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PA PUBLIC UTILITY COMMISSION
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331 Shady Ridge Drive
Monroeville, Pennsylvania

April 22, 2019

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Via Paper Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

RE: **Michele Hriadil and Francis Hriadil v. Duquesne Light Company**
Docket No. C-2016-2571726

Dear Secretary Chiavetta:

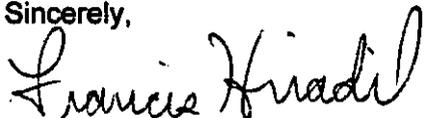
Enclosed please find a copy of Complainants'

Petition / Motion for Reconsideration of
Interim Order Denying Complainants' Petition/Motion to Compel
Respondent to Supply Its Smart Meter for Examination

A copy of this document has been served upon the Judge Jeffrey Watson, Presiding PA PUC Pittsburgh Administrative Law Judge, and the Respondent's Counsel, Jeremy V Farrell, Esquire, in accordance with Commission regulations.

Please feel free to contact me if you have any questions.

Sincerely,



Francis Hriadil
Complainant
(412) 779-3314
hriadil@attglobal.net

Enclosure

Cc: Judge Jeffrey Watson, Presiding PA PUC Pittsburgh Administrative Law Judge

Cc: Jeremy V Farrell, Esquire, Counsel for Duquesne Light Company

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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APR 22 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

No: C-2016-2571726

DUQUESNE LIGHT COMPANY,

Respondent.

**MOTION / PETITION FOR
RECONSIDERATION OF INTERIM ORDER
DENYING COMPLAINANTS' PETITION/MOTION
TO COMPEL RESPONDENT TO SUPPLY ITS
SMART METER FOR EXAMINATION**

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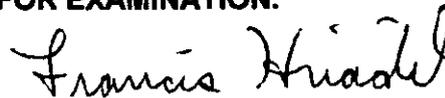
Filed by Michele and Francis Hriadil

hriadil@attglobal.net
(412) 779-3314
331 Shady Ridge Drive
Monroeville, Pennsylvania

**MOTION / PETITION FOR RECONSIDERATION OF INTERIM ORDER
DENYING COMPLAINANTS' PETITION/MOTION TO
COMPEL RESPONDENT TO SUPPLY ITS SMART METER
FOR EXAMINATION**

TO: THE HONORABLE ALJ JEFFREY WATSON, and the COMMISSION.

**ENCLOSED IS COMPLAINANTS' MOTION / PETITION FOR RECONSIDERATION OF
INTERIM ORDER DENYING COMPLAINANTS' PETITION/MOTION TO COMPEL
RESPONDENT TO SUPPLY ITS SMART METER FOR EXAMINATION.**



Francis Hriadil
April 22, 2019

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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Michele Hriadil and
Francis Hriadil,

Complainant,

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No: C-2016-2571726

DUQUESNE LIGHT COMPANY,

Respondent.

**MOTION / PETITION FOR RECONSIDERATION OF INTERIM ORDER
DENYING COMPLAINANTS' PETITION/MOTION TO
COMPEL RESPONDENT TO SUPPLY ITS SMART METER
FOR EXAMINATION**

TO THE RESPONDENT, the HONORABLE ALJ JEFFREY WATSON, and the COMMISSION:

1. The Complainants are filing this Motion/Petition for Reconsideration of Your Honor's April 10, 2019 Interim Order Denying Complainants Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination, which we received on April 13, 2019, as it appears to be inconsistent with a number of pertinent appellate rulings and the specifics of the filings submitted by the Complainants.

2. Complainants' filings and our responses/answers to the Commission, Your Honor, and the Respondent:

- October 3, 2016 - Formal Complaint,
- November 29, 2016 - Response to Respondent's original Preliminary Objections,
- December 19, 2016 - Response Addendum to Respondent's Corrected Preliminary Objections,
- January 9, 2017 - Response to the Respondent's Answer and New Matter,
- January 20, 2017 - Response to the Respondent's Answer in Opposition to Complainant's Motion for Summary Judgment.

