

Administrative Law Judge Katrina J Dunderdale Via 2 Day USMail  
Pita Place  
Suite 220  
301 5th Ave Place  
Pittsburgh Pa 15222

**RECEIVED**

APR - 9 2019

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Cc: Rosemary Chivetta, Secretary Via 2 Day USMail  
Commonwealth of Pennsylvania  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
Office of Administrative Law Judge  
400 North St, Harrisburg, Pa 17120

Cc: Ms Margret Morris/Pennsylvania Power Company. Via 2 Day USMail  
Regeer Rizo & Darnell  
2929 Arch St 13th Floor  
Philadelphia Pa 19104

Re: Chet and Michele Duffy v Pennsylvania Power Company

Docket C-2018-3004871  
Fourth Interim Order  
Duffy NEW FACTS 35 and 36  
Duffy NEW EXHIBITS AB through AL

Dear administrative Law Judge Dunderdale,

Pursuant to the Fourth Interim Order Duffy's wish to provide additional New Facts, 35 and 36, and additional New Exhibits AB through AL. We provide this additional information after receiving an email notice from Penn Power Ms Morris of their new Facts and Exhibits, although from first review of the email it appears much of the new information is repetitive of information, facts and exhibits, Penn Power provided in its response to their response to the Duffy Sept 2018 Claim.

Please note we have not yet received the actual Mailed copy of this new Penn Power documentation but due to the fact that the Fourth Interim Order advises we must provide any and all information to the court five days prior to the telephone hearing on April 16, therefore we will be mailing our additional information today if possible.

Further the Duffy's did receive a letter of Stipulated Facts from Penn Power Ms Morris. We replied to Ms Morris our question as to why Penn Power did not agree to the majority of the Duffy Stipulated Facts as nearly all the Duffy Facts were provided to the Duffy's in Penn Power Ms Morris response to the Duffy Claim.

**ADDITIONAL NEW DUFFY FACTS**

Fact 35. Pennsylvania Power Company/First Energy USAGE HISTORY found on their website [http so://www.firstenergycorp.com/my.account/view usage history.html](http://www.firstenergycorp.com/my.account/view_usage_history.html)

We provide this Fact to show over a year Duffy's never went above 10,000 kWh (actual values were not more than approximately 8200 kWh) . This year is the first year in ten or so years that Penn Power has not estimated our bill, even though this winter was extremely cold. We believe they did not estimate is because we have filed a complaint.

Fact 36. Pennsylvania Power Company/First Energy READING LOAD METERS on their website [https://first energy corp.com/help/billing payments/meterreading/readingyour load meter](https://firstenergy.com/help/billing_payments/meterreading/readingyourloadmeter)

We provide this Fact as it clearly states consumers can NOT read these meters correctly therefore actual Penn Power and EKM meter comparisons are extremely difficult if not impossible to compare.

See Fact 36 Estimate v accurate kWh usage, Penn Power website supports this duffy Fact.

Penn Power website clearly state if consumers do not wish estimated bills they simply have to call Penn Power and ask them to NOT estimate their bills/kWh usage. In approximately a ten year period Duffy has contacted Penn Power and asked they not estimate our bills/kWh usage. Penn Power dis honor the Duffy request on one occasion in that ten year period. See the Duffy and Penn Power Fact of phone call log history.

#### ADDITIONAL DUFFY EXHIBITS AB through AL

##### Exhibits. Scope of Exhibit

- AB. Trane thermostat screen color codes to reading different stages of cooling and heating (utilizing less energy)
- AC. Trane thermostat settings for March and April 2019
- AD. Trane master bedroom status for March and April 2019
- AE. Trane family room status/use. While visitors were in our home 3-31-2019 through 4-3-2019
- AF. Penn Power Meter photos on 4-5-2019 comparing Penn Power 4819.4 reading to the EKM reading
- AG. Duffy EKM meter photos of reading 3-19-2019 5678 kWh which started at 0 on 2-17-2019
- AH. Duffy EKM meter reading photo of 4-6-2019 7444.2 kWh which started on 2-17-2019

**AJ. Duffy Trane thermostat run time history week 3-29-2019 through 4-6-2019**

**AK. Duffy EKM computer screen screen photo (active every 5 seconds) values dated 4-6-2019  
7444.7 kWh from 2-17-2019 through 4-5-2019**

**AL. Approximate (see Fact 36) comparison summary of EKM meter values and Penn Power  
meter readings**

**We trust the Administrative Law Judge will accept the Duffy additional Facts and Exhibits as they are Key  
to the Duffy Claim**

**Respectfully submitted,**

**Chet and Michele Duffy**

DUFFY FACT # 35

# Usage History

For your convenience, we provide up to the last twelve (12) months of usage history on your account(s).

