

Tori L. Giesler, Esq.
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July 22, 2019

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

Re: Liza Mousios & Roy Cumming v. Metropolitan Edison Company
Docket Nos. C-2019-3007989, C-2019-3007995

Dear Secretary Chiavetta:

Enclosed please find the Motion to Compel of Metropolitan Edison Company with regard to the above-captioned matter. This document has been served on the Complainants as shown in the Certificate of Service.

Please contact me if you have any questions regarding this matter.

Very truly yours,



Tori L. Giesler

krak
Enclosures

c: As Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIZA MOUSIOS AND ROY CUMMING	:	
	:	
v.	:	Docket No. C-2019-3007989
	:	
METROPOLITAN EDISON COMPANY	:	C-2019-3007995

NOTICE TO PLEAD

TO: Liza Mousios and Roy Cumming

Pursuant to 52 Pa. Code § 5.102(b), you are hereby notified that, if you do not file a written response denying or correcting the enclosed Motion to Compel of Metropolitan Edison Company within **five (5) days** from the service of the Notice, the facts set forth by Metropolitan Edison Company in the Motion may be deemed to be true, thereby requirement no other proof. All pleading, such as a Reply to Motion, must be filed with the Secretary of the Pennsylvania Public Utility Commission, with a copy service to counsel for Metropolitan Edison Company, and where applicable, the Administrative Law Judge presiding over the case.

File with:

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

With a copy to:

Administrative Law Judge Emily I. DeVoe
Pennsylvania Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222

Lauren M. Lepkoski
Tori L. Giesler
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001

Date: July 22, 2019



Lauren M. Lepkoski, Esquire
Tori L. Giesler, Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIZA MOUSIOS AND ROY CUMMING	:	
	:	
v.	:	Docket No. C-2019-3007989
	:	C-2019-3007995
METROPOLITAN EDISON COMPANY	:	

**MOTION OF METROPOLITAN EDISON COMPANY TO COMPEL RESPONSES TO
INTERROGATORIES AND DOCUMENT REQUESTS**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Metropolitan Edison Company (“Met-Ed” or the “Company”) by and through its attorneys, Lauren M. Lepkoski and Tori L. Giesler, and pursuant to 52 Pa. Code §§ 5.371-5.372, hereby files this Motion to compel Liza Mousios and Roy Cumming (“Complainants”) to provide full and complete responses to interrogatories and document requests issued by the Company on May 31, 2019. In support thereof, the Company avers as follows:

I. BACKGROUND

1. On February 11, 2019, each of the Complainants filed separate Formal Complaints with the Pennsylvania Public Utility Commission (“Commission”) regarding 68 Marienstein Road, Revere, Pennsylvania 18953, which were both electronically served on the Company on February 21, 2019.

2. On March 13, 2019, the Company filed its Answer and New Matter denying the material allegations of both Formal Complaints. On that same day, the Company also filed Preliminary Objections to both Formal Complaints.

3. On March 28, 2019, each Complainant filed an identical response to the Company’s Answer and New Matter to their respective Formal Complaint.

4. On April 20, 2019, the Complainants filed a joint pleading titled “Response and Preliminary Objections to Metropolitan Edison Company” in response to the Company’s Preliminary Objections and raised their own objections.

5. On April 23, 2019, a Motion Judge Assignment Notice was issued assigning Administrative Law Judge (“ALJ”) Emily I. DeVoe to both proceedings.

6. On May 14, 2019, ALJ DeVoe issued an Interim Order consolidating the Formal Complaints filed by each of the Complainants.

7. May 15, 2019, ALJ DeVoe issued a Corrected Interim Order granting in part and denying in part the Company’s Preliminary Objections

8. On May 16, 2019, ALJ DeVoe issued an Interim Order denying the Complainants’ Preliminary Objections.

9. On May 20, 2019, a Call-In Telephone Pre-Hearing Conference Notice was issued scheduling a prehearing conference for July 23, 2019 for the consolidated Formal Complaints.

