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July 29, 2019

VIA ELECTRONIC FILING

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

Re: John M. Chenosky v. Metropolitan Edison Company
Docket No. C-2019-3007622

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 Complainant 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**

JOHN M. CHENOSKY

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2019-3007622

NOTICE TO PLEAD

TO: John M. Chenosky

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 Jeffrey A. Watson
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 29, 2019



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

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOHN M. CHENOSKY

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2019-3007622

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

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Metropolitan Edison Company (“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 John M. Chenosky (“Complainant”) to provide full and complete responses to interrogatories and document requests issued by the Company on May 16, 2019. In support thereof, the Company avers as follows:

I. BACKGROUND

1. On January 25, 2019, the Complainant filed a Formal Complaint with the Pennsylvania Public Utility Commission (“Commission”) regarding 1000 Huffs Church Road, Alburtis, Pennsylvania 18011 (“Service Location”) which was electronically served on the Company on February 4, 2019.

2. On February 24, 2019, the Company filed its Answer and New Matter denying the material allegations in the Formal Complaint. On that same day, the Company also filed Preliminary Objections to the Formal Complaint.

3. On March 15, 2019, the Complainant filed a request for an extension of time to respond to the Company’s Answer and New Matter.

4. On March 20, 2019, a Motion Judge Assignment Notice was issued assigning this matter to Administrative Law Judge (“ALJ”) Jeffrey A. Watson for disposition.

5. On March 29, 2019, the Complainant a response to the Company’s Answer and New Matter and a response to the Company’s Preliminary Objections directly to the Company.

6. On May 3, 2019, ALJ Watson issued an Interim Order, which denied the Company’s Preliminary Objections.

7. On May 16, 2019, in accordance with 52 Pa. Code § 5.341, the Company forwarded to the Complainant interrogatories and document requests (“Discovery Requests”) via first class mail. In its Discovery Requests, the Company sought information and documents related to the Complainant’s allegations regarding the Company’s smart meters. A full copy of the Company’s Discovery Requests is attached as Exhibit A.

8. By letter dated May 24, 2019 which was postmarked on May 30, 2019, the Complainant requested both an “unspecified time frame extension” to respond to the Company’s Discovery Requests while in the alternative objecting to the Company’s Discovery Requests.

9. The Company voluntarily extended the time for the Complainant to object to and respond to the Company’s Discovery Requests. As such, on June 6, 2019, the Company filed correspondence with the Commission memorializing this extension. The Complainant was afforded an extension until June 21, 2019 to provide detailed objections with responses due no later than July 15, 2019. The Company further reserved its rights to compel the Complainant to respond to the Company’s Discovery Requests should the Complainant submit proper objections and/or if responses not be served in accordance with the extended deadlines.

10. On July 1, 2019, an Interim Order Establishing Initial Litigation Schedule was issued which set forth the schedule for discovery, the identification of witnesses, and filing of motions in this proceeding.

11. Also on July 1, 2019, ALJ Watson issued an Interim Order which granted in part the Complainant's request for an extension of time to respond to the Company's Discovery Requests and to file a response to the Company's Answer and New Matter. ALJ Watson directed that the deadline for Complainant to file a response pleading to the Company's Answer and New Matter shall be extended until July 8, 2019 and that the Complainant shall provide detailed objections to any specific Discovery Requests propounded by the Company on or before July 8, 2019 and full and complete responses to all remaining Discovery Requests to the Company on or before July 19, 2019.

12. By letter dated July 18, 2019, and postmarked July 19, 2019, the Complainant submitted objections to the Company's Discovery Requests. A full copy of the Complainant's Objections to the Company's Discovery Requests is attached as Exhibit B.

II. MOTION TO COMPEL

13. The Complainant avers that his objections are due to the "tenor, content, and violation of [his] rights under HIPAA law and Fourth Amendment Rights of Privacy."

14. The Complainant further objects with the amount of time he has to respond to the Company's Discovery Requests. This objection is without merit. The referenced limits explained to Complainant in the Company's Discovery Requests were not set arbitrarily, and, indeed, were not even set by the Company. Rather, these deadlines are set by 52 Pa. Code § 5.342. Complainant cannot avoid submitting responses to permissible discovery by arguing that he should not be required to follow the Commission's rules.

15. The Complainant states as an objection that the Company is attempting to “bully” him with the “tenor” of its questions. The Company avers that its questions are not inappropriate nor of a “bullying” nature. As discussed below, the Company is entitled to this discovery to fully investigate the allegations and information relied upon by Complainant in the Formal Complaint. Complainant cannot simply avoid responding to these discovery requests because he doesn’t care for the “tenor” of the Company’s questions. As such, Complainant’s objection is without merit and must be rejected.

16. The Complainant states as an objection that his medical information is not subject to scrutiny, are protected under the Health Insurance Portability and Accountability Act (“HIPAA”) and therefore the questions regarding his health are moot. He further states that the information will not be forthcoming. The Company avers that HIPAA and “Fourth Amendment Rights of Privacy” are not applicable objections. The Complainant has the ability to release his own medical records making HIPAA or Fourth Amendment violation claims are without merit. That said, in order to allay the Complainant’s concern and provide additional safeguards, the Company drafted and included with the Company’s Discovery Requests a Stipulated Protective Agreement which had been executed by counsel for the Company. The Complainant has simply rejected the Company’s efforts to address his concerns regarding how his medical information would be utilized. As such, Complainant’s objection is without merit and must be rejected.

17. Complainant’s objections are also untimely under the Commission’s rules. The Company served the Discovery Requests on May 16, 2019, making any objections due by May 26, 2019. *See* 52 Pa. Code § 5.342(d), (e). The Interim Order entered July 1, 2019, granted the Complainant an extension and directed the Complainant to provide detailed objections to any specific Discovery Requests propounded by the Company on or before July 8, 2019 and full and

complete responses to all remaining Discovery Requests are to be submitted to the Company on or before July 19, 2019. Complainant's letter is not dated until July 18, 2019.¹ Accordingly, Complainant's objections must also be rejected as untimely under the Commission's rules.

18. Discoverable matter under the Commission's regulations is matter that is relevant and unprivileged. 66 Pa.C.S. § 333(d). The standard for permissible discovery is set forth in the Commission's regulations at 52 Pa. Code § 5.321(c) as follows:

§ 5.321. Scope.

(c) *Scope.* Subject to this subchapter, a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, whether it relates to the claim or defense of the party seeking discovery or to the claim or defense of another party, 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.

19. There are limitations on discovery. Those limitations are set forth in the Commission's regulations at 52 Pa. Code § 5.361(a) - (c) as follows:

§ 5.361. Limitation of scope of discovery and deposition.

(a) Discovery or deposition is not permitted which:

(1) Is sought in bad faith.

(2) Would cause unreasonable annoyance, embarrassment, oppression, burden or expense to the deponent, a person or party.

(3) Relates to matter which is privileged.

(4) Would require the making of an unreasonable investigation by the deponent, a party or witness.

(b) In rate proceedings, discovery is not limited under subsection (a) solely because the discovery request requires the compilation of data or information which the answering party does not maintain in the format requested, in the normal course of business, or because the discovery request requires that the answering party make a special study or analysis, if the study or analysis cannot reasonably be conducted by the party making the request.

(c) If the information requested has been previously provided, the answering party shall specify the location of the information.

¹ Objections were dated July 18, 2019 but were not postmarked until July 19, 2019.

20. 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.

21. The information sought here by the Company is relatively simple and straightforward. It is directly relevant and material to the issues raised by the Complainant in his Formal Complaint. The Company is entitled to the requested information to enable it to fully investigate what information the Complainant relied on to make the specific and detailed allegations he did in his Formal Complaint. If the Complainant needed more time to answer the Company’s Discovery Requests, he could have contacted the Company to request an extension.

22. 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.

23. 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.

24. As a result of the Complainant's failure to provide any response to the Company's Discovery Requests, which demonstrates his 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.

25. The Company requests that the Complainant 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.

26. In the event the Complainant is directed by the Commission to respond to the Company's Discovery Requests, but fails to, the Company respectfully requests that the Complaint against the Company be dismissed in its entirety.

WHEREFORE, Metropolitan Edison Company respectfully requests that the Commission issue an Order compelling the Complainant 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 Complainant does not comply with the Order directed by the Commission and fails to respond to the Company's Discovery Requests, the Company respectfully requests that the Commission dismiss in its entirety the Complaint of John M. Chenosky.

