

Andrew and Theresa Sabatini

120 Fawn Lane • Acme, PA 15610 • 724-542-4545 • asab@zoominternet.net

July 9, 2019

Administrative Law Judge Jeffrey A. Watson
Pennsylvania Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222

RE: Docket # C-2018-3005177

Status Report

Honorable Judge Watson:

As for the status of our complaint, we are not comfortable with what's been happening in this procedure. We have been pushed and pressed into dates and timelines without adequate understanding and knowledge of how to handle the process of our formal complaint and preparation for a hearing. Since the PUC has not provided us with a lawyer for this proceeding, and we can't afford one on our own, we have been hard pressed to determine the proper steps in this complaint process. **We need to go backwards in this procedure to allow for discovery and witness identification.** At the start of this we were completely in the dark as to all the papers and terminology of "discovery" and "preliminary objections" and "status reports" and so on. We are just now beginning to figure it out, and we are hoping for a fair chance to actually prepare for a hearing. We will not be ready by November.

1. As per your instructions at the pre-hearing conference, I had a conversation with Ms. Lepkoski via phone on June 28th at 1 PM. No settlement was reached; WPP offered nothing, not even to move the proposed smart meter to a safe distance in accord with their tariff to provide safe and reasonable service and with FCC compliance as noted in our June 19, 2019 Amendment to our Formal Complaint.
2. During that conversation, I asked Ms. Lepkoski if she would respond to interrogatories, since we didn't understand that we could ask questions of WPP until recently. She said "no", WPP would not answer interrogatories because the date was past, and that was the "procedure" and it couldn't be altered. As per a Supreme Court opinion in a case involving administrative procedures, they wrote: *"There emerges an emphasis upon the informal, rather than the formal. This, we think, is as it should be, for this administrative procedure, and these hearings, should be understandable to the layman claimant, should not necessarily be stiff and comfortable only for the trained attorney, and should be liberal and not strict in tone and operation."* (Richardson v Perales) **With that in mind, we must have an**

extension of time for discovery, so that we can ask our questions of WPP to prepare for our hearing. If any attorney tried to repair their own air conditioning system, it would take them months if not years to acquire those skills, so too, we need time to figure out the legal morass of this proceeding. Our letters to you, Judge Watson, dated May 30 and June 19th, specifically requested a revised litigation schedule to allow an extension of discovery, but we have received no reply from you. It's almost as if you haven't read our letters. As a pro-se complainant, it is only reasonable to expect an extension.

- 3. When the time comes, we request an in-person evidentiary hearing in Pittsburgh.** We are, however, preparing a brief, as discussed in our prehearing conference, of the legislative history and development of Act 129 and its clear and obvious intent as an opt-in bill, and the clear and obvious way it was bastardized by the PUC.

Regards,

Andrew Sabatini

Theresa Sabatini

CERTIFICATE OF SERVICE

We hereby certify that we have this day served a true copy of this Status Report upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by email followed by a hard copy sent via Certified Mail, postage prepaid, as follows:

Lauren Lepkoski
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001
(610) 921-6658
kweidel@firstenergycorp.com

Administrative Law Judge Jeffrey Watson
Public Utility Commission
Piatt Place, Suite 220
301 Fifth Avenue
Pittsburgh, PA 15222
jeffwatson@pa.gov

Service by E-File at the PUC Website to
Secretary Chiavetta
Public Utility Commission

Dated: July 9, 2019

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