10. On May 22, 2019, ALJ DeVoe issued an Interim Order Scheduling a Prehearing Conference for July 23, 2019.

11. On May 31, 2019, in accordance with 52 Pa. Code § 5.341, the Company forwarded to the Complainants interrogatories and document requests (“Discovery Requests”) via first class mail. In its Discovery Requests, the Company sought information and documents related to the Complainants’ allegations regarding the Company’s smart meters. A full copy of the Company’s Discovery Requests is attached as Exhibit A.

12. On June 17, 2019, ALJ DeVoe received correspondence from the Complainants, which was not served upon the Company, wherein they request that the prehearing conference be cancelled and that the matter proceed to a hearing.

13. On June 20, 2019, ALJ DeVoe issued an Interim Order ordering the parties to appear for and participate in the prehearing conference scheduled for July 23, 2019.

14. To date, the Complainants have not filed any objections to the Discovery Requests and have not provided any responses or the requested documents by the due date established by 52 Pa. Code § 5.342. Additionally, no telephone call has been received from Complainants.

II. MOTION TO COMPEL

15. The Commission’s regulations permit the discovery of “any matter, not privileged, which is relevant to the subject matter involved in the pending action.” 52 Pa. Code § 5.321(c).

16. Generally speaking, this Commission applies a standard of relevance which is less restrictive than that required by parties to present information into the evidentiary record. It is not grounds 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. 52 Pa. Code § 5.321(c).

17. Discovery may be obtained regarding any matter relevant to the subject matter. Relevant evidence is evidence that tends to make an act at issue more or less probable. Moreover, evidence is relevant if it advances the inquiry in some degree and, thus, has probative value. Although the law does not furnish an absolute test of relevancy, the Pennsylvania Supreme Court follows a two–part analysis for determining relevance. In *Commonwealth v. Stewart*, 461 Pa. 274, 336 A.2d 282 (1975), the Court held that “[i]t must be determined first if the inference sought to be raised by the evidence bears upon a matter at issue in this case and, second, whether the evidence renders the desired inference more probable than it would be without the evidence. *Id.* at 284.

18. The information sought here by the Company is relatively simple and straightforward. It is directly relevant and material to the issues raised by the Complainants in

their Formal Complaint. The Company is entitled to the requested information to enable it to fully investigate what information the Complainants relied on to make the allegations they did in their Formal Complaint. To date, however, the Company has not received any responses or objections to its Discovery Requests from Complainants.

19. The Commission's regulations at 52 Pa. Code § 5.371 address the consequences of a participant's failure to comply with the Commission's discovery regulations. Section 5.371 provides that:

- (a) The Commission or the presiding officer may, on motion, make an appropriate order if one of the following occurs:
 - (1) A party fails to appear, answer, file sufficient answers, file objections, make a designation or otherwise respond to discovery requests, as required under this subchapter.

20. Further, 52 Pa. Code § 5.372 provides that the presiding officer may impose appropriate sanctions upon a party found to be found in violation of the obligations set forth in the Commission's regulations.

21. As a result of the Complainants' failure to provide any response to the Company's Discovery Requests, which demonstrates their lack of cooperation and willingness to participate in this proceeding as required under the Commission's regulations, the Formal Complaint in this proceeding should be dismissed in its entirety.

22. The Company requests that the Complainants be directed to provide full and complete responses to the Discovery Requests to be received by the undersigned counsel for the Company within five business days after entry of an Order Granting the Motion to Compel.

23. In the event the Complainants are directed by the Commission to respond to the Company's Discovery Requests, but fail to, the Company respectfully requests that the Formal Complaint against the Company be dismissed in its entirety.

WHEREFORE, Metropolitan Edison Company respectfully requests that the Commission issue an Order compelling the Complainants to fully and completely respond to the Discovery Requests such that the responses are received by counsel for the Company no later than five business days after entry of an Order on the Motion to Compel. Further, in the event the Complainants do not comply with the Order directed by the Commission and fail to respond to the Company's Discovery Requests, the Company respectfully requests that the Commission dismiss in its entirety the Formal Complaint of Liza Mousios and Roy Cumming.