Respectfully submitted,

Dated: July 29, 2019



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May 16, 2019

VIA FIRST CLASS MAIL

John M. Chenosky
P.O. Box 423
Alburtis, PA 18011

Re: John M. Chenosky v. Metropolitan Edison Company
Docket No. C-2019-3007622

Dear Mr. Chenosky:

Enclosed please find the Interrogatories and Requests for Production of Documents (Set I) to John M. Chenosky. 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 5, 2019). In addition, any objections are due within ten days of service of this letter (May 27, 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 Jeffrey A. Watson, Public Utility Commission (Cover Letter and Certificate of Service only)
Rosemary Chiavetta, Esq., Public Utility Commission (Cover Letter and Certificate of Service only)

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOHN M. CHENOSKY

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v.

Docket No. C-2019-3007622

METROPOLITAN EDISON COMPANY

**INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS OF
METROPOLITAN EDISON COMPANY TO JOHN M. CHENOSKY, SET I**

Metropolitan Edison Company hereby propounds these Interrogatories and Requests for Production of Documents (Set I) to John M. Chenosky (the "Complainant"). 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 5, 2019) and objections within 10 days (May 27, 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 Jeffrey A. Watson. 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 16, 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 John M. Chenosky and his 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 complaint proceeding at the Pennsylvania Public Utility Commission at Docket No. C-2019-3007622.

H. As used herein, the terms “service location,” “property,” or “home” refer to your service address of 1000 Huffs Church Road, Alburtis, Pennsylvania 18011.

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 JOHN M. CHENOSKY, 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.

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 to retain existing “analog meters at no additional charges or fees, neither one time nor recurring charges.” 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. Is yes, please identify the relevant educational or work background that qualifies you to assert this position.
18. To your knowledge, has a smart meter(s) been installed by the Company at your property?

19. Please describe in detail how you believe a smart meter operates.
20. In your complaint, you state that “[t]hese meters emit RF radiation, which aggravates my existing medical conditions and disability.” Please provide the following information related to this statement:
 - a. What documents do you rely on in support of this statement?
 - 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 JOHN M. CHENOSKY, 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**

JOHN M. CHENOSKY :
 :
 v. : **Docket No. C-2019-3007622**
 :
METROPOLITAN EDISON COMPANY :

STIPULATED PROTECTIVE AGREEMENT

This Agreement is between and among John M. Chenosky (“Chenosky”); 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 Chenosky’s medical providers pursuant to Met-Ed’s interrogatories to Chenosky as to their health conditions, and which Chenosky’s medical providers may provide to Met-Ed pursuant to a release signed by Chenosky. 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 Chenosky'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 Chenosky 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 Chenosky 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 Chenosky written notice within five days of Met-Ed's discovery of any unintentional disclosure of the Confidential Information and Met-Ed shall cooperate with Chenosky to rectify to the extent possible, any damage to Chenosky for unintentional disclosure of Confidential Information.

5. Chenosky 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. Chenosky 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 Chenosky'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. Chenosky 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.

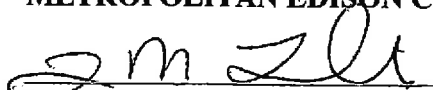
12. That within thirty (30) days after a Commission decision is entered in the Proceedings, or in the event of appeals, within thirty (30) days after appeals are finally decided, Met-Ed and Met-Ed's experts, upon request, shall either destroy or return to Chenosky all copies of all documents and other 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 Chenosky, Met-Ed shall immediately certify in writing to Chenosky that all the Confidential Information has been destroyed.

Agreed:

John M. Chenosky

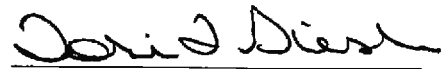
Date

METROPOLITAN EDISON COMPANY


Lauren M. Lepkoski, Esquire

5/16/2019
Date

METROPOLITAN EDISON COMPANY


Tori L. Giesler, Esquire

May 16, 2019
Date

APPENDIX A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN M. CHENOSKY

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2019-3007622

ACKNOWLEDGMENT OF
STIPULATED PROTECTIVE AGREEMENT

TO WHOM IT MAY CONCERN:

The undersigned is a Lawyer 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.

Joni J. Diers
NAME

2800 Pottsville Pike

Reading, PA 19605
ADDRESS

FirstEnergy Service Company
EMPLOYER

DATE: May 16, 2019

APPENDIX A

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN M. CHENOSKY :
 :
 v. : Docket No. C-2019-3007622
 :
 METROPOLITAN EDISON COMPANY :

ACKNOWLEDGMENT OF
STIPULATED PROTECTIVE AGREEMENT

TO WHOM IT MAY CONCERN:

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Laura Lepkoski
NAME

2800 Pottsville Pike

Reading, PA 19605
ADDRESS

FirstEnergy Service Company
EMPLOYER

DATE: 5/16/2019

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOHN M. CHENOSKY

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2019-3007622

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 John M. Chenosky 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:

John M. Chenosky
P.O. Box 423
Alburtis, PA 18011

Dated: May 16, 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**

John M. Chenosky :
 :
v. : **Docket No. C-2019-3007622**
 :
Metropolitan Edison Company :

CERTIFICATE OF SERVICE

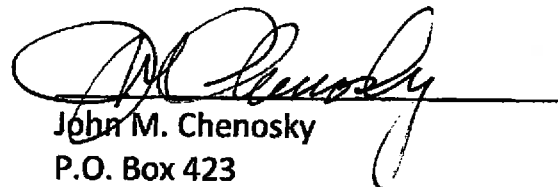
I hereby certify that I have this day served a true copy of objections to the tenor, content, and violation of my rights under HIPAA law and Fourth Amendment Rights of Privacy demanded by Defendant with their May 16, 2019 repetitive Interrogatories, Requests for Production of Documents (Set 1), and unexecuted Stipulated Protective Agreement. In lieu of the format requested by Defendant, I responded with stated objections and provided a modified set of Interrogatories and limited Production of Documents due to unrealistic deadline.

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

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

RECEIVED
JUL 22 2019
LEGAL DEPT.

Dated: July 18, 2019


John M. Chenosky
P.O. Box 423
Alburtis, PA 18011
(610) 845-0279
Johnsuzy@dejazzd.com

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN M. CHENOSKY

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2019-3007622

OBJECTIONS TO INTERROGATORIES AND OBJECTIONS TO REQUESTS FOR PRODUCTION OF DOCUMENTS OF METROPOLITAN EDISON COMPANY TO JOHN M. CHENOSKY, SET I

The First Set of Interrogatories is a contradiction in terms as it is nothing more than hypothetical, irrelevant speculation on the part of the Defendant. In an email from Lepkoski to Chenosky 30May19 states...." HIPPA laws do not protect you from being directed to produce information related to medical conditions in this proceeding if you are alleging detrimental health effects as a result of Smart Meters."

Since there are no Smart Meters installed on the Complainant's Property how can any allegations about detrimental health effects be concluded. Consequently mine and my wife's medical histories are not subject to scrutiny, are protected by HIPPA laws, and questions regarding same are moot, in violation of law and answer to interrogatories regarding our health issues will not be forthcoming.

Since the tenor of the Defendant's questions constitute legal bullying, Complainant's responses will be short, hostile and does not justify an entire page for individual responses as requested by Defendant's Counsel.

Since insufficient time for rebuttal was not provided as requested, a significant study conducted at the premises of the Complainant by an EMF Professional was not fully evaluated, which would have provided further clarity on many issues.

1. Complainant has reviewed a myriad of Scientific Studies i.e., Government, Institutional and Private and the studies unanimously conclude that an adverse health condition will be the outcome of the installation of a Smart Meter.
2. Since Complainant has not made any claims alleged by the Defendant this is a moot and irrelevant question.
3. The explanation of how the installation of a Smart Meter would impact the Complainant has been thoroughly explained in the initial Formal Complaint and subsequent Answer to New Matter. Obviously Defendant's Counsel has not read, or chooses to ignore previous evidence submitted under this Docket.
4. Repetitive and irrelevant.