- January 24, 2017 - New Matter #1, including Complainants' motion for summary judgment and Commission recognition of material facts.
- January 27, 2017 - New Matter #2, including Complainants' motion for Commission recognition of material facts.
- February 3, 2017 - New Matter #3, including Complainants' motion for summary judgment and Commission recognition of material facts.
- February 14, 2017 - New Matter #4, including Complainants' motion for summary judgment and Commission recognition of material facts.
- December 30, 2017 - Follow-up to Set #1 of Discovery Requests.
- December 30, 2017 - Motion to Compel Discovery.
- January 24, 2018 - Response to Respondent's Motion to Strike and Motion for Protective Order.
- February 20, 2018 - Motion to Compel Discovery.
- March 23, 2018 - Response to Respondent's Answer in Opposition to Complainants' Motion to Compel Discovery.
- July 6, 2018 - Response to Motion for Summary Judgment.
- January 24, 2019 - New Matter #5 - Duquesne Light Company / Centron / Itron OpenWay SK9AMI7 Smart Meter.
- February 27, 2019 - Answer to Respondent's Letter Concerning Complainants' New Matter #5 and Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination.
- March 29, 2019 - Answer to Respondent's Response to Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination.
- Complainants' Answers, Responses, and Replies to Respondent's various Motions in Limine concerning Complainants' Expert Witnesses and Evidentiary Documentation during this period.
- April 3, 2019 - Petition/Motion to Reopen Discovery and Revisit/Reconsider Complainants' February 20, 2018 Motion to Compel Discovery.

3. All filings by the Complainants, and all of our Supporting Documents and submitted Exhibits, are all incorporated here-in by reference as if fully restated.

4. In Your Honor's April 10, 2019 Interim Order, the following is stated,

"After a thorough review of all of the pleadings filed by the Parties regarding this issue, the following order will be entered. Here, Complainants request is not proper for numerous reasons, including the request fails to set forth who was to perform the inspection or the necessity or purpose for an inspection, was not timely, and the stated purpose is not reasonably calculated to lead to the discovery of admissible evidence in this proceeding."

Furthermore, the Order is unsigned, with only an “/s/” typed in where the signature should normally appear.

5. In light of the specifics of the Complainants’ (our) filings, the Complainants are confused by this justification and Your Honor’s ruling.

6. First, as the Complainants have received just an unsigned order, whereas all prior orders from Your Honor have been signed, it is unclear (to us) what the specific legal significance of this is.

7. Next, Your Honor states, “...Complainants request is not proper for numerous reasons,...”; but, only lists three (3) reasons which the Complainants have addressed in detail in its three (3) filings on this matter, namely:

- January 24, 2019 - New Matter #5 - Duquesne Light Company / Centron / Itron OpenWay SK9AMI7 Smart Meter.
- February 27, 2019 - Answer to Respondent's Letter Concerning Complainants' New Matter #5 and Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination.
- March 29, 2019 - Answer to Respondent's Response to Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination.

Nevertheless, the Complainants will address herein the three (3) points made by Your Honor in Your Interim Order.

1. “...Complainants request is not proper for numerous reasons, including the request fails to set forth who was to perform the inspection or the necessity or purpose for an inspection...”

8. This is not an accurate representation of what the Complainants presented in our three (3) Filings on this matter. Complainant (Francis Hriadil) has established his extensive engineering education, credentials, experience, and background in previous filings, and has been clearly identified as implementing the examination, at a minimum.

9. 52. Pa. Code § 5.321(c) Scope, states
“a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, ... , including the existence, description, nature, content, custody, condition and location of

any books, documents, or **other tangible things** and the identity and location of persons having knowledge of a discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.” (emphasis added)

With regards to obtaining a “tangible thing”, 52. Pa. Code § 5.321(c) does not list or stipulate any necessary requirement to supply specifics as to how the requesting party plans to utilize that “tangible thing” in the preparation of their case and the discovery of admissible evidence. It does not require either party to reveal work product, or report on efforts and preparations that are in progress and not yet complete, which are privileged. In all fairness, the Complainants cannot be faulted, and our Motion/Petition justifiably denied, for a “requirement” that is unstated and unspecified as part of 52. Pa. Code § 5.321(c).