Respectfully submitted,

Dated: July 22, 2019



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2800 Pottsville Pike
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Counsel for Metropolitan Edison Company



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Tori L. Giesler, Esq.
(610) 921-6658
(330) 315-9263 (Fax)

May 31, 2019

VIA FIRST CLASS MAIL

Liza Mousios
P.O. Box 116
Revere, PA 18953

Roy Cumming
P.O. Box 396
Revere, PA 18953

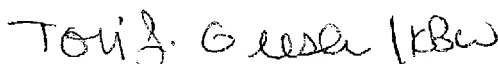
**Re: Liza Mousios and Roy Cumming v. Metropolitan Edison Company
Docket No. C-2019-3007989 and C-2019-3007995**

Dear Ms. Mousios and Mr. Cumming:

Enclosed please find the Interrogatories and Requests for Production of Documents (Set I) to Liza Mousios and Roy Cumming. Pursuant to 52 Pa. Code §§ 5.341 and 5.349, *et seq.*, your answers are due within twenty days of service of this letter (June 20, 2019). In addition, any objections are due within ten days of service of this letter (June 10, 2019). This document has been served as indicated within the Certificate of Service.

In addition to this material, I have enclosed a proposed protected agreement for your consideration. Please review this at your earliest convenience. If you have any questions, please feel free to reach out. If you have no questions, please sign and sent it back to me.

Very truly yours,


Tori L. Giesler

Enclosures

- c: As Per Certificate of Service
The Honorable Emily I. DeVoe, Public Utility Commission (Cover Letter and Certificate)
Rosemary Chiavetta, Esq., Public Utility Commission (Cover Letter and Certificate)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIZA MOUSIOS AND ROY CUMMING :
 :
 v. : **Docket No. C-2019-3007989**
 : **C-2019-3007995**
METROPOLITAN EDISON COMPANY :

**INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS OF
METROPOLITAN EDISON COMPANY TO LIZA MOUSIOS AND ROY CUMMING,
SET I**

Metropolitan Edison Company hereby propounds these Interrogatories and Requests for Production of Documents (Set I) to Liza Mousios and Roy Cumming (the “Complainants”). Telephone or other contact concerning availability and timing of formal responses is encouraged. The answer to each interrogatory should be started on a new page. The answers should restate the question asked and indicate the person(s) supplying the information.

Pursuant to 52 Pa. Code § 5.342, you must send your answers to me within 20 days (June 20, 2019) and objections within 10 days (June 10, 2019). Your answers and objections should not be filed with the Pennsylvania Public Utility Commission. You should only file the cover letter and certificate of service, with the Commission’s Secretary Rosemary Chiavetta and send a copy to Administrative Law Judge Emily I. DeVoe. If you have any objection to any of the interrogatories or the request for documents, please identify the interrogatory or request and state your objection in full as to why you should not have to answer/produce it. Any objection not raised within the 10-day period provided for by 52 Pa. Code § 5.342(c) will be deemed waived and you will not be permitted to raise the objection at a later time.

Dated: May 31, 2019

INSTRUCTIONS

A. In answering these Interrogatories and Requests for Production of Documents, please furnish all information available to you, including any such information possessed by others that you can obtain, and not merely such information known of your own personal knowledge. If you cannot answer the Interrogatories and Requests in full after exercising due diligence to secure the information to do so, so state and answer to the extent possible.

B. Other than for the reasons identified herein, you must provide an answer to all Interrogatories and Requests for Production of Documents. If the answer to the question is “none” or “unknown,” such statement must be written in the answer. If you consider the question to be inapplicable, “N/A” must be written in the answer. If an answer is omitted because of a claim of privilege, the basis of privilege is to be stated.

C. If the answer to any of the Interrogatories and Requests for Production of Documents is that you lack knowledge of some or all of the requested information, describe all efforts made by you to obtain the information necessary to answer that Interrogatory or Request.

D. These Interrogatories and Requests for Production of Documents are to be deemed continuing in nature, and you shall promptly supply, by way of supplemental response, any additional responsive information that may become known to you or anyone acting on your behalf after your answers have been prepared or served.

