

March 4, 2019

Re: Donna DeSanto Ott v. Metropolitan Edison Company
Docket No. C-2018-3005829

Dear Secretary Chiavetta,

Please file this Answer To Motion To Dismiss.

Sincerely,

Donna A DeSanto Ott

Donna DeSanto Ott

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DONNA DESANTO OTT

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2018-3005829

ANSWER TO MOTION TO DISMISS

1. Admitted.
2. Admitted.
3. Admitted. By way of further answer, Complainant cited her deteriorating health resulting from the high levels of radiation emanating from the smart meter attached to her house by Respondent as the cause of her inability to answer the New Matter and Preliminary Objections.
4. Admitted.
5. Admitted. By way of further answer, Complainant's health circumstances continued to deteriorate from the high dosages of radiation she received from Respondent's smart meter, rendering her physically incapable of pursuing her complaint.
6. Admitted.
7. Admitted.
8. Admitted.
9. Admitted.
10. Admitted.
11. Admitted.
12. Admitted.
13. Admitted.

- 14.** Admitted in part and Denied in part. It is admitted that Complainant was contacted, although the contact was by electronic mail, not by telephone. It is denied that what Respondent's representative offered was to simply close the formal complaint docket. To the contrary, Respondent requested that a Certified Statement be filed, implying that Complainant was somehow satisfied with the result of her complaint or that Respondent had satisfied her serious health problems resulting from Respondent's use of a smart meter on her house.
- 15.** Admitted.
- 16.** Admitted in part and Denied in part. It is admitted that Respondent has claimed that it "has not yet installed a smart meter at the Service Location as installation efforts ceased upon receipt of the Formal Complaint" in its Answer and New Matter. It is denied, however, that Respondent's allegation is true. To the contrary, Respondent installed an Itron Sentinel Multimeasurement meter, on Complainant's house which subjected Complainant to high levels of radiation at all times relevant to her Complaint. Complainant's expert has verified the high levels of radiation emanating from the meter installed by Respondent. Complainant has offered to provide a copy of her expert report to Respondent in an effort to resolve her concerns. Respondent has not to date accepted Complainant's offer. Furthermore, the expert provided additional testing on January 18, 2019 further confirming that the Itron Sentinel Multimeasurement meter was an industrial collector meter emitting high levels of radiofrequency radiation and conductive emissions on the household wiring. This expert recommended the Itron Sentinel Multimeasurement Meter be removed immediately and replaced. The respondent, under the duress of knowing an industrial collector meter on her home was in serious violation of her physician's statement of medical necessity and ADA accommodation for an electromechanical analog meter, accepted a standard Itron IP Mesh Openway Smart Meter. This meter was installed by Met Ed on January 19, 2019.
- 17.** Admitted.
- 18.** Denied as a conclusion of law.
- 19.** Denied as a conclusion of law.
- 20.** Denied as a conclusion of law.
- 21.** Denied. The characterization of Respondent's discovery request as "relatively simple and straightforward" is specifically denied. To the contrary, Respondent's discovery request is burdensome to those not versed in the law and not intended in any way to assist in resolving the Complaint. Rather, Respondent's discovery request has been part of Respondent's continuing effort to discourage Complainant and those like her from pursuing her complaint through the filing of multiple pleadings and court filings.

22. Denied as a conclusion of law.

23. Denied as a conclusion of law.

24. Admitted in part and Denied in part. It is admitted that the Complaint should be dismissed, as the health problems from which Complainant suffers as a result of Respondent's actions are simply too severe to permit her to effectively pursue the Complaint. It is denied that the Complaint should be dismissed with prejudice as such a result would be inequitable. It is further denied that Complainant has demonstrated a lack of willingness to participate and cooperation. To the contrary, it is Respondent's lack of cooperation and willingness to consider solutions to address Complainant's health problems resulting from Respondent's actions that led to the filing of the Complaint in the first place. Complainant has made numerous attempts to work with Respondent to address the cause of these problems, only to be met with intransigence and denial on every occasion, as demonstrated by Respondent's refusal to even admit that a smart meter is attached to Complainant's house.

WHEREFORE, Donna DeSanto Ott requests that her Complaint be dismissed without prejudice.

Dated: March 4, 2019

Donna A DeSanto Ott

Donna DeSanto Ott
111 Meadowlark Road
Reading, PA 19606
610-987-9108

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PENNSYLVANIA PUBLIC UTILITY COMMISSION**

DONNA DESANTO OTT

v.

METROPOLITAN EDISON COMPANY

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of an Answer to Motion to Dismiss for Donna DeSanto Ott upon the individuals listed below, in accordance with the requirements of 52 Pa Code Sections 1.54 9 (relating to service by a participant.)

Service by e-file as follows
PA PUC

Service by Email
Lauren M Lepkowski
Tori L. Geisler
First Energy Service Company
llepkoski@firstenergycorp.com
tgiesler@firstenergycorp.com

Dated: March 4, 2019

Donna A DeSanto Ott

Donna DeSanto Ott
111 Meadowlark Road

C-2018-3005829

1.36 Verification

Verification

I, Donna DeSanto Ott 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).

03-04-2019

Donna A. DeSanto Ott

Date

Signature