

432 E. Wesner Rd
Blandon, PA 19510
February 25, 2019

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ROSEMARY CHIAVETTA
SECRETARY
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH STREET 2ND FLOOR
HARRISBURG, PA 17120

Heidi Fiedler v. Metropolitan Edison Company
Docket No. C-2018-3003642

Dear Ms. Chiavetta:

Please find enclosed Complainant's Answer to Respondent's Motion to Dismiss.
I am also serving copies to the Honorable Tori Giesler of First Energy Services
Company.

Thank you for your attention to this matter.

Very truly yours,



Heidi Fiedler

Enclosures

cc: The Honorable Jeffrey Watson, Pennsylvania Public Utility Commission
The Honorable Tori Giesler, First Energy Services Company

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

HEIDI FIEDLER

V.

METROPOLITAN EDISON COMPANY

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Docket No. C-2018-3003642

**COMPLAINANT'S ANSWER TO RESPONDENT'S MOTION TO DISMISS COMPLAINT OF
HEIDI FIEDLER FOR FAILURE TO COMPLY WITH ORDERS**

I. INTRODUCTION

Complainant in the above captioned matter respectively submits this Answer to

Respondent's Motion to Dismiss that was received on February 19, 2019 by mail. In support of

her Answer, Complainant respectively submits the following.

II. ANSWER TO MOTION TO DISMISS

1. Admitted.
2. Admitted.
3. Admitted.
4. Admitted.
5. Admitted.
6. Admitted in part. Respondent's Interrogatories were received on October 29, 2018.
7. Admitted.
8. Admitted.
9. Admitted.
10. Admitted.
11. Admitted.
12. Admitted.
13. Admitted in part. Respondent's expert witness notification letter was received on

January 2, 2019.

14. Admitted.

15. Admitted.

16. Denied. Complainant provided the most accurate information that was available on February 1, 2019. Also, news reports had recently announced new information that is being researched to secure relevant documents.

17. Denied as stated. A review of the Respondent's Interrogatories reveals that Questions 1f, 1g or 1j do not exist. Furthermore, Question 29, which refers to Question 2, does not apply since no one in Complainant's household is experiencing any health problems, as stated in response to Question 2. Regarding Question 33, Complainant is automatically charged \$60 per month for unlimited calling.

18. Denied as stated. Complainant provided numerous website links to articles. In other cases, the documents are protected by copyright laws and/or require subscriptions.

19. Admitted. Complainant had not retained any expert witnesses and therefore was not able to furnish a list of expert witnesses that did not exist.

20. Denied in part. Complainant has provided the best information available at the time of the request.

21. Denied. As stated earlier, Complainant could not provide a list of experts when no expert witnesses had been retained.

22. No answer is required as the PUC code speaks for itself.

23. The averments in Paragraph 23 constitute a legal conclusion to which no response is required.

24. The averments in Paragraph 23 constitute a legal conclusion to which no response is required.

25. Denied as stated, regarding that the information sought by Respondent is “simple and straightforward.” On the contrary, various documents are subject to copyright laws and/or require subscriptions, in addition to being considered privileged and/or confidential by various entities and not in the public domain.

26. The averments in Paragraph 23 constitute a legal conclusion to which no response is required.

27. The averments in Paragraph 23 constitute a legal conclusion to which no response is required.

28. Denied. Complainant provided numerous links to articles and websites to Questions 4, 7, 17, 20, 23, 36, 37 and 40. In other cases, the information is not yet available, in response to Questions 24, 25. Questions 29 does not apply as described in Paragraph 17. Furthermore, Questions 30, 32, 35 and 38 request documentation to be used at the hearing, which as of February 1, 2019 had not been yet determined. The documentation to be used a hearing will be furnished once that determination has been made and relevant documents have been received.

29. Denied. Complainant has conducted the research and requested Freedom of Act requests. Complainant will promptly furnish relevant documentation once it is acquired. Complainant is eager to present her case at a hearing.

III. CONCLUSION

In this matter, there are genuine issues of material fact that require a hearing. A hearing is necessary for Complainant to present evidence and testimony regarding the negative consequences and safety issues, including Electro Magnetic Field (EMF) radiation, that would result from the installation smart meter on her property.

All of Complainant's documentation that will be presented at the hearing will be provided to Respondent as soon as possible. As stated earlier, some of these documents are being sought through Freedom of Information Act requests.

Complainant further avers that since no testimony has been submitted and no hearing has been scheduled, Respondent has not been prejudiced by any delay in the delivery of Complainant's documentation. A hearing is essential to determine the validity of the claims in this matter. All of these issues raised in the complaint are a violation of Section 1501 of the Public Utility Code, which entitles Complainant to the relief sought.

Based on the foregoing, Complainant respectfully requests that the Commission deny Respondent's Motion to Dismiss and issue an Order allowing this matter to proceed to a hearing and grant any other relief that the Commission deems just and proper.

Respectively submitted,



Heidi Fiedler
432 E. Wesner Rd
Blandon, PA 19510

Dated: February 25, 2019

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Heidi Fiedler

v.

Metropolitan Edison Company

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C-2018-3003642

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of Complainant's Answer to Respondent's Motion to Dismiss Complaint of Heidi Fiedler for Failure to Comply With Orders was served upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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

Tori Giesler, Esq

First Energy Services Company
2800 Pottsville Pike
PO Box 16001
Reading, PA 19612

Hon. Jeffrey A. Watson

Administrative Law Judge
Pennsylvania Public Utility Commission
301 5th Avenue, Suite 220
Pittsburgh, PA 15222

Dated: February 25, 2019



Heidi Fiedler
432 E. Wesner Rd
Blandon, PA 19510

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Ms Heidi Fiedler
Blandon PA
432 E Wesner Rd
Blandon, PA 19510



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MS. ROSEMARY CHIAVETTA
SECRETARY
PA PUC
400 NORTH ST., 2nd FLOOR
HARRISBURG, PA 17120