10. In Discovery, the Respondent served the Complainants with many detailed questions that it insisted must be answered. The Respondent provided the Complainants with no information regarding the use of the supplied answers and information that was being provided, who would specifically review and analyze that information, and how that information would be used and analyzed. The only requirement was that the requested information be in accordance with 52. Pa. Code § 5.321(c). No information about, or justification of, how the Respondent would use the supplied information to lead to the discovery of admissible evidence was required or provided. The Respondent’s integrity, intention, or analysis process was never a matter of question. And, the Respondent’s analysis of the supplied information was reported to the Complainants only after the fact, when that analysis was complete. The circumstances here with regards to the Complainants are no different. Being treated differently in this regard would seem to imply some degree of bias and impropriety that is prejudicial against the Complainants and our complaint.

11. The “tangible thing” here is the Respondent’s specific Smart Meter, the Itron/Centron OpenWay SK9AMI7 Smart Meter, which is unquestionably relevant to the matter at hand, as it is the specific device that the Respondent intends to install on the Complainants’ residence. The Respondent

is the only source for its specific SK9AMI7 Smart Meter. The specifics of the examination planned by the Complainants are work product at this point, and, as Complainants understand it, are viewed as privileged until ready for submission. As stated in Complainants filings in this matter, and in keeping with Discovery requirements, the Respondent will be fully and properly informed in this regard, and in a timely manner, once the Complainants have obtained the Respondent's specific Smart Meter and the examination has been completed.

12. Furthermore, in Your previous rulings concerning filing a Motion to Compel (reference: Your Honor's February 5, 2018 Interim Ruling), Your Honor has directed the Complainants to be "specific and concise." The Complainants have done nothing but strive to comply with Your Honor's expressed directions in this regard, and presented a motion/petition that was "specific and concise." In our current, Jan 24, Feb 27, and Mar 29 Motion/Petition to Compel Respondent to Supply Its Smart Meter for Examination, and our related filings, the Complainants specifically and concisely stated that

the necessity and purpose for an inspection is to

definitively and independently ascertain and verify the "form, fit, function, and operating characteristics of the Respondent's specific Smart Meter"

for the expressed purpose of

ascertaining, defining, and verifying those characteristics, and the claims made by the Respondent,

and ascertaining, defining, and verifying the commonality, as well as any specific areas of uniqueness, of the Respondent's specific Smart Meter with regards to comparable systems

in order to

properly and independently characterize the Respondent's Smart Meter, and establish a clear criterion for assessing the relevance and admissibility of any evidence submitted with regard to the Respondent's device and system. (emphasis added)

The Complainants cannot be anymore concise and specific than this. The terms "form, fit, and function, and operating characteristics are clear, definitive, and comprehensive with regards to the nature of the intended examination. The Complainants supplied what was reasonably understood to be necessary per Your Honor's previously expressed directions and the requirements of 52. Pa. Code § 5.321(c).

13. The Complainants aver that it cannot be considered fair to now use "conciseness" to fault the Complainants Motion/Petition. If Your Honor requires more detailed information that does not violate the standards of work product and privilege, then the Complainants will be happy to supply it. The Complainants only need to receive clear, consistent direction from Your Honor.