5. **Absolutely as will be explained in the Answer To Interrogatories (ATI).**
6. **Will be explained in the ATI.**
7. **Will be explained in the ATI.**
8. **Not a relevant question directly related to a Smart Meter installation.**
9. **Not a relevant question directly related to a Smart Meter installation.**
10. **Not a relevant question directly related to a Smart Meter installation.**
11. **Not a relevant question directly related to a Smart Meter installation.**
12. **Not a relevant question directly related to a Smart Meter installation.**
13. **Again It appears Defendant's Counsel's inability to remember, or refuses to read previous submitted facts in evidence. All these matters were sufficiently detailed in the Formal Complaint and subsequent documents.**
14. **Yes as was intended by HB 2020 until the PAPUC in collusion with Chairman Robert Godshall who had a major conflict of interest and the PAPUC exceeded their authority as previously explained.**
15. **Legal Opinions unanimously conclude A Smart Meter violates the Fourth Amendment of the Constitution and other Privacy Laws.**
16. **Others have demonstrated the potential misuse of information and the US Congress is currently addressing these major issues with AI.**
17. **Insufficient time has been allotted the Complainant but a Summary of Opinion has been provided by the Documentary "Take Back Your Power". Other examples will be referenced in this process.**
18. **The Defendant has given verbal information to Complainant's spouse that no Smart Meters have been installed. A digital readout meter is installed at our pole barn that (is) or resembles a Smart Meter.**
19. **Numerous instances of Smart Meter operation have been provided and will be supplemented by the ATI. Significant quality and performance issues will be provided in ATI.**
20. **This is interesting--- Counsel actually did read the documents provide but has a selective recall of the information. Since insufficient time was provided as requested, paragraph four above may provide some information.**
21. **All issues to be raised have been documented. Defendant has already demonstrated bullying threats and intimidation of terminating service and never responded to Complainant's**

factual evidence. The Industry, by the Denial of Published Factual Information is guilty of "Acquiescence by Silence". Until such time as Defendant, a public company addresses the lack transparencies by their continued silence about factual evidence of privacy violations and safety, Complainant is under no obligation to address the legal bullying of Counsel.

22. 4th Amendment, Title 18, Privacy & Security, USC Section 2511, 2512, 2518, Electronic Communications Act. www.fcc.gov Unauthorized radio transmitter and steals electricity in Switching Mode from Complainant while an unauthorized, illegal, data forms a personal Dossier, which Defendant accumulates and then they think they can sell this information. And reportedly, Defendant will make more money than the electricity they sell. It certainly makes a case for providing the electricity free of charge.

23. Already provided by the Fourth Amendment of the Constitution. Additionally the MAJOR FIRE POTENTIAL and reportedly over 200,000 meters in the USA and Canada have been involved in damaging FIRE & EXPLOSION. The details of how this occurs will be provided in the ATI and further submissions. Title 18 USC, Section 1365---"Tampering With Consumer Products Cause Danger of Death or Bodily Injury." Industry avoids revealing latent product defects of "Smart" Meters, Defendant installs these defective devices and exposes the Complainant to potential significant premise's damage, or death by fire and/or explosion.

24. Insufficient time provided to develop a witness list but it may include the following officials: the Governor, PA PUC Secretary, all PAPUC Board Members, all Senate and House Consumer Affairs members, Robert Godshall , Grey Godshall, Safety Engineer for PECO, CEO and CIO of First Energy for starters. Engineers and Biological Scientists-- will include those that provided technical facts outlined in the complaint. Additionally, Nationwide Fire Chiefs and Union Electricians will be polled as potential witnesses to the stated fire and explosive hazards.

25. More than likely. Insufficient time provided to address the context of the expertise they would provide.

26. Educational background has been from the time Complainant's Mother taught him to read at age three to the present, encompassing a lifetime of learning (76 years and counting) resulting in a virtual encyclopedia of scientific, engineering, design, environmental consulting, construction, legal and street smart phycology. This lifetime of information would require a truckload of unrealistic documentation to substantiate but it includes 21 years of formal education.

27. My formal work career ended in September 1992 when after 15 years in the business of Professional Engineering and Consulting, a massive left parietal infarct permanently disabled my communications center. After advice from National Society of Professional Engineers Legal Staff that I no longer engage in pay for services, I was declared permanently disabled by a Social Security Judge and have spent the last 27 years in varying degrees of health and rehabilitation. Prior to my business I spent 1962-1977 employed in technical fields where I was in responsible charge of plant facilities engineering and construction projects for major S&P companies.

28. Repetitive request as was previously furnished and is also supplemented in the ATI.

- 29. Again a repetitive request and protected under the prior HIPPA umbrella.**
- 30. Repetitive as those sources were sighted in the original Formal Complaint and the "Answer& Objection To New Matter and Preliminary Objection Of Metropolitan Edison" but are supplemented in the ATI as some, but not all because of timing restraints.**
- 31. Answered.**
- 32. Answered.**
- 33. Irrelevant and violation of 4th Amendment Privacy Rights.**
- 34-39 Additional legal regurgitation or bullying of irrelevant, repeatedly asked and answered questions provided in all previously sighted documentation.**

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JOHN M. CHENOSKY

v.

METROPOLITAN EDISON COMPANY

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Docket No. C-2019-3007622

ANSWER TO SET I INTERROGATORIES AND PRODUCTION OF DOCUMENTS TO METROPOLITAN EDISON COMPANY FROM JOHN M. CHENOSKY

The following constitutes an attempt to educate all parties in the negative impacts of Smart Meters (SMs), i.e., not “safe” as the Industry/Utility/Government collectively suggests. SMs were illegally OPTed-IN in direct conflict with HB 2020 which was OPTed-OUT legislation and morphed into Act 129 by collusion between Rep. Robert Godshall and the PAPUC. This was previously explained in the original complaint and referenced in *Frompovich v. PECO*, where PECO took the position the only views which “count” are its own expert witness testimony, and after discounting the contrary evidence, it denies that any such evidence even exists, Cf. PECO Brief Pg. 13 (89).

When Pennsylvania Professional Engineers evaluate systems and equipment they are legally obligated to place public safety above all else. Unfortunately many engineers that work in Industry/Utilities work under the *Industry Exemption*. Alleged advertised “*rigorous testing*” in many cases—to self-imposed undefined specifications—conducted by these individuals under the supervision of non-technical managers often leads to what we ethical Professional Engineers call *Latent Design and Manufacturing Defects*. That said; let’s examine Smart Meters under our professional microscope to see how the Industry/Utilities fare.

1. Let’s start with the SMs themselves from an electrical stability standpoint. The following are some of the causes of Smart Meter FIRES & EXPLOSIONS:
 - a. SMs are only rated at 48KW (200 amps). The warranty is null and void if the current exceeds 201 amps.
 - b. SMs have Lithium which overheats in direct Sun exposure.
 - c. SMs do not have surge protection anymore. This is probably why Defendant is currently promoting the installation and the additional monthly expense of a surge protector not normally incorporated in residential installations. This is being offered by correspondence with its ratepayers.
 - d. New SMs do not have over voltage grounding lugs, a problem, since Electric Transients are an issue with SMs.
 - e. SMs bases are made of flammable plastic, in lieu of metal, or Bakelite as used in the previously sound, electro-mechanical meters.

- f. **SWs are made of a cheap flammable poly-carbonate cover.**
- g. **SWs have leaky seals and therefore, are not waterproof. They allow moisture inside resulting in destructive shorting.**
- h. **SWs have thinner power lugs which do not allow for proper tension.**
- i. **Warrantee is null and void if the internal temperature of the SM exceeds 80 deg. C.**
- j. **Customer's meter base is rarely inspected by a qualified, certified Electrical Inspector in order to eliminate installation, or future operational problems.**
- k. **Experience has shown that HOT CUTS done by Non-Certified individuals have negative consequences. It should be noted that the Defendant sub-contracted this important work to others. They never provided certifications of installers to the ratepayers. Guess who would pay if there were catastrophic problems?**
- l. **Lithium dissociates water, H₂O, into hydrogen and oxygen when, and if in the presence of air the lower, or upper explosive limit of hydrogen is exceeded, the result has devastating consequences. Case in point-- TESLA fires/explosions.**
- m. **SMs are not UL/CSA approved. A new VOLUNTARY CODE, UL 2735 has not been implemented.**
- n. **There are issues with the Remote Disconnect in SMs as hackers can initiate tripping connections, a major security issue according to former NSA employees.**
- o. **SMs have flammable internal electronic components in the form of a surveillance device (data collector), a processor, a transmitter, a switch mode power supply, etc. In this Professional Engineer's opinion these devices DO NOT BELONG inside a device subjected to 20,000 volt surges.**
- p. **Since Complainant's Residence is located near a substation (Benfield Rd.), surges which are common, will result in voltages in excess of the rated 20,000V, (maximum of SMs) and will blow the SM off the meter pan and that is why I refuse to allow a SM installation. My current electro-mechanical meter seems to handle these Voltage Surges because of its positive grounding. If it ain't broke--don't replace it.**
- q. **With its high powered radio transmitter penetrating the walls of your house with WEAPONIZED PULSED RADIO FREQUENCIES the SM is causing transients, i.e.,**
- r. **DIRTY ELECTRICITY throughout your residence, broadcasting constantly from all of your house wiring throughout your home. And in fact your house becomes a large antenna, or ultimately a 5G mini-Tower.**
- s. **In testimony the CIO of First Energy, when asked what the anticipated lifespan of SMs, stated 5-7 years. In 57 years of home ownership in seven (7) homes I never replaced an**