110006027715

CHESTER E DUFFY

135 LIBERTY RD LOT 10

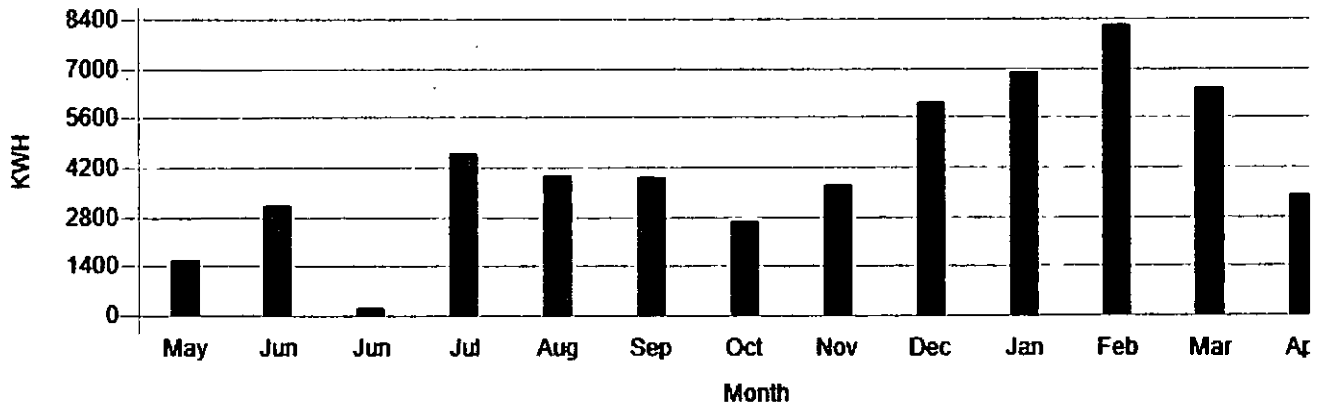
HARMONY PA 16037

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## Usage Chart

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## Usage History

Date	Bill Amount	KWH	Meter Read Type
04/04/2019	\$2,853.20	3,425	Actual
03/06/2019	\$2,418.16	6,430	Actual
02/05/2019	\$2,680.24	8,250	Actual
01/06/2019	\$2,490.81	6,862	Actual
12/04/2018	\$2,329.29	6,038	Actual
11/04/2018	\$2,043.37	3,682	Actual
10/04/2018	\$1,923.53	2,663	Actual
09/05/2018	\$2,073.03	3,892	Actual
08/06/2018	\$3,379.16	3,999	Actual

Date	Bill Amount	KWH	Meter Read Type
07/08/2018	\$1,677.00	4,581	Actual
06/06/2018	\$1,112.39	251	Actual
06/04/2018	\$4,482.54	3,104	Actual
05/06/2018	\$4,979.97	1,576	Actual

Date 04/04/2019  
 Bill Amount \$2,853.20  
 KWH 3,425  
 Meter Read Type Actual

Date 03/06/2019  
 Bill Amount \$2,418.16  
 KWH 6,430  
 Meter Read Type Actual

Date 02/05/2019  
 Bill Amount \$2,680.24  
 KWH 8,250  
 Meter Read Type Actual

Date 01/06/2019  
 Bill Amount \$2,490.81  
 KWH 6,862  
 Meter Read Type Actual

Date 12/04/2018  
 Bill Amount \$2,329.29  
 KWH 6,038  
 Meter Read Type Actual

Date 11/04/2018

Bill Amount \$2,043.37  
KWH 3,682  
Meter Read Type Actual

Date 10/04/2018  
Bill Amount \$1,923.53  
KWH 2,663  
Meter Read Type Actual

Date 09/05/2018  
Bill Amount \$2,073.03  
KWH 3,892  
Meter Read Type Actual

Date 08/06/2018  
Bill Amount \$3,379.16  
KWH 3,999  
Meter Read Type Actual

Date 07/08/2018  
Bill Amount \$1,677.00  
KWH 4,581  
Meter Read Type Actual

Date 06/06/2018  
Bill Amount \$1,112.39  
KWH 251  
Meter Read Type Actual

Date 06/04/2018  
Bill Amount \$4,482.54  
KWH 3,104  
Meter Read Type Actual

Date	05/06/2018
Bill Amount	\$4,979.97
KWH	1,576
Meter Read Type	Actual

## Save Energy and Analyze Usage

### Save Energy

View the programs we offer to help lower your energy costs.

### Energy Analyzer

You can analyze your usage further with the Energy Analyzer. Once you set up your profile, you will have access to charts and data regarding types of energy usage, home comparison, ways to improve and save, and additional resources.