II. "...Complainants request is not proper for numerous reasons, including the request ... was not timely, ..."

14. Pertinent and notable timeline occurrences:

- June 4, 2018 - Respondent's Motion for Summary Judgment, in which the Respondent argued that the evidentiary evidence supplied by the Complainants is not pertinent to its "smart meter in its smart mesh", effectively asserting the uniqueness of their system and denying commonality with other comparable systems.
- June 29, 2018 - Your Honor's Interim Order ... Continuing the Evidentiary Hearing Scheduled for July 18-19, 2018, "in order to properly review the motion for summary judgment and any response from Complainants." And, Your Honor's Cancellation Notice to the Complainants.
- July 6, 2018 - Complainants' Response to Motion for Summary Judgment, filed within approved extension request.
- November 30, 2018 - Your Honor's Interim Order Denying Motion for Summary Filed By Dugesne Light Company, which the Complainants received on December 4, 2018.
- December 3, 2018 - Your Honor's Interim Order, directing the Respondent and the Complainants to confer on a new potential Hearing date in March or April 2019, which the Complainants received on December 6, 2018.
- December 10, 2018 - Complainants' Motion to Allow a Second Expert Witness, Dr. Andrew Michrowski, Ph'd., for the Complainants, as a result of the denial of the Respondent's motion for summary judgment, and the resulting rescheduling of a new hearing date.
- December 31, 2018 - Respondent's Answer in Opposition to Complainants' Motion to Allow a Second Expert Witness, Dr. Andrew Michrowski, Ph'd. and Motion in Limine to Preclude Complainants' Purported Expert Testimony for Failure to Produce Required Expert Reports.
- January 19, 2019 - Complainants' Response to Respondent's Answer in Opposition to Complainants' Motion to Allow a Second Expert Witness, Dr. Andrew Michrowski, Ph'd. and Motion in Limine to Preclude Complainants' Purported Expert Testimony for Failure to Produce Required Expert Reports.

- January 24, 2019 - Complainants' New Matter #5 - Duquesne Light Company / Centron / Itron OpenWay SK9AMI7 Smart Meter, requesting production of the Respondent's Smart Meter as an exhibit and for direct examination to resolve the Respondent's unsubstantiated assertion argued in its Motion for Summary Judgment, etc. that its smart meter and smart mesh effectively lacks pertinent commonality with other comparable systems. And, if the Respondent did not respond or comply within the standard 20 day period, the Complainants requested that Your Honor compel the Respondent to produce the meter.
- February 1, 2019 - Respondent's Motion in Limine to Bar Complainants From Introducing or Relying Upon Inadmissible Evidence, in which the Respondent presented the same arguments it presented in its Motion for Summary Judgment ("not our smart meter in our smart mesh" - again asserting no pertinent commonality with other comparable systems), which was denied.
- February 19, 2019 - Letter composed by the Respondent to the Complainants in which the Respondent stated that it refused to produce its Smart Meter for examination, etc.

Note: (Both the Respondent and Your Honor received our properly served Jan 24 filing on Jan 25. Twenty (20) days later, the Complainants did not receive a response, the Respondent's smart meter for examination, or a request for an extension. And, even though the Respondent failed to respond in a timely manner, in the appropriate time, Your Honor did not issue an order to compel the production of the Respondent's smart meter. On Feb 19, the Post Office attempted but failed to deliver the letter from the Respondent, 25 days after receiving the Complainants' properly served filing. This letter was finally obtained by the Complainants on Feb 25, 31 days after our filing. In addition, the Respondent's letter was not copied to Your Honor, or the Commission, nor was it served with a proper Certificate of Service.)

- February 27, 2019 - Complainants' Answer to Respondent's Letter Concerning Complainants' New Matter #5 and Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination.
 Note: (As the Respondent did not respond in a timely manner and Your Honor did not act, Complainants filed its motion to compel again.)
- March 14, 2019 - Your Honor's Interim Order, denying Respondent's Motion in Limine to Preclude Complainants' Purported Expert Testimony as premature, and "extending the discovery period in this proceeding".
- March 15, 2019 - Your Honor's Interim Order Scheduling Prehearing Conference and Extending the Deadline to Complete Discovery.
- March 19, 2019 - Respondent's Response to Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination, which Complainants received on March 21, 2019.

- March 29, 2019 - Complainants' Answer to Respondent's Response to Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination.
- April 10, 2019 - Your Honor's Interim Order Denying Complainants' Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination, which was received by the Complainants on April 13, 2019.