E. As used herein, the terms “Complainant” and “you” refer to Liza Mousios and Roy Cumming, and their attorneys, agents, or representatives.

F. As used herein, the terms “Company” or “Respondent” refer to Metropolitan Edison Company, and any agent, agency, or affiliate thereof.

G. As used herein, the term “proceeding” refers to the instant consolidated complaint proceedings at the Pennsylvania Public Utility Commission at Docket Nos. C-2019-3007989 and C-2019-3007995.

H. As used herein, the terms “service location,” “property,” or “home” refer to the service address of 68 Marienstein Road, Revere, Pennsylvania 18953.

I. As used herein, the term “household” refers to you and all other individuals who reside at the service location.

J. As used herein, the terms “document” or “documentation” includes any written, printed, typed, recorded, or graphic matter, whether produced or reproduced or stored on paper, cards, tapes, film, electronic facsimile, computer storage devices or any other devices or media, including, but not limited to papers; books; letters; photographs; objects; tangible things; correspondence; e-mails; websites; webpages; telegrams; cables; telex messages; memoranda; medical records; notes; notations; records; work papers; transcripts; minutes; reports and recordings of telephone or other conversations, or of interviews, or of conferences, or of other meetings; affidavits; statements; opinions; proposals; reports; surveys; plans; studies; analyses; audits; evaluations; contracts; agreements; journals; statistical records; invoices; receipts; desk calendars; appointment books; diaries; lists; tabulations; summaries; sound recordings; computer printouts; data processing input and output; microfilms; all records kept by electronic, photographic, or mechanical means; and things similar to any of the foregoing, however denominated. When one or more of the foregoing documents is requested or referred to, the request or reference shall include, but is not limited to, the original and each and every copy and draft thereof having writings, notations, corrections, or markings unique to such copy or draft.

K. As used herein, all other words are to be given their ordinary and usual meanings, according to a current edition of Webster's Dictionary.

**INTERROGATORIES OF METROPOLITAN EDISON COMPANY TO LISA MOUSIOS
AND ROY CUMMING, SET I**

1. Are you claiming that the installation of a smart meter at your property would cause or contribute to an adverse health condition for any member of your household?
2. If the answer to question 1 is yes, please provide the following information for each household member whose health you claim will be affected:
 - a. Name;
 - b. Age;
 - c. The specific health condition that you believe would be caused by or contributed to as a result of the smart meter being installed;
 - d. Whether the household member is already experiencing the specific health condition and, if so, the date on which the condition was first experienced and the date on which the condition was first diagnosed by a medical doctor;
 - e. Whether the household member has experienced the specific health condition within the last four years;
 - f. Any medication prescribed to the household member; and
 - g. Whether the household member has visited a medical professional for the specific health condition, and if so, the name, address, and phone number of the medical professional and the date of the visit(s) to the medical professional.
 - h. Whether a medical doctor has determined that the installation of a smart meter would cause or contribute to the specific health condition;

- i. Any other health conditions that the household member has experienced or is experiencing and when each condition was first experienced and was first diagnosed by a medical doctor.
3. Please explain how the installation of a smart meter would cause or contribute to a health condition for any person in your household. Be as specific as possible.
4. Please provide the following information regarding your view that the installation of a smart meter at your home would cause or contribute to a health condition for any person in your household.
 - a. Please identify each document you rely on in support of your position.
 - b. Do you intend to rely on these documents at the time of the hearing in this proceeding?
 - c. Please describe in detail all information you have to support this position.
5. Do you believe the installation of a smart meter at your property would create safety concerns for a member of your household?
6. If the answer to question 5 is yes, please specifically identify each of your safety concerns related to smart meters.
7. If the answer to question 5 is yes, please provide the following information regarding your position that the installation of a smart meter would create safety concerns:
 - a. Please identify each document you rely on in support of the position.