[ANALYZE USAGE](#)



Last Modified: February 25, 2019

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## Meter Reading

Our meter readers attempt to read your meter either monthly or bimonthly depending upon the established tariffs on file with each state. The chart below shows whether your operating company is on a monthly or bimonthly schedule.

Operating Company	Meter Reading
<u>Ohio Edison</u>	Monthly
<u>The Illuminating Company</u>	Monthly
<u>Toledo Edison</u>	Monthly
<u>Met-Ed</u>	Bimonthly
<u>Penelec</u>	Bimonthly
<u>Penn Power</u>	Monthly
<u>West Penn Power</u>	Bimonthly
<u>Jersey Central Power &amp; Light</u>	Monthly
<u>Mon Power</u>	Monthly
<u>Potomac Edison (WV)</u>	Monthly
<u>Potomac Edison (MD)</u>	Bimonthly

On the months that your meter is not read, your bill is estimated, which typically is based on daily usage from the same period during the prior year. Any difference between your estimated usage and actual usage is automatically adjusted the next time your meter is read.

After the reading is obtained, it is entered into our computer system, which compares your reading with previous readings. If it is outside of the expected usage, the reading is flagged for closer examination by our Customer Accounting associates. Inaccurate estimated readings either are adjusted, or we obtain another reading.

We provide electricity to millions of customers and strive to deliver accurate bills every month.

However, if you feel you've received a bill that is not accurate, you can read your meter and compare that reading with the one on your bill.

To submit your reading, you must enter it within a three-day window, which is listed under the "Messages" section on your bill, the month before a scheduled estimation. We will use your actual supplied reading to calculate your bill only if it is entered within this window. If you enter a reading outside of this window, we will prorate your bill using the reading you provided.

## Unplanned Estimated Meter Readings

At times, severe weather conditions or other unforeseen circumstances might prevent us from reading your meter. On the months your meter is not read, your bill is estimated. You can [submit a meter reading online](#) or by calling our [Contact Center](#) if you prefer not to receive an estimated bill.

### Additional Information

- [Meter Reading Schedules](#)
- [Submit Meter Reading](#)
- [Locating Meter](#)
- [Reading Meter](#)