15. The litigation timeline summarized in section 14., with all of the filings, responses, answers, and orders shown, clearly substantiates that our Motion/Petition was not "untimely" in the context of the process and circumstances of the pleadings and rulings as they have unfolded. The Complainants served our Motion/Petition to Compel on January 24, 2019, in response to arguments put forward by the Respondent, and the Respondent's ongoing mantra "not our smart meter in our smart mesh", in its Motion for Summary Judgment, etc., its ongoing attempts to preclude the Complainants expert witnesses and evidentiary documentation, and Your Honor's December 3, 2018 Interim Order, to continue the hearing date. The litigation schedule was significantly extended due to the filing of a massive Motion for Summary Judgment by the Respondent, which also attempted to narrow the Complainants' complaint. It was not due to any action by the Complainants.

16. The Respondent's Motion for Summary Judgment challenged every aspect of the Complainants' Formal Complaint. Until a ruling was issued by Your Honor, the Complainants had no idea how to proceed, or how we would be even permitted to proceed, with our preparations and pleadings. Our complaint could have ended completely at that point. Nevertheless, during this long period of uncertainty, the Complainants continued to communicate with various experts and pursue various avenues to continue to develop and strengthen our complaint. Once Your Honor's ruling was made to deny *in toto* the Respondent's Motion for Summary Judgment and its request to narrow the complaint, continue the hearing date, and extend the litigation schedule, both parties could proceed with certainty with appropriate preparations and filings, which both parties have.

17. It is a Material Fact that the Complainants are two (2) elderly people, one retired and one working full time, pursuing a complaint as themselves. We do not have the resources or staff

available to us that are available to the Respondent, a multi-billion dollar company. We have to do all of the reviewing, researching, readings, pleadings, etc. on our own, to the best of our ability, and that unfortunately takes some time. The Complainants aver that we should not be faulted for this circumstance. All we can do is assure Your Honor is that we have been proceeding, and will continue to proceed, in as professional and timely of a manner as possible.

18. Complainants filed our request and motion to compel as quickly as possible after Your Honor's Interim Ruling and extension of the litigation schedule, as permitted by the various other pleadings, filings, responses, and answers that were occurring at that time. The Complainants again aver that there was nothing untimely about its request and motion to compel in light of the circumstances and the extension of the new hearing date and litigation schedule.

19. Lastly, in this regard, the Complainants note that Your Honor issued a March 14, 2019 Interim Order, "extending the discovery period in this proceeding" followed with a March 15, 2019 Interim Order Scheduling Prehearing Conference and Extending the Deadline to Complete Discovery. And, on April 3, 2019, the Complainants filed a Petition/Motion to Reopen Discovery and Revisit/Reconsider Complainants' February 20, 2018 Motion to Compel Discovery. The Complainants aver further that our request to examine the Respondent's Smart Meter and our motion to compel that examination cannot be viewed as "untimely" in light of these additional circumstances.

III. "...Complainants request is not proper for numerous reasons, including... the stated purpose is not reasonably calculated to lead to the discovery of admissible evidence in this proceeding."

20. Absent from this statement is any explanation or justification for the assessment that the Complainants' examination of the Respondent's Smart Meter is "not reasonably calculated to lead to the discovery of admissible evidence in this proceeding." There is no basis provided for this view. It is inconsistent with the pleadings, answers, explanations, justification and content provided in the Complainants' three (3) filings on this matter (refer to Section 7, page 4 herein), and we request that

Your Honor revisit those again in detail. Without repeating the entirety of those documents and re-iterating those details here again, the Complainants aver that we have provided a sound, logical, scientific, and legal basis that our examination of the Respondent's Smart Meter is more than reasonably calculated to lead to admissible evidence that will be important in our case, and useful to the Commission in the just assessment and resolution of our complaint.

