

Noreen McCarthy
18 Millstone Lane
Pottstown, PA 19465
610-469-2009

February 15, 2019

VIA ELECTRONIC FILING

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

Re: Noreen McCarthy v. Metropolitan Edison Company
Docket No. C-2019-3006923

Dear Secretary Chiavetta:

Enclosed please find my reply to New Matter of Metropolitan Edison Company. This document has been served on Metropolitan Edison Company as shown in the Certificate of Service.

Please note that my reply contains my objection to Metropolitan Edison's request for a prehearing conference.

Please contact me if you have any questions regarding this matter.

Sincerely,

Noreen McCarthy

Enclosure

Cc: Jeffrey A. Watson, ALJ
Per certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NOREEN MCCARTHY	:	
	:	
v.	:	Docket No. C-2019-3006923
	:	
METROPOLITAN EDISON COMPANY	:	

Reply to New Matter of Metropolitan Edison Company

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

I respond as follows:

My reply to Met Ed's Preliminary Objections are incorporated in their entirety in this answer to Met Ed's New Matter. In addition:

11. Complainant does not need to respond to this number.
12. Complainant is without sufficient knowledge at this time to confirm or deny the allegations in this number.
13. Complainant is without sufficient knowledge at this time to confirm or deny the allegations in the first sentence of this number. Complainant specifically denies that Act 129 requires the deployment of radio frequency ("RF") emitting and harmonic producing and transient producing and other electric quality disturbing meters on Complainant's property.
14. Complainant is without sufficient knowledge to admit or deny this number.
15. Admitted in part, denied in part.
Complainant has complained numerous times to Met-Ed regarding her request not to have an RF emitting smart meter attached to her property, all of which shall be detailed in her hearing. In fact, Met-Ed submitted a long list of dates in its answers to Complainant's formal complaint, dates on which it alleges Complainant had complained to Met-Ed that a smart meter would be

harmful to Complainant and her family. It's surprising that Met-Ed is bringing up private communications between Met-Ed and the PA PUC which the public was never aware of until the utility sent a brochure to Complainant's home stating that her analog meter is on their schedule to be removed without Complainant's consent or request for a smart meter.

16. Denied.

17. Denied.

Alleging a violation of Met-Ed's duties and responsibilities under PA 66 Section 1501, as Complainant has alleged in her formal complaint, at Numbers 3, 4, 5, and 6 does set forth a matter which the PUC has jurisdiction to hear, and which, in fact, mandates the PUC to hear this formal complaint, taking all Complainant's allegations as true. Met-Ed argues aptly in preliminary objections number 14, that the moving party may not rely on its own factual assertions, but must accept for the purposes of disposition of the preliminary objection, all well-pleaded, material facts of the other party, as well as every inference fairly deducible from those facts.

County of Allegheny v. Commw. Of Pa., 490 A.2d 402 (Pa. 1985). Therefore, in ruling on a preliminary objection, the Commission must assume, for decisional purposes only, that the factual allegations of the Formal Complaint are true. Id.

18. Denied. There is nothing in Act 129 which mandates RF emitting and harmonic transient producing meters, which the Complainant believes would bring harm to her and her family.

19. 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 to Complainant, and those PUC hearings have been either held or are scheduled to be held next year. Complainant will detail some of those docket numbers which she is aware of in her answers to the Preliminary Objections to be filed under separate cover.

Also denied in accordance with Romeo v. PUC, case No. 498 C.D. 2016. Commonwealth Court, February 8, 2017.

Therefore, Complainant asks that her formal complaint NOT be dismissed with prejudice, but be permitted to go to hearing in the future, and that the Commission grant Complainant such other relief as is just and reasonable under the circumstances.

Further, Complainant objects to the Company's request that this matter be set for a prehearing conference. My family and work obligations preclude me from preparing for multiple hearings.

Respectfully submitted,

Noreen McCarthy
contactnoreen1@gmailcom

Date February 15, 2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

NOREEN MCCARTHY	:	
	:	
v.	:	Docket No. C-2019-3006923
	:	
METROPOLITAN EDISON COMPANY	:	

CERTIFICATE OF SERVICE

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

Service by email, as follows:

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

Dated: February 15, 2019

Noreen McCarthy
18 Millstone Lane
Pottstown, PA 19465
610-469-2009
contactnoreen1@gmail.com

1.36 Verification

Verification

I, Noreen McCarthy, hereby state that the facts above set forth are true (or 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. section 4904 (relating to unsworn falsification to authorities).

February 15, 2019

Date

Noreen McCarthy

Signature