Last Modified: November 15, 2017

FOR THE COURT DUFFY/PERIN POWELL

NEW EXHIBIT

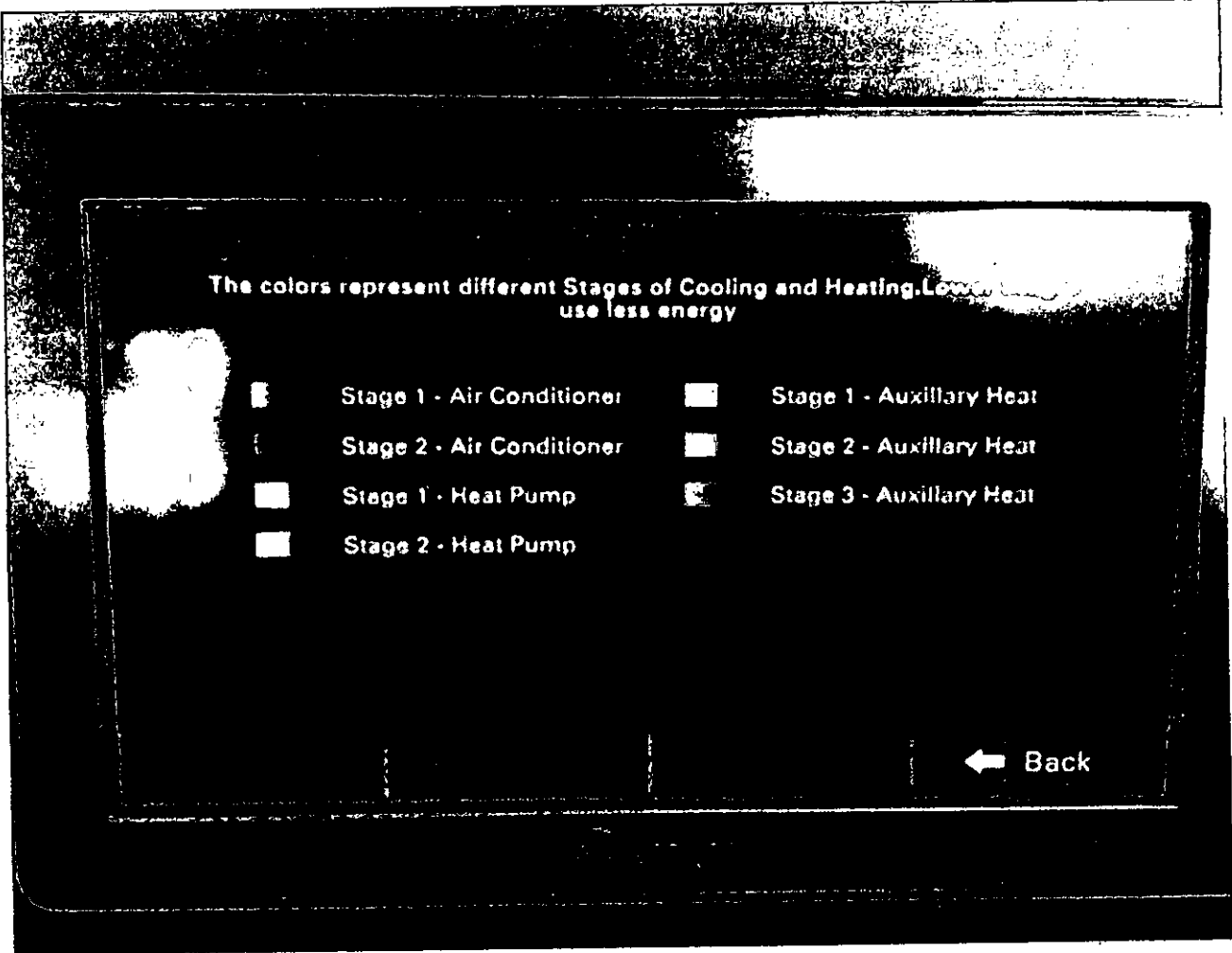
AB

From: ceduffy@zoominternet.net  
Subject: Trane different stages of cooling and heating  
Date: March 8, 2019 at 9:49 AM  
To: Chet Duffy ceduffy@zoominternet.net

PLAINTIFF'S EXHIBIT AB

HOW TO READ THERMOSTAT SCREENS

In Color

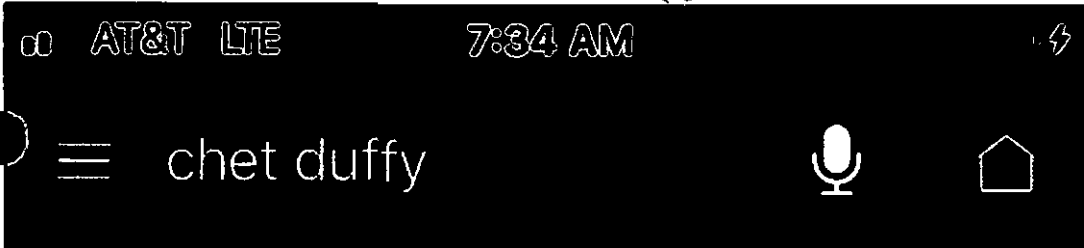


Sent from my iPhone

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TAKEN  
SATURDAY  
4-6-2019

59°

family Room  
FAN RUNNING

OFF

56°

master bedroom  
FAN RUNNING

OFF

TWO FURNACE  
SETTINGS  
"OFF"  
INDOOR TEMP:  
INSIDE Fam Room  
59° F  
INSIDE Bedroom  
56° F



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56°

*For THE COURT (3)*



Fan Running

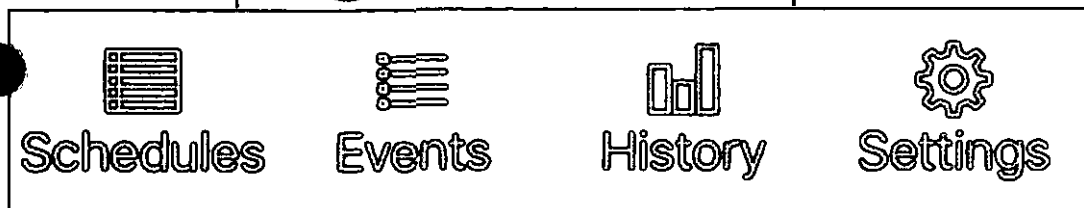
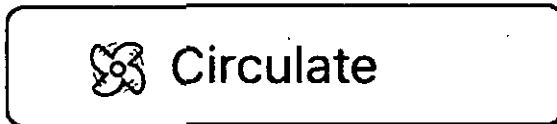
Outside: 43°

