

From: ceduffy@zoominternet.net
Subject: Docket C-2018-3004871 Fifth Interim Order
Date: May 28, 2019 at 4:56 PM
To: dpallas@pa.gov
Cc: mmorris@regerlaw.com

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MAY 29 2019



PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

→ Dear Judge Dunderdale, Via email (DPALLAS@PA.HIV) & US MAIL
Dear Secretary Rosemary Chiavetta, Via email & US MAIL
Dear Margaret Morris (Penn Power/First Energy, Via email & US MAIL

In accordance with the Fifth Interim Order the Duffy's had a visit by (5) Penn Power/First Energy employees and the Duffy electrician Tom Gleghorn for the purpose of auditing the Duffy home and barn on May 31, 2019.

Three PP/First Energy employees and Mr Gleghorn went outside to inspect the transformer, the wiring of the same, took voltmeter readings, and transformer readings.

The two remaining PP/First Energy men sat with the Duffy's and reviewed the prior electrical equipment audit completed approximately ten years ago and asked questions pertaining to upgraded appliances, furnaces, etc presently utilized in the home, outside the home and in the barn.

Duffy's asked the two men what we could do to reduce energy use, we advised of what we have been doing since the 2010 prior ruling including being absent from the home months at a time, they agreed we were taking the appropriate steps but had no answers as to how we were using the amount of energy we were being billed for.

As Ms Morris did not provide previously requested charts from the billing department and the usage department Duffy's elected to ask the same questions of the PP/First Energy two experts present. We asked if it were possible when not in the home for six continuous months with heat set at 58 degrees and no other appreciable power being used, how was it possible that our bills and kWh were so extremely high? They could not answer the question. We asked about the size of our home related to usage or billing, they claimed if we were gone with little or no power use we referred them to their own site as to how to conserve energy based on their site, we listed out other electrical items not in use and based on PP numbers we should have seen 50-75 percent reduction of power usage in our home, they agreed with us and did not know the answer as to why our usage and billing was so high. However they did suggest with electric furnaces possibly heat strips stayed on. We advised we had our furnace service representatives let into our home while away and found no such sticking nor issues with the furnaces. Our computer type thermostats record daily, weekly, monthly, yearly with no issues of the sort.

The PP/First Energy experts made a suggestion about the simultaneous start of both furnaces. We contacted Kohl/Trane and asked that specific question and was advised starting was staggered.

There were no amp meter testing of any electrical components inside or outside the home or in the barn. NO STATIC TESTS OR DYNAMIC TEST WE DONE INSIDE THE HOME OR BARN OR OUTSIDE THE HOME TO HOME DEVICES.

As you know Duffy's installed an internal meter in our home on February 17, 2019 with Penn Power Present. As of today our usage for our home, outside our home and the barn totals 11,644.8 kWh.

PP/First Energy personal advised they had to provide a written report to their council within ten days to two weeks and that we would receive a copy from their council.

Today, May 28, 2019 Duffy received an email from Ms Morris as to a phone call from Ms Morris to discuss settlement conversations per 52 Pa. Code 5.231(a) on 6/7/2019. We agree to the phone conversation and will provide to Ms Morris our ideas for settlement in an email prior to 6/7/2019.

Respectfully submitted,

Chet and Michele Duffy

Sent from my iPhone

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PA PUBLIC UTILITY COMMISSION
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cc: SECT - ROSEMARY CHIAVETTA

From: ceduffy@zoominternet.net
Subject: Duffy Docket C-2018-3004871. Commission Policy Promotes settlements.52 Pa. Code 5.231(a)
Date: May 29, 2019 at 12:25:35 PM
To: mmorris@regerlaw.com, Chet Duffy
ceduffy@zoominternet.net, mad24@zoominternet.net,
dpallas@pa.gov

Ms Morris/Penn Power/First Energy,

We have received your email dated May 28, 2019 requesting the Duffy's be available for a telephone conversation on Friday Afternoon June 7, 2019 for the purpose of "possible settlement". If Penn Power/First Energy has an offer or proposal of settlement we would like to hear what it might be. We also have our ideas of settlement but per the PUC 52 Pa. Code 5.231(a) we can not and will not put our thoughts in writing unless you agree in writing and in advance to the Judge TO YOUR AGREEMENT that our thoughts and negotiations can also be discussed in Judge Dunderdale next telephone hearings on June 19, 2019 or beyond.

If you believe that no settlement is possible I suggest an independent arbitrator be assigned as soon as possible.

We are available and will expect your call. Please call 724-822-1224.

Sincerely,

Chet and Michele Duffy
724-822-1224
Ceduffy@zoominternet.net
Mad24@zoominternet.net

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SETTLEMENTS

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§ 5.231. Offers of settlement.

- (a) It is the policy of the Commission to encourage settlements.
- (b) Nothing contained in this chapter or Chapter 1 or 3 (relating to rules of administrative practice and procedure; and special provisions) preclude a party in a proceeding from submitting, at any time, offers of settlement or proposals of adjustment, or from requesting conferences for that purpose.
- (c) Parties may request that the presiding officer participate in the settlement conferences or that an additional presiding officer or mediator be designated to participate in the settlement conferences.
- (d) Offers of settlement, of adjustment, or of procedure to be followed, and proposed stipulations not agreed to by every party, including proposals intended to resolve discovery disputes, will not be admissible in evidence against a counsel or party claiming the privilege.
- (e) Subsections (a)—(d) supersede 1 Pa. Code § 35.115 (relating to offers of settlement).

Authority

The provisions of this § 5.231 amended under the Public Utility Code, 66 Pa.C.S. § § 501, 504—506, 1301 and 1501.

Source

The provisions of this § 5.231 adopted October 12, 1984, effective January 1, 1985, 14 Pa.B. 3819; amended January 24, 1997, effective January 25, 1997, 27 Pa.B. 414; amended April 28, 2006, effective April 29, 2006, 36 Pa.B. 2097. Immediately preceding text appears at serial page (225667).

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From: ceduffy@zoominternet.net
Subject: Fwd: Docket C-2018-3004871
Date: May 29, 2019 at 1:33:02 PM
To: mad24@zoominternet.net

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Begin forwarded message:

From: ceduffy@zoominternet.net
Date: May 28, 2019 at 5:22:52 PM EDT
To: dpallas@pa.gov
Subject: Docket C-2018-3004871

Ladies and Gentlemen,

In our April 16, 2019 telephone hearing with Judge Dunderdale, the Judge indicated she only had the first page of the Duffy complaint. If the judge has yet to find the copy please notify me and I can mail another copy.

Thank you for your assistance,

Chet and Michele Duffy

Sent from my iPhone

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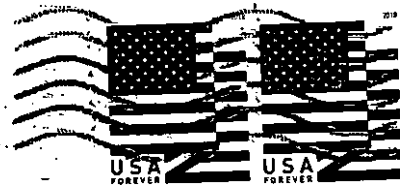
JUN 13 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Duffy
PO Box 295
Harmony PA 16037

PITTSBURGH PA 150

10 JUN 2019 PM 1 L



PENNSYLVANIA PUBLIC UTILITY
COMMISSION
ATT: ROSEMARY CHIVETTA, SECT.
COMMONWEALTH KEYSTONE BLDG 400
NORTH ST. 2^{ED} FLOOR
HARRISBURG, PA 17120