21. In its responses to pleadings and appeals brought before the Commission of the PA PUC, the Commission has clearly stated the guidelines and requirements that it applies to evidence, as to what it states is acceptable / relevant / admissible, and what may be received by the Commission. The Complainants quote the Commission's officially stated guideline and requirement below:

*"As a Commonwealth agency, the Commission is governed by the Commonwealth's Administrative Agency Law, 2 Pa. C.S. § 101, et seq. Section 505 of the Administrative Agency Law, 2 Pa. C.S. § 505, specifies that a Commonwealth agency is not bound by technical rules of evidence at an agency hearing. Specifically, 2 Pa. C.S. § 505, provides: '**Commonwealth agencies shall not be bound by technical rules of evidence at agency hearings, and all relevant evidence of reasonably probative value may be received. ...**' Thus, if the evidence is relevant to the issues before the agency and of reasonable probative value, the agency may receive it.*

2 Pa.C.S. § 505. Evidence is relevant if it tends to establish facts in issue. *LeRoi v. Pa.State Civil Service Commission*, 382 A.2d 1260(Pa. Cmwith.1978)."

Reference: (Commission Opinion and Order, C-2015-2474602, *C. Frompovich v. PECO Energy Company*, May 3, 2018)

(emphasis added)

22. Based on this official Commission statement, the Complainants aver that it cannot be reasonably questioned or contested that a fair and independent examination of the Respondent's Smart Meter to determine and/or verify its true form, fit, function, and operating characteristics is relevant to the issues before the Commission. It cannot reasonably, logically, legally, scientifically, or emphatically be stated that such examination will not or cannot lead to relevant evidence that is of reasonable probative value. And, it cannot reasonably and logically be argued that what results from such an examination is not pertinent to establishing facts in issue.

23. The Complainants aver that our examination of the Respondent's Smart Meter, and our request and motion to compel that examination, fall well within accepted legal norms and the stated Commission standard of relevance, reasonableness, and admissibility.

24. At the highest appellate level in the land, it has been recognized that people as themselves (that is, *pro se*) are not the same as professional attorneys, and should not be treated and judged as such. The US Supreme Court (Reference: *Haines v. Kerner*, 404 U.S. 520 (1971)), has ruled and held that *pro se* plaintiff pleadings, that is, pleadings from plaintiffs as themselves, cannot be held to the same standards as those that are drafted by attorneys. Specifically, **the US Supreme Court has held that**

plaintiffs pleading as themselves should be held to "less stringent standards" than those drafted by attorneys. (emphasis added)

The Complainants remain steadfast in our pursuit of the truth in this matter. Though the Complainants are striving to file pleadings, motions, petitions, etc. in as professional of a manner as possible, the Complainants are not attorneys, and in fairness, should not be treated as such. The Complainants aver that though there may be aspects of the Complainants' pleadings, motion, petitions, etc. that may not be perfect, this should not be used as a pretext or reason to dismiss or deny those filings as long as they are pertinent, relevant, and reasonable. And, the Complainants again strongly aver that our our examination of the Respondent's Smart Meter, and our request and motion to compel that examination, are logical, reasonable, pertinent, and relevant to the matter at hand.

25. Short of the Respondent stipulating to the commonality of its specific Smart Meter in its Smart Mesh with other similar devices and systems, and the relevancy of the evidentiary documentation supplied to them by the Complainants as part of Discovery, or the Commission taking judicial notice and recognition of these facts and this evidence (including the extensive documentation that has already submitted to Your Honor and the Commission in our filings), an examination of the Respondent's Smart Meter as specified in our motion/petition is strongly averred to be necessary by the Complainants.

26. As private people, the Complainants cannot obtain a sample Duquesne Light Smart Meter for direct examination, inspection, etc., and for use as an exhibit at our Hearing. The Respondent is the only source that can provide said meter, and the Complainants require the Respondent to do so.