Humidity: 38%

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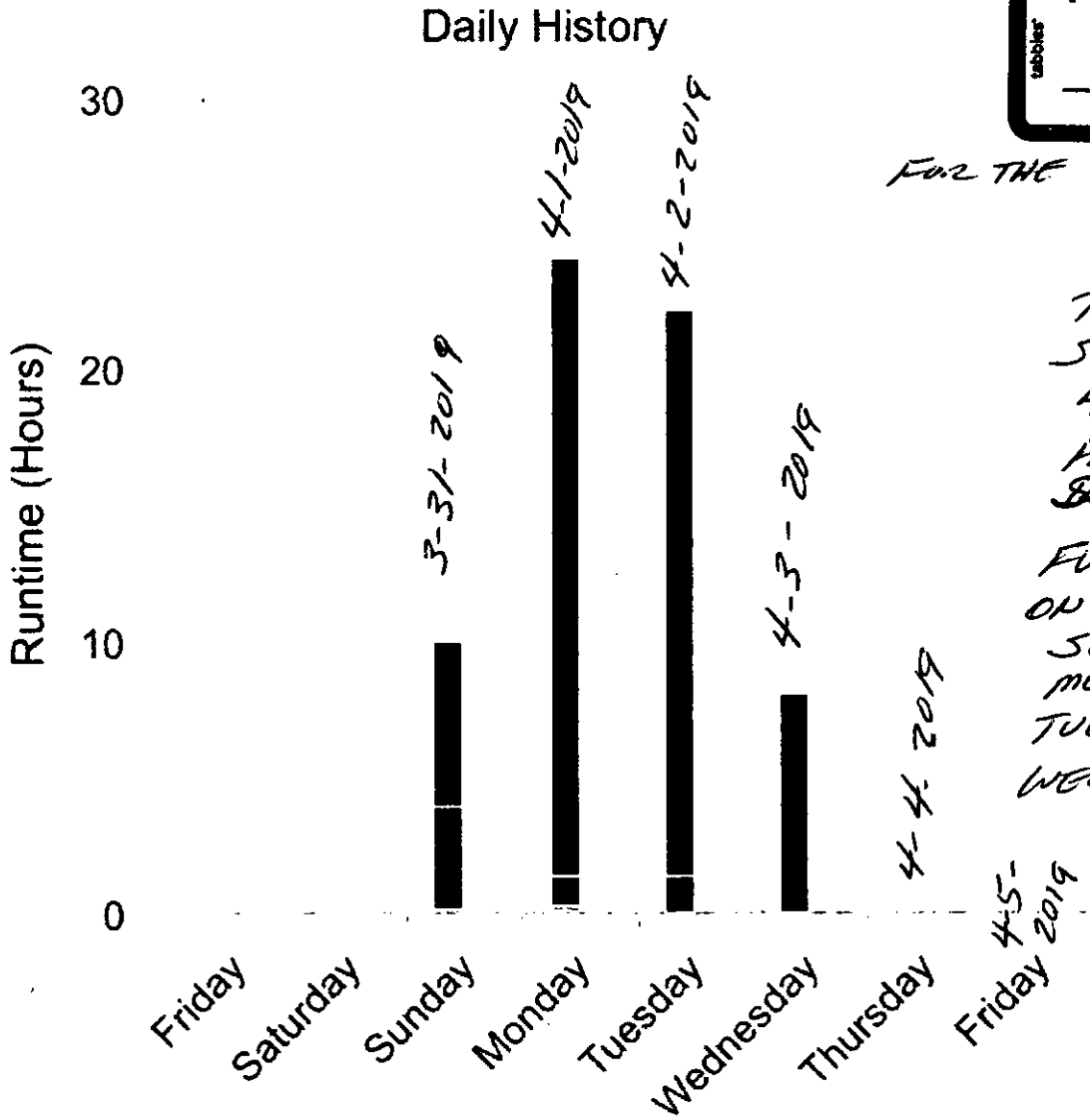


# Runtime History



**PLAINTIFF'S EXHIBIT**  
*AE*

*FOR THE COURT (3)*



*TAKEN SATURDAY 4-6-2019 FAMILY ROOM BETTING FURNACE ON ONLY SUN MON TUES WED*

*4-6-2019*

- Stage 2 Heat
- Heat
- Stage 3 Aux Heat
- Stage 2 Cool
- Cool

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	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri
Aux Heat	-	-	-	-	-	-	-	-
Outdoor High Temp.	55.3	62	44.6	40	50.8	57.6	53.9	46.6
Outdoor Low Temp.	50	44.6	29.1	25.6	28	31.9	35.7	42.2

FOR THE COURT (3)



PHOTO TAKEN <sup>TEXTED</sup> <sup>EMAILED</sup> FRIDAY 4-~~5~~<sup>5</sup>.2019 @ 7:24 AM

