

Barnes, Elizabeth

From: Barnes, Elizabeth
Sent: Wednesday, January 23, 2019 3:00 PM
To: Ryan, Devin; Will
Cc: Curtis S. Renner (crenner@w-r.com); Lent, Garrett; Michael J. Shafer (mjshafer@pplweb.com); Chiavetta, Rosemary
Subject: Re: preliminary motion for continuance Re: [External] William & Elsbeth Sunstein v. PPL Electric Utilities Corporation - Docket No. C-2018-3000078

I have not seen any medical excuses regarding Mr. Sunstein's health so please plan to attend tomorrow's hearing as scheduled. I'm willing to accommodate requests for witnesses and complainants wishing to appear by phone if you provide me with a phone number where you can be reached tomorrow morning.

Elizabeth Barnes
Administrative Law Judge
Pennsylvania Public Utility Commission

From: Barnes, Elizabeth <ebarnes@pa.gov>
Sent: Wednesday, January 23, 2019 8:16 AM
To: Ryan, Devin; Will
Cc: Curtis S. Renner (crenner@w-r.com); Lent, Garrett; Michael J. Shafer (mjshafer@pplweb.com); Chiavetta, Rosemary
Subject: RE: preliminary motion for continuance Re: [External] William & Elsbeth Sunstein v. PPL Electric Utilities Corporation - Docket No. C-2018-3000078

A medical excuse can also be faxed to me by noon at 717-787-0481. I am leaving the office today at 10:30 a.m. though, so I request an e-mail also if you send a fax, which I can retrieve remotely. I would like confirmation from PPL that it also received the excuse. Unless you hear from me via e-mail today that the motion for continuance is granted and the hearing is cancelled, please assume it will be held tomorrow morning as scheduled.

Regards,

Elizabeth Barnes

From: Barnes, Elizabeth <EBARNES@pa.gov>
Sent: Wednesday, January 23, 2019 6:08 AM
To: Ryan, Devin <dryan@postschell.com>; Will <willardsunstein@fast.net>
Cc: Curtis S. Renner (crenner@w-r.com) <crenner@w-r.com>; Lent, Garrett <glent@postschell.com>; Michael J. Shafer (mjshafer@pplweb.com) <mjshafer@pplweb.com>; Chiavetta, Rosemary <rchiavetta@pa.gov>
Subject: Re: preliminary motion for continuance Re: [External] William & Elsbeth Sunstein v. PPL Electric Utilities Corporation - Docket No. C-2018-3000078

I would like some medical excuse from a doctor by noon today, Mr. Sunstein, filed or emailed as an attachment to me and counsel for PPL before a continuation will be granted.

Regards

Elizabeth Barnes

RECEIVED
2019 JAN 25 AM 8:48
PA PUC
SECRETARY'S BUREAU
FRONT DESK

Elizabeth Barnes
Administrative Law Judge
Pennsylvania Public Utility Commission

From: Ryan, Devin <dryan@postschell.com>
Sent: Tuesday, January 22, 2019 4:43 PM
To: Barnes, Elizabeth; Will
Cc: Curtis S. Renner (crenner@w-r.com); Lent, Garrett; Michael J. Shafer (mjshafer@pplweb.com); Chiavetta, Rosemary
Subject: RE: preliminary motion for continuance Re: [External] William & Elsbeth Sunstein v. PPL Electric Utilities Corporation - Docket No. C-2018-3000078

Your Honor,

Given the in-person hearings are less than two days away on January 24 and 25, 2019, PPL Electric Utilities Corporation ("PPL Electric") and its witnesses have already made travel and lodging arrangements to attend these hearings in person and otherwise prepare for hearings. Moreover, Section 1.15(b) of the Pennsylvania Public Utility Commission's ("Commission") regulations states that motions for continuance of hearings are due "at least 5 days prior to the hearing date." 52 Pa. Code § 1.15(b). There was no indication from Mr. and Mrs. Sunstein ("Complainants") at least five days before the first day of hearings that they would be making another request for continuance.

Further, counsel for PPL Electric emailed Mr. and Mrs. Sunstein ("Complainants") last Friday about, among other things, the order of witnesses and anticipated length of cross-examination. No response to this email was received. Thus, until this afternoon, PPL Electric has been operating under the impression that the hearings would proceed as scheduled on January 24 and 25, 2019.

PPL Electric is sensitive to health issues that are experienced by its customers and certainly does not want to place someone's health at risk to appear at the hearings. However, this is the latest of several requests by Mr. and Mrs. Sunstein to further delay the in-person hearings in this case due to alleged health issues. Considering that PPL Electric has agreed not to install the new automated metering infrastructure ("AMI") meter until there is a final Commission order issued in this matter, the Complainants are essentially granted their requested relief (i.e., prevent the installation of the AMI meter) so long as the litigation continues. Accordingly, it may be the Complainants' desire to prolong this litigation as long as they can.

For these reasons, to the extent that the Complainants are able to produce valid documentation by Noon tomorrow, January 23, 2019, from a licensed medical professional about their inability to attend trial due to their health issues, PPL Electric has no objection to a continuance of the hearings. However, if such documentation is not produced, the hearings should be held as scheduled on January 24 and 25, 2019.