- electro-mechanic meter. Replacement cost is anticipated at \$6-700-- of course at the home owner's expense.
- t. None of the fire/explosion hazards have been explained to the Ratepayers in anticipation of the change-over.
 - u. Defendant has never answered any of questions posed by the Complainant about the above cited deficiencies, nor issues raised in prior documentation.
 - v. Defendant never confirmed whether the Reading, PA Office Chief Engineer was a Professional Engineer Licensed in Pennsylvania, or provided his CV, or Smart Meter experience or, involvement in this Smart Meter implementation.
 - w. Complainant's existing meter pan is located in an alcove under a winter entry way and is subjected to heat discharge from an AC compressor condensing unit—in Summer conditions this space routinely experiences temperature 20 deg. F above ambient temperatures—recipe for SM failure.
 - x. Complainant's property has an inconsistent cell phone signal and makes it unreliable for normal service. Hard wire service is the reliable available phone.
 - y. More to follow as this onion is peeled back.

POLLUTION COLLUSION:

It was not until December of 2018 that Complainant was advised that he had no choice and this Smart Meter was being shoved down his throat. This despite the fact that the original HB 2020 was an OPT-OUT legislation. From the Complainant's perspective it seems that the PAPUC, Robert Godshall and all the Utility Players, made a concerted effort to keep the public in the dark about this implementation. Was this because corporate profits were more important than the public's health and safety?

Defendant over the time frame of this charade (5 years or more) never notified the Complainant about this implementation, although he was inundated with offers from exterior line maintenance insurance, to on property tree pruning and felling, electrical services, HVAC filter offers, exterior lighting, CF bulbs, to make me question if Defendant was trying to compete with AMAZON instead of being in the business of power generation and distribution with its attendant Customer Service. The latter has been disappointingly marginal since First Energy took over GPU.

Having been an extreme sponge with respect to continuing education, I became a Charter Member of Principia Scientific(PS) and its scientific blog as a result of my Activist Skeptical Position of the other Scientific Fraud of the Century—Catastrophic Anthropogenic Global Warming.

A petition article on PS signed by 26,000 scientists opposed to 5G and RF/EMF radiation caught my attention and became somewhat intrigued by the body of work which for all intents and purposes I

was unfamiliar with. But physics is physics and universal in understanding by all competent engineers. Electricity and magnetism is explained by physics so Complainant's interest developed.

Perhaps one might be confused as to why 5G is being introduced by the Complainant at this point--well the Smart Meters will not be as effective without the 5G "Blanket" necessary for data transmission.

Everything any critical thinker can deduce about the Internet-of-Things (IoT) is available in this document including the undesirability of "Smart" Meters.

What is truly disturbing--if the telecommunications industry's plans come to fruition, no person, no animal, no bird, no insect, and no plant will be able to avoid exposure, 24 hours a day, 365 days a year, to levels of RF radiation that are tens to hundreds of times greater than what exists today, without any possibility of escape anywhere on the planet. These 5G plans threaten to provoke serious, irreversible damage to all of the Earth's Ecosystems.

The timing of this article was fortuitous as I started to prepare my initial Formal Complaint as a direct result of a non-response of my Informal Complaint by the PAPUC, and their condescending, patronizing manner. What this article provided were links to a panoply RF/EMF health related causes, the most current was the 2012 Bio-Initiative Report and the resulting 2000 or more studies it is based upon.

Seven pages of the article, "*Petition: 26,000 Scientists Oppose 5G Roll Out,*" addresses significant political issues which are above my pay grade and speculates about significant health issues. Those pages are introduced as ATI Exhibit 1-a-g.

The numerous health studies' (1800) further introduced in the "*Bioinitiative Report*" with two(2) page introductory summary and six(6) page "*Reported Biological Effects from Radiofrequency Radiation at Low-Intensity Exposure*", (*Cell Tower, Wi-Fi, Wireless Laptop and "Smart" Meter RF Intensities*), are identified as ATI Exhibit 2-a-h.

During the involvement in this Formal Complaint process Complainant encouraged the Legislators to reintroduce HB1566 which was stonewalled by Robert Godshall adamantly refused to call out the bills for a vote becoming sine die for four years. One of Complainant's email's "*Pollution Collusion-Biological Effects EMF From Smart Meters*", dated April 11, 2019 is identified as ATI Exhibit 3-a-b.

During the month of June Complainant's residence was surveyed for RF/EMF/ELF and what turned out to be significant revelation in terms of issues around electronic devices, turned out to be a surprise in the amount of DIRTY ELECTRICITY from items that the Defendant sells and encourages the use of, e.g., Compact Fluorescent Bulbs, (CFBs). It is apparent that transient voltages have as much health risk as RF/EMF and there are recommended measures that we are taking to resolve these health risks.

Had there been sufficient time provided the Complainant, aspects of the report could have been presented that further reinforce the position that a "Smart Meter" will be a force multiplier when it

comes to the potential health impacts to the residents at Complainant's property. It was demonstrated that with considerable expense devices can be purchased and installed to eliminate/minimize the Dirty Electricity that is common in everyone's residence.

CONCLUSION:

Considering that many of the scientific concepts presented are beyond the comprehension of the general population, policy makers and government agencies, how those in position of authority accept studies and reports from Utilities and their manufacturers which have a conflict of interest, without corroborating evidence from Independent Scientists & Engineers, or who provide opposing reviews and peer reviewed scientific and medical studies.

So based upon the overwhelming preponderance of the evidence the implementation of the installation of "Smart" Meters in Pennsylvania is an unlawful exercise and presents a significant health risk to Complainant, as well as, an unnecessary threat to his property due to latent design and construction of "Smart Meters and their propensity to explode and catch fire with devastating consequences.

Respectfully Submitted,

**John M. Chenosky, PE
Energy Specialist for 50 years**

ATI EXHIBIT 1-a



Exhibit B
Page 11 of 26

[Home](#) > [Current News](#) > [Petition: 26,000 Scientists Oppose 5G Roll Out](#)

Petition: 26,000 Scientists Oppose 5G Roll Out

Published on January 29, 2019

Written by Arthur Firstenberg



Concerns about the upcoming launch of 5G radio telecommunications technology has prompted a mass petition against the move on safety grounds by thousands of scientists and related professionals.

Arthur Firstenberg writes:

**Wireless Radiation: Stop The 5G Network On Earth And In Space,
Devastating Impacts On Health And The Environment**

ATI EXHIBIT 1-b*To the UN, WHO, EU, Council of Europe and governments of all nations*Exhibit B
Page 12 of 26

We the undersigned scientists, doctors, environmental organizations and citizens from () countries, urgently call for a halt to the deployment of the 5G (fifth generation) wireless network, including 5G from space satellites. 5G will massively increase exposure to radio frequency (RF) radiation on top of the 2G, 3G and 4G networks for telecommunications already in place. RF radiation has been proven harmful for humans and the environment. The deployment of 5G constitutes an experiment on humanity and the environment that is defined as a crime under international law.

Executive summary

Telecommunications companies worldwide, with the support of governments, are poised within the next two years to roll out the fifth-generation wireless network (5G). This is set to deliver what is acknowledged to be unprecedented societal change on a global scale. We will have "smart" homes, "smart" businesses, "smart" highways, "smart" cities and self-driving cars. Virtually everything we own and buy, from refrigerators and washing machines to milk cartons, hairbrushes and infants' diapers, will contain antennas and microchips and will be connected wirelessly to the Internet. Every person on Earth will have instant access to super-high-speed, low-latency wireless communications from any point on the planet, even in rainforests, mid-ocean and the Antarctic.

What is not widely acknowledged is that this will also result in unprecedented environmental change on a global scale. The planned density of radio frequency transmitters is impossible to envisage. In addition to millions of new 5G base stations on Earth and 20,000 new satellites in space, 200 billion transmitting objects, according to estimates, will be part of the Internet of Things by 2020, and one trillion objects a few years later. Commercial 5G at lower frequencies and slower speeds was deployed in Qatar, Finland and Estonia in mid-2018. The rollout of 5G at extremely high (millimetre wave) frequencies is planned to begin at the end of 2018.