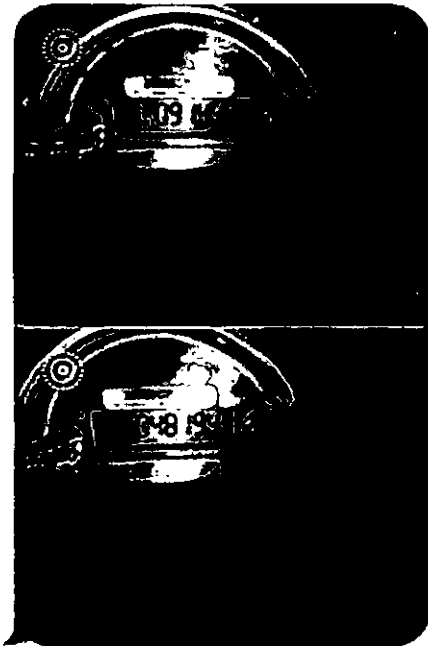
AT&T LTE 7:24 AM

< 2 > Leslie >

one

Thank you too

Today 7:12 AM PHOTO TAKEN FRIDAY 4-5-19 AT 7:12 AM TEXTED 7:24 AM



9144.7

4819.4

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PA PUBLIC UTILITY COMMISSION SECRETARY'S BUREAU

Thanks Les



FOR THE COURT (3)

PLAINTIFF'S  
EXHIBIT  
A6



5678 kWh  
TAKEN 3-19-2019

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For THE COURT (3)