Sincerely,

Devin Ryan
Associate
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101

717-612-6052 (Phone)

717-731-1981 (Fax)

DRyan@PostSchell.com

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-----Original Message-----

From: Barnes, Elizabeth [mailto:EBARNES@pa.gov]

Sent: Tuesday, January 22, 2019 2:50 PM

To: Will; Langan, A. JoLene

Cc: Curtis S. Renner (crenner@w-r.com); Lent, Garrett; Michael J. Shafer (mjshafer@pplweb.com); Ryan, Devin; Chiavetta, Rosemary

Subject: RE: preliminary motion for continuance Re: [External] William & Elsbeth Sunstein v. PPL Electric Utilities Corporation - Docket No. C-2018-3000078

Is there any objection from PPL to a continuance of the January 24-25 hearing?

Please advise.

Regards,

Elizabeth Barnes

-----Original Message-----

From: Will <willardsunstein@fast.net>

Sent: Tuesday, January 22, 2019 2:39 PM

To: Barnes, Elizabeth <EBARNES@pa.gov>; Langan, A. JoLene <jlangan@postschell.com>

Cc: Curtis S. Renner (crenner@w-r.com) <crenner@w-r.com>; Lent, Garrett <GLent@PostSchell.com>; Michael J. Shafer (mjshafer@pplweb.com) <mjshafer@pplweb.com>; Ryan, Devin <DRyan@PostSchell.com>; Chiavetta, Rosemary <rchiavetta@pa.gov>

Subject: preliminary motion for continuance Re: [External] William & Elsbeth Sunstein v. PPL Electric Utilities Corporation - Docket No. C-2018-3000078

Importance: High

Dear Judge Elizabeth Barnes,

because our pleas for recognition of our health challenges have till now fallen on deaf ears, i have been following advice of a friend to file a motion for continuance. however, health challenges have impeded completing this in the form commonly required.

this month has brought increased health challenges to me. As my wife and i with support of many witnesses are convinced, the biological and psychological stress of barrage in the field and in legal proceedings with emf and lies by agents of PPL against us has been a crucial factor in this which has led now to ongoing heart irregularities that since friday evening last have kept me in bed under the care of my wife, elsbeth. i have been too incapacitated to get up and even turn on the computer since then. only now, have i found a sufficient reprieve to force myself. however, i am still exhausted and yet in pain. my heart beat is still quite irregular and only under great stress do i write.

it will be utterly impossible because of health circumstances to take part in a hearing yet scheduled for this week.

this writing is and shall be considered our best attempt towards filing a formal motion for continuance at this time.

when i have sufficient recovered and am able to do so we will file, nunc pro tunc, a more complete and under standard procedure, motion for continuance addressing more fully the reasons needed, which include time needed to address fraud against the court.

in truth and with truth, we respect highly your position as judge and the court which is meant to be a hall of justice. we remind those who prefer to disrespect your position and the court, that fraud against the court has no statute of limitations. perhaps, would they reflect on this, they may decide to work peacefully with us for an amicable solution which we have offered repeatedly.

we blind copy witnesses to our sending this email and our unusual but necessary form of filing this preliminary motion for continuance, hereby sent also to the secretary of the pa puc, Rosemary Chiavetta.

sincerely,

willard (c) 2019 willard sunstein

On 22-Jan-19 10:22, Barnes, Elizabeth wrote:

> ALL:

>

> I will hear oral argument on the Motion in Limine at the start of the
> hearing Thursday.

>

> Regards,

>

> Elizabeth Barnes

>

> *From:* Langan, A. JoLene <jlangan@postschell.com>

> *Sent:* Friday, January 18, 2019 3:40 PM

> *To:* Barnes, Elizabeth <EBARNES@pa.gov>; Willard & Elsbeth Sunstein

> (willardsunstein@fast.net) <willardsunstein@fast.net>

> *Cc:* Curtis S. Renner (crenner@w-r.com) <crenner@w-r.com>; Lent,

> Garrett <GLent@PostSchell.com>; Michael J. Shafer

> (mjshafer@pplweb.com) <mjshafer@pplweb.com>; Ryan, Devin

> <DRyan@PostSchell.com>

> *Subject:* [External] William & Elsbeth Sunstein v. PPL Electric

> Utilities Corporation - Docket No. C-2018-3000078

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> open links or attachments from unknown sources. To report suspicious
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>

> Attached is the Motion in Limine of PPL Electric Utilities Corporation
> to Prohibit the Complainants from Presenting Any Expert Witnesses,
> Medical Records, and Health or Safety-Related Exhibits filed in the
> above-referenced proceeding. Copies will be provided as indicated on
> the Certificate of Service.

>

> *A. JoLene Langan*

> *Secretary*

> *Post & Schell, P.C.*

> 17 North Second Street

> 12th Floor

> Harrisburg, PA 17101

>

> 717-612-6044 (Phone)
> 717-731-1985 (Fax)
> jlangan@postschell.com <<mailto:jlangan@postschell.com>>
> <https://na01.safelinks.protection.outlook.com/?url=www.postschell.com&data=02%7C01%7CEBARNES%40pa.gov%7C23e0f3e427b44f1a0ec508d680a13979%7C418e284101284dd59b6c47fc5a9a1bde%7C1%7C1%7C636837827275371106&data=et193q1I61fUEMcyV6m81IGPnlhHwN78JdWH6yW%2BgCY%3D&reserved=0>
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