Despite widespread denial, the evidence that radio frequency (RF) radiation is harmful to life is already overwhelming. The accumulated clinical evidence of sick and injured human beings, experimental evidence of damage to DNA, cells and organ systems in a wide variety of plants and animals, and epidemiological evidence that the major diseases of modern civilization—cancer, heart disease and diabetes—are in large part caused by electromagnetic pollution, forms a literature base of well over 10,000 peer-reviewed studies.

If the telecommunications industry's plans for 5G come to fruition, no person, no animal, no bird, no insect and no plant on Earth will be able to avoid exposure, 24 hours a day, 365 days a year, to levels of RF radiation that are tens to hundreds of times greater than what exists today, without any possibility of escape anywhere on the planet. These 5G plans threaten to provoke serious, irreversible effects on humans and permanent damage to all of the Earth's ecosystems.

Immediate measures must be taken to protect humanity and the environment, in accordance with ethical imperatives and international agreements.

5G will result in a massive increase in inescapable, involuntary exposure to wireless radiation

Ground-based 5G

In order to transmit the enormous amounts of data required for the Internet of Things (IoT), 5G technology, when fully deployed, will use millimetre waves, which are poorly transmitted through solid material. This will require every carrier to install base stations every 100 metres^[1] in every urban area in the world. Unlike previous generations of wireless technology, in which a single antenna broadcasts over a wide area, 5G base stations and 5G devices will have multiple antennas arranged in "phased arrays"^{[2],[3]} that work together to emit focused, steerable, laser-like beams that track each other.

Each 5G phone will contain dozens of tiny antennas, all working together to track and aim a narrowly focused beam at the nearest cell tower. The US Federal Communications Commission (FCC) has adopted rules^[4] permitting the effective power of those beams to be as much as 20 watts, ten times more powerful than the levels permitted for current phones.

Each 5G base station will contain hundreds or thousands of antennas aiming multiple laser-like beams simultaneously at all cell phones and user devices in its service area. This technology is called "multiple input multiple output" or MIMO. FCC rules permit the effective radiated power of a 5G base station's beams to be as much as 30,000 watts per 100 MHz of spectrum,^[2] or equivalently 300,000 watts per GHz of spectrum, tens to hundreds of times more powerful than the levels permitted for current base stations.

Space-based 5G

ATI EXHIBIT 1-d

Exhibit B

Page 14 of 26

At least five companies⁽⁵⁾ are proposing to provide 5G from space from a combined 20,000 satellites in low- and medium-Earth orbit that will blanket the Earth with powerful, focused, steerable beams. Each satellite will emit millimetre waves with an effective radiated power of up to 5 million watts⁽⁶⁾ from thousands of antennas arranged in a phased array. Although the energy reaching the ground from satellites will be less than that from ground-based antennas, it will irradiate areas of the Earth not reached by other transmitters and will be additional to ground-based 5G transmissions from billions of IoT objects. Even more importantly, the satellites will be located in the Earth's magnetosphere, which exerts a significant influence over the electrical properties of the atmosphere. The alteration of the Earth's electromagnetic environment may be an even greater threat to life than the radiation from ground-based antennas (see below).

Please go to [Global Research](#) to read the entire article.

UN Staff Member: 5G Is War on Humanity



5G Wireless Radiation Dangers



The total number of satellites that is expected to be put into low and high orbit by several companies will be 20,000 satellites. [1]

5G will use Phased Array Antennas to shoot Beams of Radiation at Cell Phones

These satellites will use the same type of phased array antennas as will be used by the ground-based 5G systems.

This means that they will send tightly focused beams of intense microwave radiation at each specific 5G device that is on the Earth and each device will send a beam of radiation back to the satellite. [2]

Previous generations of RF cellular communication used large antennas to send a blanket of radiation in all directions. The lower frequencies they used and the broad distribution of microwaves limited the numbers of cellular devices that could connect through an individual tall tower.

The much shorter length microwaves used for 5G will make it possible to use small phased array antennas to send and receive signals.

Phased array antennas consist of clusters of hundreds of tiny antennas that work together to shoot a ray of energy at a target just like a bullet. A cluster of these tiny antennas can be arranged in a 4 inch by 4 inch matrix.

The rays of microwaves they produce will be strong enough to pass through walls and human bodies. If they were not strong enough to do this, then everyone with a 5G smartphone would have to stand outside when using the devices. [2]

Each 5G product will also have multiple phased array antennas which will be used to create a powerful beam of radiation back to the 5G devices mounted on electrical utility poles or toward a specific satellite in space.

These beams of radiation will also need to be strong enough to pass through walls and human flesh such as a hand or head to reach the intended destination. [2]

This means that if you are in a crowded location, such as an airport or on a train, there will be hundreds if not thousands of invisible beams of radiation flying through the environment at the speed of light.

ATTN: EXHIBIT 1-9

Exhibit B

Page 16 of 26

As people move in that environment, their bodies will be penetrated by numerous beams of radiation as they walk or as other people walk around them with their 5G smartphones. [2]

5G Phones will be much more Powerful than Previous Phones

The effective radiated power of the 5G phased array antennas in phones will be 10 times more powerful than 4G phones.

No one will be free from exposure.

In addition, 5G beams of microwave radiation will be received and transmitted from new computer equipment, household appliances, and automobiles.

Stationary equipment such as Wi-Fi hubs in homes and offices will be permitted to use microwave beams that are 15 times stronger (300 watts) than the signals from 5G phones or 150 times stronger than 4G phones. [2]

Please go to [Health Impact News](#) to read the entire article.

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Comments (15)



Mervyn

January 29, 2019 at 2:54 pm | #

ATI EXHIBIT 2-a

Exhibit B
Page 17 of 26

BioInitiative 2012

A Rationale for Biologically-based Exposure Standards for Low-Intensity Electromagnetic Radiation



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There is more evidence than we need.

The last five years worth of new scientific studies tell us the situation is much worse than in 2007 and yet people around the world have so much more daily exposure than even five years ago. Exposures are linked to a variety of adverse health outcomes that may have significant public health consequences. When added across billions of people world-wide, no argument for the status quo can be persuasive now.

In twenty-one technical chapters of this 2012 update, the contributing authors discuss the content and implications of about 1800 new studies. Overall, there is reinforced scientific evidence of risk where there is chronic exposure to low-intensity electromagnetic fields and to wireless technologies (radiofrequency radiation including microwave radiation).

There is more evidence in 2012 that such exposures damage DNA, interfere with DNA repair, evidence of toxicity to the human genome (genes), more worrisome effects on the nervous system (neurology) and more and better studies on the effects of mobile phone base stations (wireless antenna facilities or cell towers) that report lower RFR levels over time can result in adverse health impacts. There has been a big increase in the number of studies looking at the effects of cell phones (on the belt, or in the pocket of men radiating only on standby mode) and from wireless laptops on impacts to sperm quality and motility; and sperm death (fertility and reproduction).

In other new studies of the fetus, infant and young child, and child-in-school – there are a dozen or more new studies of importance.

The 2007 BioInitiative Report was prepared by world-recognized experts in science and public health policy. Outside reviewers also contributed valuable content and perspective. It was concluded even in 2007 that existing public safety limits were inadequate to protect public health, and agreed that new, biologically-based public safety limits were needed five years ago. The public health cost of doing nothing was judged to be unacceptable in 2007. This did nothing to change the rules, nor roll back the technology tsunami of wireless-everywhere.

The levels of exposure we face in 2012 are higher, and have crept into every day life, even for children. The levels at which undesirable effects on health and well-being are seen is much lower. The levels of concern at have dropped lower in 2012 by 10s to 100s of times. There is much greater involuntary exposure, and it is nearly unavoidable even for people who choose not to 'go wireless' (second-hand radiation effects). Safe forms of communication by land-line telephone are being phased out without general public knowledge or agreement. There is no informed consent for consumers (warning labels on cell phones, for example, have been defeated by telecom industry lobby groups). It is still difficult or impossible for a consumer to get reliable information on levels of exposure from wireless devices, it is simply beyond the reach of people to identify where excessively high levels of exposure occur in their communities, and it is very rare for a county or state health department to accommodate requests for information or provide measurements.