- b. Do you intend to rely on these documents at the time of the hearing in this proceeding?
 - c. Please describe in detail all information you have to support this position.
 - d. Do you have any relevant educational or work background that qualifies you to assert this position?
 - e. If yes, please identify the relevant educational or work background that qualifies you to assert this position.
8. Are there any cordless phones used in your home?
 - a. For each cordless phone in your home, please provide the name of the phone manufacturer and the model.
9. Do you use a cellular phone?
 - a. If yes, please provide the names of the cell phone manufacturer and model (for example, Apple i-Phone 7S).
 - b. Does anyone else in your home use a cellular phone?
 - c. How many cellular phones are in use at your home?
 - d. For each cellular phone used by a member of your household, please provide the name of the cell phone manufacturer and the phone model.
10. Is there satellite television at your home?

- a. If yes, please provide the name of the satellite television provider (for example, Direct TV).
 - b. If yes, where is your satellite disk located?
11. Is there a laptop computer at the service location?
 - a. If yes, where is it located?
12. Do you have a wifi network in your home?
 - a. If so, where is your wifi router located?
13. In your complaint, you request, “no smart meters at this address.” Please provide the following information related to this statement:
 - a. Is it your position that a customer has the right to request a smart meter not be installed at his service location?
 - b. Is it your position that a customer must request smart meter installation?
 - c. Is it your position that Act 129 of 2008 does not require the utility to install smart meters throughout its service territory?
14. Is it your position that you would like to opt out completely from smart meter installation?
15. Do you believe the installation of a smart meter at your property would violate the privacy or security of a member of your household?

16. If the answer to question 15 is yes, please specifically describe each of your concerns regarding your household's privacy or security after the installation of a smart meter.
17. If the answer to question 15 is yes, please provide the following information regarding your position that the installation of a smart meter would violate your household's privacy or security:
 - a. Please identify each document you rely on in support of the position.
 - b. Do you intend to rely on these documents at the time of the hearing in this proceeding?
 - c. Please describe in detail all information you have to support this position.
 - d. Do you have any relevant educational or work background that qualifies you to assert this position?
 - e. If yes, please identify the relevant educational or work background that qualifies you to assert this position.
18. To your knowledge, has a smart meter been installed by the Company at your property?
19. Please describe in detail how you believe a smart meter operates.
20. In your complaints, you allege that smart meters present "health and safety" concerns. Please provide the following information related to these statements:
 - a. What documents do you rely on in support of these statements?

- b. Do you intend to rely on these documents at the time of the hearing in this proceeding?
 - c. Please describe in detail the information you have to support this statement.
21. Please list the specific issues you intend to raise at the hearing in this proceeding.
22. Please identify the legal support, including specific citations, for each issue identified in question 21.
23. Please list the factual support for each issue identified in question 21.
24. Please provide the following information for all witnesses you intend to call to testify at the hearing in this proceeding.
- a. Provide the full name of the witness.
 - b. Provide the address and telephone number of the witness.
 - c. Provide the title or position held by the witness.
 - d. Provide the educational background of the witness.
 - e. Provide the employment background of the witness.
 - f. Provide the scope of the testimony for the witness.
25. Would any witness identified in question 24 be offered as an expert?
- a. If yes, provide the curriculum vitae of the witness and a summary of the testimony the expert witness is expected to provide.

26. Please describe in detail your educational background.
- a. Please list any relevant certificates, trainings, or degrees that you obtained.
 - ~~b. Please provide a description of the certificate, training, or degree.~~
 - c. Please provide the date that any certificate, training, or degree was obtained.
 - d. Please provide the name and address of the institution which provided the certificate, training, or degree.
27. Please describe in detail your employment history.
- a. Please provide your employer name and address.
 - b. Please provide the title of your position.
 - c. Please provide the dates of your employment.
 - d. Please provide the duties performed in your position.

