* upon the individuals listed below.

Service by First Class Mail, postage prepaid, as follows:

Lauren M. Lepkoski, Esquire  
First Energy Service Company  
2800 Pottsville Pike  
P.O. Box 16001  
Reading, Pennsylvania 19612

The Honorable Judge Jeffrey A. Watson  
Pennsylvania Public Utility Commission  
Office Of Administrative Law Judge  
Piatt Place, Suite 220  
301 Fifth Avenue  
Pittsburgh, Pa 15222

Dated: January 10, 2019



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Diana Sabatine  
Non-domestic  
c/o 315 Possum Hollow Road  
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