ATI EXHIBIT 2-6

Today the evidence is stronger than ever and it may be placing people at risk, but most people have no idea. There is little indication that cell phone users (whose numbers have risen from roughly 2 billion in 2006 to 6 billion users globally in 2012) are aware of the risks. In that time, whole-body exposures from other RFR sources like WI-FI, WI-MAX, smart grids using wireless utility meters, and vast commercial applications of wireless RFR (in commerce, transportation, in banking, in surveillance and monitoring, in medical imaging and ironically in health care record-keeping and learning environments for education – all these new applications of wireless over wired communications and data transmission add to the RFR saturation in cities. Wireless laptops and wireless internet in schools, and home offices and for homework mean even more chronic exposures to RFR, a designated IARC 2B Possible Human Carcinogen (May 31, 2011).

The range of possible health effects that are adverse with chronic exposures has broadened. The most serious health endpoints that have been reported to be associated with extremely low frequency (ELF) and/or radiofrequency radiation (RFR) include childhood and adult leukemia, childhood and adult brain tumors, and increased risk of the neurodegenerative diseases, Alzheimer's and amyotrophic lateral sclerosis (ALS). Recent studies largely reinforce the potential risks to health (rather than reducing our concerns, or providing actual indications of safety). In addition, there are reports of increased risk of breast cancer in both men and women, genotoxic effects (DNA damage, chromatin condensation, micronucleation, impaired repair of DNA damage in human stem cells), pathological leakage of the blood-brain barrier, altered immune function including increased allergic and inflammatory responses, miscarriage and some cardiovascular effects. Insomnia (sleep disruption) is reported in studies of people living in very low-intensity RFR environments with WI-FI and cell tower-level exposures. Short-term effects on cognition, memory and learning, behavior, reaction time, attention and concentration, and altered brainwave activity (altered EEG) are also reported in the scientific literature. Biophysical mechanisms that may account for such effects can be found in various articles and reviews.

We could do otherwise. Each wireless need had a wired solution in counterpart that has none of the health effects that wireless RFR does, with the exception of cell phone use for talking directly to someone. It is time to re-think the wireless tsunami and educate people about health, privacy and security risks. It is past time to develop new safety standards. It is necessary now to look to less harmful ways to communicate, move ourselves from place to place, shop, sleep, recreate, save energy, and educate our children in school. It is time to rethink our global commerce, energy, banking, transportation and communications infrastructures so we are all committed to sustaining healthy living spaces and conserve safe sanctuary for all species on earth.



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[BioInitiative Report](#)

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Reported Biological Effects from Radiofrequency Radiation at Low-Intensity Exposure
(Cell Tower, Wi-Fi, Wireless Laptop and 'Smart' Meter RF Intensities)

| SAR (Watts/Kilogram) | Reference |
|--------------------------|--|
| 0.000064 - 0.000078 W/Kg | Well-being and cognitive function affected in humans exposed to GSM-UMTS cell phone frequencies; RF levels similar near cell sites TNO Physics and |
| 0.00015 - 0.003 W/Kg | Calcium ion movement in isolated frog heart tissue is increased 18% (P<.01) and by 21% (P<.05) by weak RF field modulated at 16 Hz Schwartz, 1990 |
| 0.00021 - 0.0021 W/Kg | Changes in cell cycle; cell proliferation (960 MHz GSM mobile phone) Kwase, 1997 |
| 0.0003 - 0.06 W/Kg | Neurobehavioral disorders in offspring of pregnant mice exposed in utero to cell phones - dose-response impaired glutamatergic synaptic transmission onto layer V pyramidal neurons of the prefrontal cortex. Hyperactivity and impaired memory function in offspring. Altered brain development. Aldad, 2012 |
| 0.0016 - 0.0044 W/Kg | Very low power 700 MHz CW affects excitability of hippocampus tissue, consistent with reported behavioral changes. Tattersall, 2001 |
| 0.0021 W/Kg | Heat shock protein HSP 70 is activated by very low intensity microwave exposure in human epithelial amnion cells Kwase, 2001 |
| 0.0024 - 0.024 W/Kg | Digital cell phone RFR at very low intensities causes DNA damage in human cells; both DNA damage and impairment of DNA is reported Phillips, 1998 |
| 0.0027 W/Kg | Changes in active avoidance conditioned behavioral effect is seen after one-half hour of pulsed radiofrequency radiation Navakatikian, 1994 |
| 0.0035 W/Kg | 900 MHz cell phone signal induces DNA breaks and early activation of p53 gene; short exposure of 2-12 hours leads cells to acquire greater survival chance - linked to tumor aggressiveness. Marinelli, 2004 |
| 0.0095 W/Kg | MW modulated at 7 Hz produces more errors in short-term memory function on complex tasks (can affect cognitive processes such as attention and memory) Lass, 2002 |
| 0.001 W/Kg | 750 MHz continuous wave (CW) RFR exposure caused increase in heat shock protein (stress proteins). Equivalent to what would be induced by 3 degree C. heating of tissue (but no heating occurred) De Pomerai, 2000 |
| 0.001 W/Kg | Statistically significant change in intracellular calcium concentration in heart muscle cells exposed to RFR (900 MHz/50 Hz modulation) Wolke, 1996 |

| | |
|--|--|
| Stress proteins, HSP, disrupted immune function | Brain tumors and blood-brain barrier |
| Reproduction/fertility effects | Sleep, neuron firing rate, EEG, memory, learning, behavior |
| Oxidative damage/ROS/DNA damage/DNA repair failure | Cancer (other than brain), cell proliferation |
| Disrupted calcium metabolism | Cardiac, heart muscle, blood-pressure, vascular effects |

Reported Biological Effects from Radiofrequency Radiation at Low-Intensity Exposure (Cell Tower, Wi-Fi, Wireless Laptop and 'Smart' Meter RF Intensities)

| SAR (Watts/Kilogram) | Reference |
|----------------------|--|
| 0.0021 W/Kg | A significant change in cell proliferation not attributable to thermal heating. RFR induces non-thermal stress proteins (960 MHz GSM) Vellzarov, 1999 |
| 0.004 - 0.008 W/Kg | 915 MHz cell phone RFR caused pathological leakage of blood-brain barrier. Worst at lower SAR levels and worse with CW compared to Frequency of pathological changes was 35% in rats exposed to pulsed radiation at 50% to continuous wave RFR. Effects observed at a specific absorption (SA) of > 1.5 joules/Kg in human tissues Persson, 1997 |
| 0.0059 W/Kg | Cell phone RFR induces glioma (brain cancer) cells to significantly increase thymidine uptake, which may be indication of more cell division Stagg, 1997 |
| 0.014 W/Kg | Sperm damage from oxidative stress and lowered melatonin levels resulted from 2-hr per day/45 days exposure to 10 GHz. Kumar, 2012 |
| 0.015 W/Kg | Immune system effects - elevation of PFC count (antibody-producing cells) Vayret, 1991 |
| 0.02 W/Kg | A single, 2-hr exposure to GSM cell phone radiation results in serious neuron damage (brain cell damage) and death in cortex, hippocampus, and basal ganglia of brain- even 50+ days later blood-brain barrier is still leaking albumin (P<.002) following only one cell phone exposure Salford, 2003 |
| 0.026 W/Kg | Activity of c-jun (oncogene or cancer gene) was altered in cells after 20 minutes exposure to cell phone digital TDMA signal Ivaschuk, 1997 |
| 0.0317 W/Kg | Decrease in eating and drinking behavior Ray, 1990 |
| 0.037 W/Kg | Hyperactivity caused by nitric oxide synthase inhibitor is countered by exposure to ultra-wide band pulses (600/sec) for 30 min Seaman, 1999 |
| 0.037 - 0.040 W/Kg | A 1-hr cell phone exposure causes chromatin condensation; impaired DNA repair mechanisms; last 3 days (longer than stress response) the effect reaches saturation. In only one hour of exposure; electro-sensitive (ES) people have different response in formation of DNA repair foci, compared to healthy individuals; effects depend on carrier frequency (915 MHz = 0.037 W/Kg but 1947 MHz = 0.040 W/Kg) Belyaev, 2008 |
| 0.05 W/Kg | Significant increase in firing rate of neurons (350%) with pulsed 900 MHz cell phone radiation exposure (but not with CW) in avian brain cells Beason, 2002 |

| | |
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| Stress proteins, HSP, disrupted immune function | Brain tumors and blood-brain barrier |
| Reproduction/fertility effects | Sleep, neuron firing rate, EEG, memory, learning, behavior |
| Oxidative damage/ROS/DNA damage/DNA repair failure | Cancer (other than brain), cell proliferation |
| Disrupted calcium metabolism | Cardiac, heart muscle, blood pressure, vascular effects |