EKM Meter

PLAINTIFF'S  
EXHIBIT  
AH

Photo TAKEN SATURDAY APRIL 6, 2019

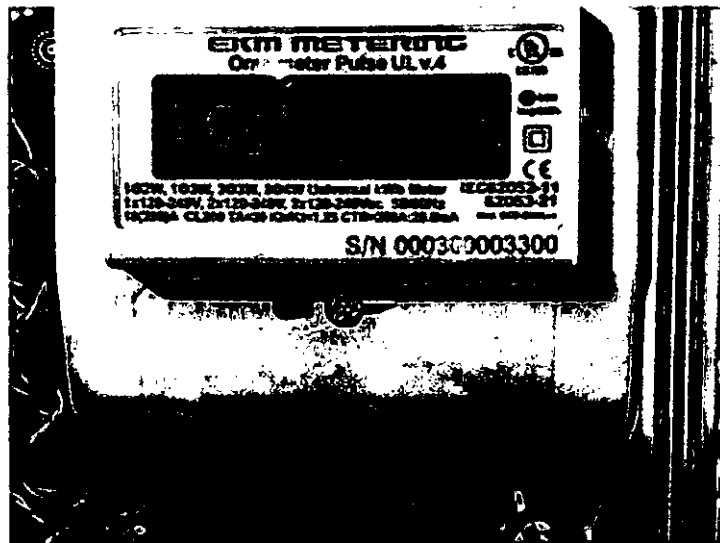
AT&T LTE

1:12 PM



Done

10 of 11



7444.2  
From 2-17-2019  
When installed  
Thru April 6, 2019

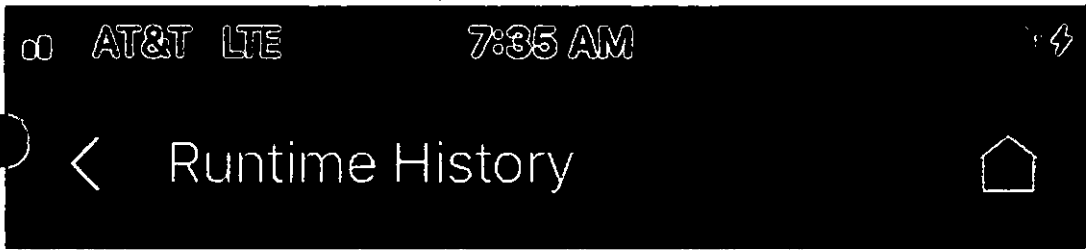
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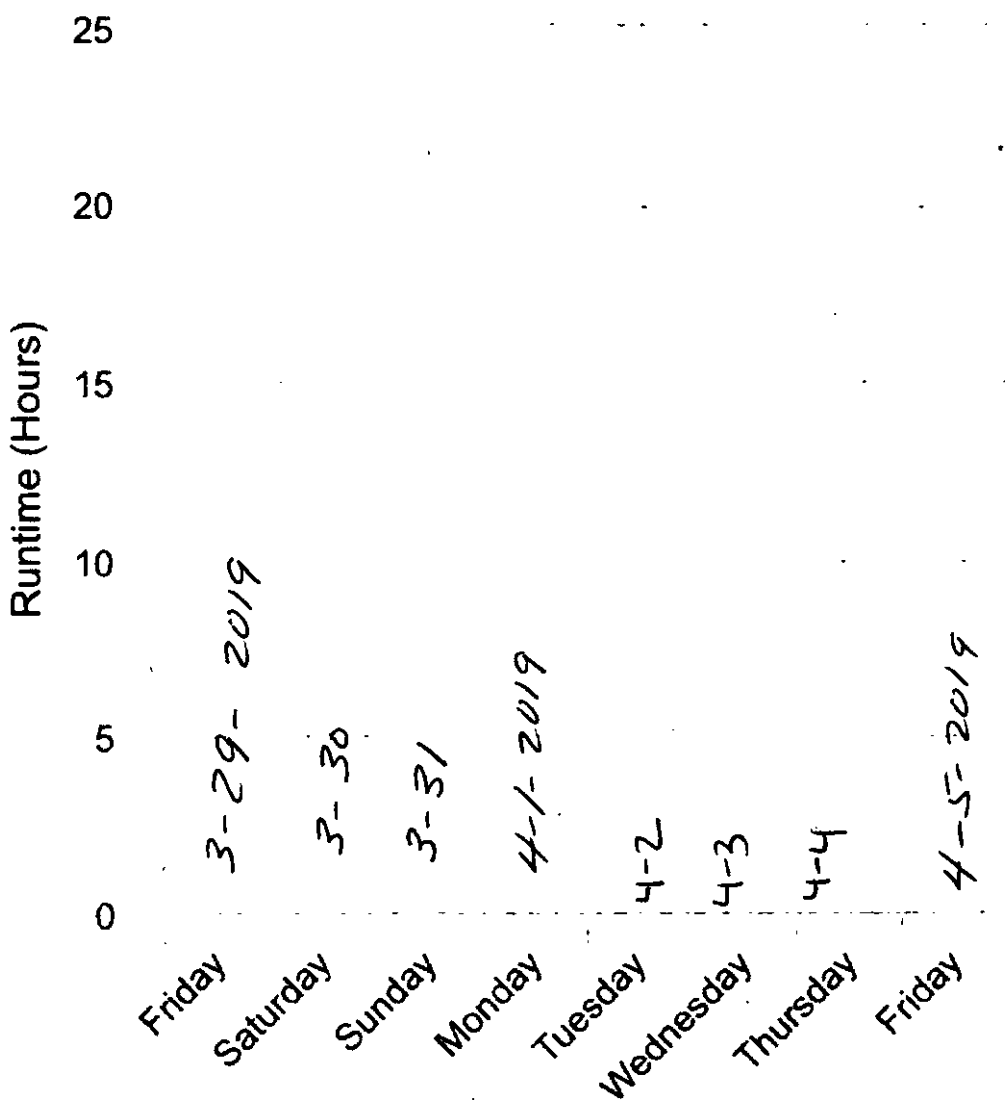
*FOR THE COURT*



*TAKEN  
4-6-2019  
Bedroom Settings  
"OFF"*

*FURNACE  
HEAT OFF  
COOL OFF*

Daily History



*4-6-2019*

■ Heat  
■ Cool

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	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri
Aux Heat	-	-	-	-	-	-	-	-
Outdoor High Temp.	54.9	61.7	44	40.3	51	55.5	54.2	45.9
Outdoor Low Temp.	50	44	26.5	24.5	27.1	31	35.4	41.2



DUFFY EXHIBIT AL

APPROXIMATE (SEE FACT 36) COMPARISON  
OF DUFFY EKM METER VALUES AND  
PENN POWER METER READINGS

EKM

PENN POWER

2-18-2019  
INSTALLED  
READING 0

EXISTING  
DIGITAL METER

2-27-2019  
EKM COMPUTER  
SOFTWARE  
INSTALLED  
READING 0

2-27-2019  
401 08600.7  
411 04819.7

3-9-2019  
401 08800.4  
411 04891.4  
721 Kwh in 10 DAYS  
REF

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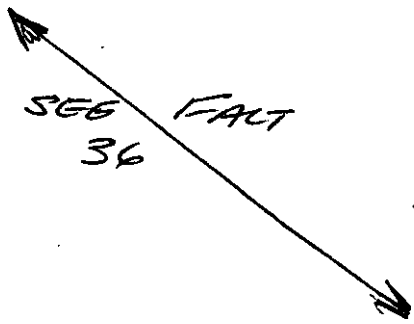
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3-19-2019  
5678 / MONTH  
READING - REF

4-6-2019  
7444.7 Kwh

2-6-2019 TO 3-16-2019  
6430 Kwh READING  
3-7-2019 TO 4-6-2019  
3425 Kwh READING  
29 DAYS = 9855 Kwh  
= 221 Kwh Per Day - 10 DAYS  
7415 Kwh - 221 Kwh  
= 7194 Kwh