**REQUESTS FOR PRODUCTION OF DOCUMENTS OF METROPOLITAN EDISON
COMPANY TO LIZA MOUSIOS AND ROY CUMMING, SET I**

28. Please provide copies of all documentation supporting your position that the installation of a smart meter at your home would cause or contribute to an adverse health condition in any member of your household.
29. Please provide copies of all documentation associated with visits by members of your household to a medical professional related to the health conditions identified in question 2, including but not limited to any and all medical records, medical visit reports, and notes and letters from medical doctors or other health care professionals.
30. Please provide copies of all documentation you intend to refer to at the hearing in this proceeding related to smart meters and/or radio frequency fields and health.
31. If the answer to question 5, above, is yes, please provide copies of all documentation supporting your position that smart meters would create safety issues for you or members of your household.
32. Please provide copies of all documentation you intend to refer to at the hearing in this proceeding related to the safety concerns of smart meters.
33. For each cellular telephone used by a member of your household, please provide a complete copy of the bills you received from your cellular telephone provider for the past 12 months.

34. If the answer to question 15, above is yes, please provide copies of all documentation supporting your position that smart meters would violate the privacy or security of your household.
35. If the answer to question 15, above, is yes, please provide copies of all documentation you intend to refer to at the hearing in this proceeding supporting your position that smart meters would violate the privacy or security of your household.
36. Please provide copies of all documentation supporting your position that your household may opt out of smart meter installation.
37. Please provide copies of all documentation you intend to refer to at the hearing in this proceeding supporting your position that a household may opt out of smart meter installation.
38. Please provide a copy of all proposed exhibits you intend to submit for the hearing in this proceeding.
39. Please provide copies of all documentation you are relying upon in support of your positions in this proceeding.

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIZA MOUSIOS AND ROY CUMMING :
: :
v. : -Docket No. C-2019-3007989
: C-2019-3007995
METROPOLITAN EDISON COMPANY :

STIPULATED PROTECTIVE AGREEMENT

This Agreement is between and among Liza Mousios and Roy Cumming (“Mousios and Cumming”); Metropolitan Edison Company (“Met-Ed”), by and through Met-Ed’s attorneys Lauren M. Lepkoski, Esquire, Tori L. Giesler, Esquire; and Met-Ed’s expert(s) and any and all other experts whom Met-Ed may hire or whom Met-Ed may consult within regards to the above-captioned proceeding (“Proceeding”). This Agreement establishes procedures for the protection of certain confidential information involved in the Proceeding.

Intending to be legally bound, the parties hereby agree as follows:

1. That the information subject to this Stipulated Protective Agreement is all correspondence, documents, data, personal health information, studies, and other materials to be furnished by Mousios and Cumming’s medical providers pursuant to Met-Ed’s interrogatories to Mousios and Cumming as to their health conditions, and which Mousios and Cumming’s medical providers may provide to Met-Ed pursuant to a release signed by Mousios and Cumming. Such materials will be referred to below as “Confidential Information.” When a statement or exhibit is identified for the record, the portions thereof that constitute Confidential Information shall be so designated for the record.

2. All Confidential Information shall only be made available to Met-Ed subject

to the terms of this Stipulated Protective Agreement. Counsel for Met-Ed shall use or disclose the Confidential Information only for purposes of preparing or presenting evidence, cross examination or argument in the Proceeding. Met-Ed may afford access to Confidential Information made available by Mousios and Cumming's experts and health care providers (1) only to Met-Ed's experts, and (2) only subject to the terms of this Stipulated Protective Agreement.

3. Before Met-Ed discloses any Confidential Information to anyone, (1) Met-Ed shall secure written assurance from each of such potential person to whom disclosure may be made that he or she will maintain the confidentiality of the Confidential Information and not disclose the Confidential Information further except in preparation for the above mentioned Proceeding; (2) Met-Ed shall provide Mousios and Cumming with a list of Met-Ed experts to whom Met-Ed intends to disclose the Confidential Information; and (3) signatures of such experts, that they agree to the terms of this Agreement, shall be furnished to Mousios and Cumming before Met-Ed discloses any Confidential Information to any Met-Ed expert.