Reported Biological Effects from Radiofrequency Radiation at Low-Intensity Exposure (Cell Tower, Wi-Fi, Wireless Laptop and 'Smart' Meter RF Intensities)

| SAR (Watts/Kilogram) | Reference |
|----------------------|---|
| 0.09 W/Kg | 900 MHz study of mice for 7 days, 12-hr per day (whole-body) resulted in significant effect on mitochondria and genome stability Athien, 2005 |
| 0.091 W/Kg | Wireless internet 2400 MHz, 24-hrs per day/20 weeks Increased DNA damage and reduced DNA repair; levels below 802.11 g Authors say "findings raise questions about safety of radiofrequency exposure from Wi-Fi internet access devices for growing organisms of reproductive age, with a potential effect on fertility and integrity of germ cells" (male germ cells are the reproductive cells=sperm) Atasoy, 2012 |
| 0.11 W/Kg | Increased cell death (apoptosis) and DNA fragmentation at 2.45 GHz for 35 days exposure (chronic exposure study) Kesari, 2010 |
| 0.121 W/Kg | Cardiovascular system shows significant decrease in arterial blood pressure (hypotension) after exposure to ultra-wide band pulses Lu, 1995 |
| 0.13 - 1.4 W/Kg | Lymphoma cancer rate doubled with two 1/2-hr exposures per day of cell-phone radiation for 18 months (pulsed 900 MHz cell signal) Repacholi, 1997 |
| 0.14 W/Kg | Elevation of immune response to RFR exposure Elekes, 1996 |
| 0.141 W/Kg | Structural changes in testes - smaller diameter of seminiferous Dasdag, 1999 |
| 0.15 - 0.4 W/Kg | Statistically significant increase in malignant tumors in rats chronically exposed to RFR Chou, 1992 |
| 0.26 W/Kg | Harmful effects to the eye/certain drugs sensitize the eye to RFR Kues, 1992 |
| 0.28 - 1.33 W/Kg | Significant increase in reported headaches with increasing use of hand-held cell phone use (maximum tested was 60 min per day) Chia, 2000 |
| 0.3 - 0.44 W/Kg | Cell phone use results in changes in cognitive thinking/mental tasks related to memory retrieval Krause, 2000 |
| 0.3 - 0.44 W/Kg | Attention function of brain and brain responses are speeded up Preece, 1999 |
| 0.3 - 0.46 W/Kg | Cell phone RFR doubles pathological leakage of blood-brain barrier permeability at two days (P=.002) and triples permeability at four days (P=.001) at 1800 MHz GSM cell phone radiation Schlrmacher, 2000 |
| 0.43 W/Kg | Significant decrease in sperm mobility; drop in sperm concentration; and decrease in seminiferous tubules at 800 MHz, 8-hr/day, 12 weeks, with mobile phone radiation level on STANDBY ONLY (in rabbits) Salama, 2008 |

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| Stress proteins, HSP, disrupted immune function | Brain tumors and blood-brain barrier |
| Reproduction/fertility effects | Sleep, neuron firing rate, EEG, memory, learning, behavior |
| Oxidative damage/ROS/DNA damage/DNA repair failure | Cancer (other than brain), cell proliferation |
| Disrupted calcium metabolism | Cardiac, heart muscle, blood-pressure, vascular effects |

ATI EXHIBIT 2-F

Reported Biological Effects from Radiofrequency Radiation at Low-Intensity Exposure
(Cell Tower, Wi-Fi, Wireless Laptop and 'Smart' Meter RF Intensities)

| SAR (Watts/Kilogram) | Reference |
|----------------------|--|
| 0.5 W/Kg | 900 MHz pulsed RF affects firing rate of neurons (Lymnea stagnalis) but continuous wave had no effect |
| 0.58 - 0.75 W/Kg | Decrease in brain tumors after chronic exposure to RFR at 836 MHz Bolshakov, 1992 |
| 0.6 - 0.9 W/Kg | Mouse embryos develop fragile cranial bones from in utero 900 MHz The authors say "(O)ur results clearly show that even modest exposure (e.g., 6 min daily for 21 days" is sufficient to interfere with the normal mouse developmental process" Adey, 1999 |
| 0.6 and 1.2 W/Kg | Increase in DNA single and double-strand DNA breaks in rat brain cells with exposure to 2450 MHz RFR Lal & Singh, 1996 |
| 0.795 W/Kg | GSM 900 MHz, 217 Hz significantly decreases ovarian development and size of ovaries, due to DNA damage and premature cell death of nurse cells and follicles in ovaries (that nourish egg cells) Panagopoulous, 2012 |
| 0.87 W/Kg | Altered human mental performance after exposure to GSM cell phone radiation (900 MHz TDMA digital cell phone signal) Hamblin, 2004 |
| 0.87 W/Kg | Change in human brainwaves; decrease in EEG potential and statistically significant change in alpha (8-13 Hz) and beta (13-22 Hz) brainwave activity in humans at 900 MHz; exposures 6/min per day for 21 days (chronic exposure) D'Costa, 2003 |
| 0.9 W/Kg | Decreased sperm count and more sperm cell death (apoptosis) after 35 days exposure, 2-hr per day Kesarf, 2012 |
| < 1.0 W/Kg | Rats exposed to mobile phone radiation on STANDBY ONLY for 11-hr 45-min plus 15-min TRANSMIT mode; 2 times per day for 21 days showed decreased number of ovarian follicles in pups born to these pregnant rats. The authors conclude "the decreased number of follicles in pups exposed to mobile phone microwaves suggest that intrauterine exposure has toxic effects on ovaries." Gul, 2009 |
| 0.4 - 1.0 W/Kg | One 6-hr exposure to 1800 MHz cell phone radiation in human sperm cells caused a significant dose response and reduced sperm motility and viability; reactive oxygen species levels were significantly increased after exposure to 1.0 W/Kg; study confirms detrimental effects of RF/MW to human sperm. The authors conclude "(T)hese findings have clear implications for the safety of extensive mobile phone use by males of reproductive age, potentially affecting both their fertility and the health and wellbeing of their offspring." De Tullis, 2009 |
| 1.0 W/Kg | Human semen degraded by exposure to cell phone frequency RF increased free-radical damage. De Tullis, 2009 |

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|--|--|
| Stress proteins, HSP, disrupted immune function | Brain tumors and blood-brain barrier |
| Reproduction/fertility effects | Sleep, neuron firing rate, EEG, memory, learning, behavior |
| Oxidative damage/ROS/DNA damage/DNA repair failure | Cancer (other than brain), cell proliferation |
| Disrupted calcium metabolism | Cardiac, heart muscle, blood-pressure, vascular effects |

**Reported Biological Effects from Radiofrequency Radiation at Low-Intensity Exposure
(Cell Tower, Wi-Fi, Wireless Laptop and Smart Meter RF Intensities)**

| SAR (Watts/Kilogram) | Reference |
|-------------------------|--|
| 1.0 W/Kg | Motility, sperm count, sperm morphology, and viability reduced in active cell phone users (human males) in dose-dependent manner. Agarwal, 2008 |
| 1.0 W/Kg | GSM cell phone use modulates brain wave oscillations and sleep EEG Huber, 2002 |
| 1.0 W/Kg | Cell phone RFR during waking hours affects brain wave activity. (EEG patterns) during subsequent sleep Achermann, 2000 |
| 1.0 W/Kg | Cell phone use causes nitric oxide (NO) nasal vasodilation (swelling inside nasal passage) on side of head phone use Paredi, 2001 |
| 1.0 W/Kg | Increase in headache, fatigue and heating behind ear in cell phone users Sandstrom, 2001 |
| 1.0 W/Kg | Significant increase in concentration difficulties using 1800 MHz cell phone compared to 900 MHz cell phone Santini, 2001 |
| 1.0 W/Kg | Sleep patterns and brain wave activity are changed with 900 MHz cell phone radiation exposure during sleep Borbely, 1999 |
| 1.4 W/Kg | GSM cell phone exposure induced heat shock protein HSP 70 by 360% (stress response) and phosphorylation of ELK-1 by 390% Weisbrodt, 2003 |
| 1.46 W/Kg | 850 MHz cell phone radiation decreases sperm motility, viability is significantly decreased; Increased oxidative damage (free-radicals), significantly decreased; Increased oxidative damage (free-radicals) Agarwal, 2009 |
| 1.48 W/Kg | A significant decrease in protein kinase C activity at 112 MHz with 2-hr per day for 35 days; hippocampus is site, consistent with reports that RFR negatively affects learning and memory functions Paulraj, 2004 |
| 1.0 - 2.0 W/Kg | Significant elevation in micronuclei in peripheral blood cells at 2450 MHz (8 treatments of 2-hr each) Trosic, 2002 |
| 1.5 W/Kg | GSM cell phone exposure affected gene expression levels in tumor suppressor p53-deficient embryonic stem cells; and significantly increased HSP 70 heat shock protein production Czyz, 2004 |
| 1.8 W/Kg | Whole-body exposure to RF cell phone radiation of 900-1800 MHz 1 cm from head of rats caused high incidence of sperm cell death; deformation of sperm cells; prominent clumping together of sperm cells into "grass bundle shapes" that are unable to separate/swim. Sperm cells unable to swim and fertilize in normal manner. Yan, 2007 |