EKM METER VALUES ✓ PENN POWER VALUES  
SHOWN ON EX AL PAGE 1 OF 2

DUFFY HAS EXPANDED A GREAT DEAL OF TIME AND MONEY TO COMPARE P P AND EKM READINGS/VALUES BUT IT APPEARS VALUES DO NOT ACCURATELY MATCH (EKM = 7441.7 KWH ✓ P.P. = 7194 KWH) AND CAN NOT MATCH BASED ON DUFFY NEW FACT 36 WHICH IS A PENN POWER WEBSITE CLEARLY STATING CONSUMERS CAN NOT ACCURATELY READ PENN POWER METERS AND ONLY PENN POWER CAN READ THEM ACCURATELY. ADDITIONALLY IT IS VIRTUALLY IMPOSSIBLE TO READ BOTH METERS AND THE COMPUTER VALUES AT THE SAME TIME AND THE FACT PENN POWER ADVISES THEY READ METERS AT MIDNIGHT. THIS PROCESS IS NOT CONSUMER FRIENDLY.

PENN POWER METER IS TESTED AT  $\pm 1.5\%$   
ACCURATE  
EKM METER IS TESTED AT  $\pm 0.5\%$  ACCURATE.

17-

2-6-19 to 3-6-19 = 6430

3-7-2019 to 4-6-19 = 3425

29 days

9855

221 / day x 11 = 2438

7th 18

8th 19

9th 20

10th 21

11 22

12 23

13 24

14 25

15 26

16 27

17 28

~~18~~

9855

~~-----~~

6430

2652

18 x 221 =

~~3978~~

3550 -

10 days

7415

- 221

We apologize for sending this correspondence by email but we are traveling out of state and only just received correspondence from Penn Power/Ms Morris via email and wish to provide our comments but can do so only by email. Thank you for your patience and cooperation in this important matter.

Dear PUC Secretary Chivetta, Email

Honorable Law Judge Dunderdale, Email (via [dpallas@pa.gov](mailto:dpallas@pa.gov))

Penn Power -Ms Margaret Morris - Email [mmorris@regerlaw.com](mailto:mmorris@regerlaw.com)

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Re: Chet and Michele Duffy v Penn Power Company C-2018-3004871

#1 Duffy response to March 21, 2019 Penn Power/Ms Morris Letter  
Related to Penn Power/Ms Morris no agreement on "Stipulated Facts"

#2 Duffy Comment related to Penn Power Company/Ms Morris "Applicable Tariffs for  
Demand Billing for Residential Accounts"

Item #1. Please be advised contrary to the Penn Power letter to the Honorable Katrina L. Dunderdale dated March 21, 2019, which Duffy received by email while traveling, that Penn Power nor the Duffy's have agreed on "Stipulated Facts", "despite a good faith effort, were unable to stipulate to ANY facts." If you did not receive that particular letter I would be pleased to email it to your office.

Duffy takes exception to this statement as Duffy Facts, as 23 of the 34 Duffy Facts were facts provided to the Duffy' by Ms Morris were Penn Power response to the Duffy Claim dated September 17, 2018. Six (6) of the 34 Duffy Facts were partial facts provided by Ms Morris on behalf of Penn Power in its response to the Duffy Claim of September 17, 2018.

The Duffy's trust the Hearing Officer will consider both Ms Morris and the Duffy response and allow these items as Facts to be ruled as commonly accepted Facts as they were provided to the Duffy's by Ms Morris of Penn Power.

OTHER items not completed. There has been no negotiations to settle the Duffy claims with Penn Power with exception to a one line proposal amounting to basically \$300.00, which was presented and not responded to, on and long before our Jan, 2019 phone hearing. Additionally Penn Power offered to provide a chart and a billing discussion with actual Penn Power employees, Chris and Greg, did not happen.

Item #2. Duffy comment regarding the Penn Power Company/Ms Morris "Applicable Tariffs for Demand Billing for Residential Accounts", previously provided to the Duffy's by Ms Morris.

We understand this documentation was requested by the Honorable Judge Dunderdale, however our comment is simply to state what happened and when in accordance with the PUC Dates or revised Dates for these Tariffs. It is the position in our previously provided Booklets of complete documentation

and found within our Facts supported by our Exhibits that our belief is Penn Power, knowing in advance, what request it had made of the PUC, i.e., transformer changes on its own, estimated billing, demand billing, ongoing over a twenty four hour period 15 minute snapshot all to establish the highest potential monthly Duffy bill, regardless of actual metered use. We strongly believe this orchestrated method to garner more money for less/actual power use has been ongoing before some of the PUC Rules applied as you will see in Duffy's Letter to all parties dated February 18, 2019 Revised March 2, 2019, Duffy Facts 11 and 22. You will take note that Penn Power stopped estimating our monthly usage ONLY after Duffy filed its September 17, 2019 claim.

Respectfully submitted,

Chet and Michele Duffy