4. Met-Ed shall use its best efforts to safeguard the Confidential Information and not disclose any Confidential Information except as provided herein. Met-Ed agrees to give Mousios and Cumming written notice within five days of Met-Ed's discovery of any unintentional disclosure of the Confidential Information and Met-Ed shall cooperate with Mousios and Cumming to rectify to the extent possible, any damage to Mousios and Cumming for unintentional disclosure of Confidential Information.

5. Mousios and Cumming retains the right to challenge the adequacy of Met-Ed's written assurances that Confidential Information will not be jeopardized. No other persons may have access to the Confidential Information except as authorized by order of the Commission or of the presiding Administrative Law Judge.

6. Prior to making Confidential Information available to an expert, Met-Ed shall deliver a copy of this Stipulated Protective Agreement to such expert and shall receive a written acknowledgment from the expert in the form attached as Appendix A to this Stipulated Protective Agreement or similar acknowledgment consistent with the terms of this Stipulated Protective Agreement. Mousios and Cumming shall be notified promptly of the identity of all persons provided access to Confidential Information pursuant to this paragraph and paragraph 3 above and shall be provided with a copy of each acknowledgment signed by each expert.

7. Met-Ed acknowledges that all health information it receives from Mousios and Cumming's healthcare providers pursuant to Met-Ed's interrogatory requests is Confidential Information and Met-Ed shall immediately stamp each page of such documents "Confidential" and shall keep all Confidential Information segregated from its general litigation files in a secure location.

8. Met-Ed will consider and treat the Confidential Information as within the exemptions from disclosure provided in the Pennsylvania Right-to-Know Act as set forth at 65 P.S. § 67.708(b). To the extent Confidential Information is provided electronically or by mail, or other electronic means, Met-Ed and its experts will send such information encrypted, and will use such electronic files only for this Proceeding, will not copy the files onto any hard drive and will not make any additional copies.

9. Any public reference to Confidential Information by Met-Ed or its experts shall be to the title or exhibit reference in sufficient detail to permit persons with access to the Confidential Information to understand fully the reference, but not more. The Confidential Information shall remain a part of the record, to the extent admitted, for all purposes of administrative or judicial review but shall remain in a segregated location and shall be prominently

marked "CONFIDENTIAL."

10. That part of any record of this Proceeding containing Confidential Information, including but not limited to all exhibits, writings, direct testimony, cross examination, argument, and responses to discovery, and including reference thereto as mentioned in paragraph 6 above, shall be sealed for all purposes, including administrative and judicial review, unless such Confidential Information is released from the restrictions of this Stipulated Protective Agreement, either through the agreement of the parties to this Stipulated Protective Agreement or pursuant to an order of an Administrative Law Judge or the Commission.

11. Mousios and Cumming shall retain the right to question or challenge the admissibility of Confidential Information; to refuse to produce or object to the production of Confidential Information on any proper ground; and to seek additional measures of protection of Confidential Information beyond those provided in this Stipulated Protective Agreement.

12. That within thirty (30) days after a Commission decision is entered in the Proceedings, or in the event of appeals, within thirty (30) days after appeals are finally decided, Met-Ed and Met-Ed's experts, upon request, shall either destroy or return to Mousios and Cumming all copies of all documents and other materials not entered into the record, including notes, electronic or e-mailed files, which contain any Confidential Information. In the event that Met-Ed elects to destroy all copies of documents and other materials containing Confidential Information instead of returning the copies of documents and other materials containing Confidential information to Mousios and Cumming, Met-Ed shall immediately certify in writing to Mousios and Cumming that all the Confidential Information has been destroyed.

Agreed:

Liza Mousios

Date

Roy Cumming

Date

METROPOLITAN EDISON COMPANY

Lauren M. Lepkoski / MS
Lauren M. Lepkoski, Esquire

5/31/19
Date

METROPOLITAN EDISON COMPANY

Tori L. Giesler / KBW
Tori L. Giesler, Esquire

5/31/19
Date

APPENDIX A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIZA MOUSIOS AND ROY CUMMING :
:
v. : Docket No. C-2019-3007989
: C-2019-3007995
METROPOLITAN EDISON COMPANY :

ACKNOWLEDGMENT OF
STIPULATED PROTECTIVE AGREEMENT

TO WHOM IT MAY CONCERN:

The undersigned, Tori L. Giesler, is counsel for Metropolitan Edison Company, in the Proceeding as defined in the Stipulated Protective Agreement. The undersigned has read and understands the Stipulated Protective Agreement agreed to in the Proceeding, which Stipulated Protective Agreement deals with the treatment of Confidential Information. The undersigned agrees to be bound by, and comply with, the terms and conditions of said Stipulated Protective Agreement.