| | |
|--|--|
| Stress proteins, HSP, disrupted immune function | Brain tumors and blood-brain barrier |
| Reproduction/fertility effects | Sleep, neuron firing rate, EEG, memory, learning, behavior |
| Oxidative damage/ROS/DNA damage/DNA repair failure | Cancer (other than brain), cell proliferation |
| Disrupted calcium metabolism | Cardiac, heart muscle, blood-pressure, vascular effects |

**Reported Biological Effects from Radiofrequency Radiation at Low-Intensity Exposure
(Cell Tower, Wi-Fi, Wireless Laptop and 'Smart' Meter RF Intensities)**

| SAR (Watts/Kilogram) | Reference |
|-------------------------|---|
| 2.0 W/Kg | GSM cell phone exposure of 1-hr activated heat shock protein HSP 27 (stress response) and P38 MAPK (mutagen-activated protein kinase) that authors say facilitates brain cancer and increased blood-brain barrier permeability, allowing toxins to cross BBB into brain Leszczynski, 2002 |
| 2 W/Kg | 900 MHz cell phone exposure caused brain cell oxidative damage by increasing levels of NO, MDA, XO and ADA in brain cells; caused statistically significant increase in 'dark neurons' or damaged brain cells in cortex, hippocampus and basal ganglia with a 1-hr exposure for 7 consecutive days Ilhan, 2004 |
| 2.6 W/Kg | 900 MHz cell phone exposure for 1-hr significantly altered protein expression levels in 38 proteins following irradiation; activates P38 MAP kinase stress signalling pathway and leads to changes in cell size and shape (shrinking and rounding up) and to activation of HSP 27, a stress protein (heat shock protein) Leszczynski, 2004 |
| 2.0 - 3.0 W/Kg | RFR accelerated development of both skin and breast tumors Szmigielski, 1982 |
| 2 W/Kg | Pulse-modulated RFR and MF affect brain physiology (sleep study) Schmidt, 2012 |

| STANDARDS | Reference |
|-----------|---|
| 0.08 W/Kg | IEEE Standard uncontrolled public environment (whole body) IEEE |
| 0.4 W/Kg | IEEE Standard controlled occupational environment (whole body) IEEE |
| 1.6 W/Kg | FCC (IEEE) SAR limit for 1 gram of tissue in a partial body exposure FCC, 1996 |
| 2 W/Kg | ICNIRP SAR limit for 10 grams of tissue ICNIRP, 1996 |

| | |
|--|--|
| Stress proteins, HSP, disrupted immune function | Brain tumors and blood-brain barrier |
| Reproduction/fertility effects | Sleep, neuron firing rate, EEG, memory, learning, behavior |
| Oxidative damage/ROS/DNA damage/DNA repair failure | Cancer (other than brain), cell proliferation |
| Disrupted calcium metabolism | Cardiac, heart muscle, blood-pressure, vascular effects |

John Chenosky

From: John Chenosky <johnsuzy@windstream.net>
Sent: Thursday, April 11, 2019 9:49 AM
To: broae@pahousegop.com; 'cquinn@pahousegop.com';
'ffarry@pahousegop.com'; tsankey@pahousegop.com;
'Sdelozie@pahousegop.com'; 'gdigirol@pahousegop.com';
'jemrick@pahousegop.com'; 'rkauffman@pahousegop.com';
rmackenzie@pahousegop.com; 'jpayne@pahousegop.com';
'enelson@pahouse.com'; 'tpickett@pahousegop.com';
'Tstephen@pahousegop.com'; 'mwhite@pahousegop.com';
'rmatzie@pahouse.net'; 'adavis@pahouse.net'; 'pschweyer@pahouse.net';
psnyder@pahouse.com; 'rbizz@pahouse.net'; dbullock@pahouse.com;
'fburns@pahouse.net'; 'tdavis@pahouse.net'; 'mflynn@pahouse.net';
'enelson@pahouse.com'
Cc: dmaloney@pahousegop.com; Mensch, Senator Bob (bmensch@pasen.gov);
mfaust@weeu.com; WALSH, BOBBYGUNTHER (Gunther@iheartmedia.com)
Subject: POLUTION COLLUSION-- BIOLOGICAL EFFECTS FROM EMF FROM SMART METERS

- <https://bioinitiative.org/conclusions/>
- <https://bioinitiative.org/wp-content/uploads/pdfs/BioInitiativeReport-RF-Color-Charts.pdf>
- <https://principia-scientific.org/study-wi-fi-is-an-important-threat-to-human-health/>

Legislators & Media:

The writer, a Licensed Professional Engineer in Pennsylvania, the Complainant, is currently embroiled in a Formal Complaint against Metropolitan Edison and the PA PUC identified as Docket No. C-2019-3007622. The Consumer Affairs Committee and ex-Chairman Robert Godshall are the reason the Complainant has this dilemma.

As another Complainant, Catherine Frompovich v. PECO summarizes.... "What I've uncovered regarding the illegality of Act 129 (2008)the PA PUC it is enforcing is totally different from and contrary to, what the State Legislature actually passed, i.e., HB2200. Basically, the PA PUC changed the law from not mandating to mandating while drafting implementation rules and regulations for AMI SMs in Pennsylvania."

Interestingly the instant PECO received \$200 Million in stimulus funds, Grey Godshall, (son of Robert Godshall formal committee chairman) was promoted to Project

Manager at PECO's parent EXELON???? Can anyone on your committee have a reasonable explanation for that action given Grey's questionable CV??

Despite the fact Ms. Frompovich is not an attorney, she represented herself well, notwithstanding having to face Two (2) PA PUC Admin. Law Court Judges, Four (4) PECO expert witnesses and three (3) PECO Attorney's. I'd link the salacious details but the email might fail. Read the details at Activist Post.

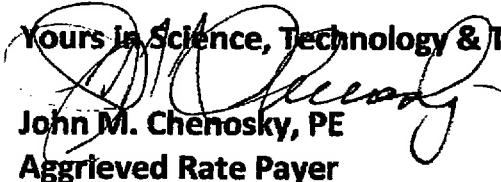
Without going into the details of my Formal Complaint, I will never understand how policy makers, most of whom are technically deficient in Science and Technology, accept studies and reports from Utilities without corroborating evidence from Independent Scientists & Engineers, or who provide opposing reviews and peer reviewed studies.

Now to the point. The PA PUC and Legislature has been misled about the levels of Electronic Smog and the cumulative effects over time that our electronic devices have exposed our bodies to including: our nervous systems, our vision and exposed our DNA to destructive levels over time. Devices like "Smart Meters" provide additional radiation in excess of the propaganda the policy makers were provided.

The links provide Conclusions of 1800 studies and provides PDF Power Point Color Charts revealing disturbing evidence of the Biological Effects from EMF/RF/ELF.

On this scientific basis your Committee needs to reintroduce HB1566 or equivalent implement with the language...."*Customers may opt-out of receiving smart meter technology under this subparagraph by notifying, in writing, the electric distribution company.....etc.*"

The Electro Smog effects are further reinforced in the above mentioned links. An immediate stay needs to be implemented to protect those that have filed formal complaints and immediately pass the originally intended/clarifying legislation.

Yours in Science, Technology & Truth,

John M. Chenosky, PE
Aggrieved Rate Payer

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

JOHN M. CHENOSKY

v.

METROPOLITAN EDISON COMPANY

:
:
:
:
:

Docket No. C-2019-3007622

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 individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

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

John M. Chenosky
P.O. Box 423
Alburtis, PA 18011
johnsuzy@dejazzd.com

Administrative Law Judge Jeffrey A. Watson
Pennsylvania Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222
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Dated: July 29, 2019



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