27. As stated in the Complainants previous filings on this matter, this type of direct, independent assessment and verification of the common and distinctive aspects of the specific form, fit, function, and operating characteristics of the Respondent's Centron / Itron OpenWay SK9AMI7 Smart Meter, is necessary for complete openness and credibility in the complaint process, for the accurate assessment of all evidence, for the accurate determination of any violation or multiple violations of PA Code, and for the fair, proper, and just resolution of Complainant's Formal Complaint, and request for relief. It is pertinent, reasonable, and in accordance with 52. Pa. Code § 5.321(c), and it imposes no unfair burden on the Respondent, but, is a matter of important consequence to the Complainants in our pursuit of our Formal Complaint. It is in the public interest, and in the interest of Your Honor and the Commission to obtain all of the relevant facts.

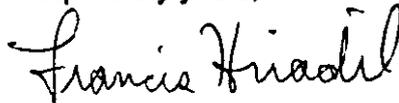
28. If the Complainants are denied our petition/motion it will preclude a necessary and legitimate avenue of inquiry, and severely impair and harm the efforts of Complainants to obtain the truth. And, if this is done in contradiction of the established requirements and guidelines set forth in appellate rulings, findings, and opinions by the Commission and the US Supreme Court, the Complainants will have no choice but to use this as a basis for appeal, as would any occurrence that seems to imply bias or impropriety prejudicial to the Complainants.

29. The Complainants maintain that the Respondent's description of the nature, operation, performance, consequences, and risks of its Smart Meter in its Smart Mesh has never been fully, completely, and accurately disclosed. The proper determination of the common and distinct aspects of the form, fit, function, and operation of the Respondent's specific RF emitting and LF inducing Centron / Itron OpenWay SK9AMI7 Smart Meter, with its Switch-Mode Power Supply, is essential and

necessary to establishing its true and full nature and characteristics, and providing a proper basis for evaluating the validity of the Complainant's Formal Complaint and our request for relief.

WHEREFORE, in light of these circumstances, Complainants Michele Hriadil and Francis Hriadil wish and respectfully request that Your Honor reconsider you April 10 Interim Order and either grant Complainants' Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination, or inform the Complainants of what further information is required by Your Honor and the Commission for our petition/motion to be granted.

Respectfully yours,



Francis Hriadil
(412) 779-3314
331 Shady Ridge Drive
Monroeville, Pennsylvania
April 22, 2019

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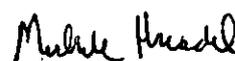
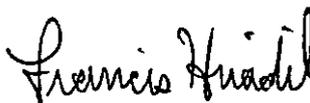
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Per 52 Pa. Code S 1.36,

We, Francis Hriadil and Michele Hriadil, hereby state that the facts above set forth are true and correct (or are true and correct to the best of our knowledge, information and belief) and that we expect to be able to prove the same at a hearing held in this matter. We understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

Date: 4/29/2019

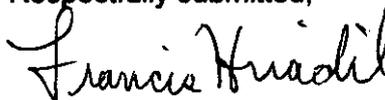
4/29/2019



Francis Hriadil

Michele Hriadil

Respectfully submitted,



Francis Hriadil
(412) 779-3314
331 Shady Ridge Drive
Monroeville, PA 15146
April 29, 2019

For Complainants' document

MOTION / PETITION FOR RECONSIDERATION OF INTERIM ORDER
DENYING COMPLAINANTS' PETITION/MOTION TO COMPEL RESPONDENT
TO SUPPLY ITS SMART METER FOR EXAMINATION

which was dated and filed by mail on April 22, 2019

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2016-2571726

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CERTIFICATE OF SERVICE

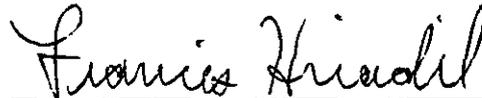
I hereby certify that I have this day served a true copy of Complainants' Petition / Motion for Reconsideration of Interim Order Denying Complainants' Petition/Motion to Compel Respondent to Supply Its Smart Meter for Examination upon the participants listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant):

Via Paper Filing
Judge Jeffrey Watson
PA PUC Pittsburgh Administrative Law Judge Office
301 Fifth Ave, Suite 220
Piatt Place
Pittsburgh, PA 15222

Via Paper Filing
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Dated this 22nd day of April, 2019



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