Tori L. Giesler / kbw
NAME

2800 Pottsville Pike

Reading, PA 19605
ADDRESS

FirstEnergy Service Company
EMPLOYER

DATE: 5/31/19

APPENDIX A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIZA MOUSIOS AND ROY CUMMING	:	
	:	
v.	:	Docket No. C-2019-3007989
	:	C-2019-3007995
METROPOLITAN EDISON COMPANY	:	

**ACKNOWLEDGMENT OF
STIPULATED PROTECTIVE AGREEMENT**

TO WHOM IT MAY CONCERN:

The undersigned, _____(NAME) is _____(TITLE),
in the Proceeding as defined in the Stipulated Protective Agreement. The undersigned has read and
understands the Stipulated Protective Agreement agreed to in the Proceeding, which Stipulated
Protective Agreement deals with the treatment of Confidential Information. The undersigned agrees
to be bound by, and comply with, the terms and conditions of said Stipulated Protective Agreement.

NAME

ADDRESS

EMPLOYER

DATE: _____

APPENDIX A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIZA MOUSIOS AND ROY CUMMING	:	
	:	
v.	:	Docket No. C-2019-3007989
	:	C-2019-3007995
METROPOLITAN EDISON COMPANY	:	

ACKNOWLEDGMENT OF
STIPULATED PROTECTIVE AGREEMENT

TO WHOM IT MAY CONCERN:

The undersigned, _____(NAME) is _____(TITLE),
in the Proceeding as defined in the Stipulated Protective Agreement. The undersigned has read and
understands the Stipulated Protective Agreement agreed to in the Proceeding, which Stipulated
Protective Agreement deals with the treatment of Confidential Information. The undersigned agrees
to be bound by, and comply with, the terms and conditions of said Stipulated Protective Agreement.

NAME

ADDRESS

EMPLOYER

DATE: _____

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIZA MOUSIOS AND ROY CUMMING :
: :
v. : **Docket No. C-2019-3007989**
: **C-2019-3007995**
METROPOLITAN EDISON COMPANY :

CERTIFICATE OF SERVICE

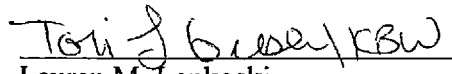
I hereby certify that I have this day served a true copy of the Interrogatories and Requests for Production of Documents of Metropolitan Edison Company to Liza Mousios and Roy Cumming upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by First Class Mail, postage prepaid, as follows:

Liza Mousios
P.O. Box 116
Revere, PA 18953

Roy Cumming
P.O. Box 396
Revere, PA 18953

Dated: May 31, 2019



Lauren M. Lepkoski
Tori L. Giesler
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001
(610) 921-6203
(610) 921-6658
llepkoski@firstenergycorp.com
tgiesler@firstenergycorp.com

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIZA MOUSIOS AND ROY CUMMING	:	
	:	
v.	:	Docket No. C-2019-3007989
	:	C-2019-3007995
METROPOLITAN EDISON COMPANY	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Motion to Compel of Metropolitan Edison Company upon the individual listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).


Service by First Class Mail, postage prepaid, as follows:

Liza Mousios
P.O. Box 116
Revere, PA 18953

Administrative Law Judge Emily I. DeVoe
Pennsylvania Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222

Roy Cumming
P.O. Box 396
Revere, PA 18953

Dated: July 22, 2019



Lauren M. Lepkoski
Tori L. Giesler
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001
(610) 921-6203
(610) 921-6658
llepkoski@firstenergycorp.com
tgiesler@firstenergycorp.com