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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

July 17, 2019

First Class Mail

Rosemary Chiavetta, Esquire

Secretary

PA Public Utility Commission

P.O. Box 3265

Harrisburg, PA 17051-3265

Re: Docket No. C-2019-3010453

James W. Kuhn v. Pennsylvania Electric Company

Answer to New Matter of Penelec

Dear Secretary Chiavetta:

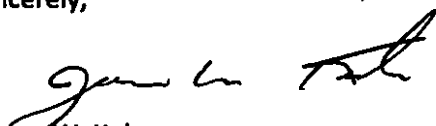
Attached for filing, is the Answer and New Matter of James Kuhn (Complainant) to the Pennsylvania Electric Company (Respondent) in the above captioned proceeding.

Please note, the Complainant, James Kuhn requests this matter NOT be referred to the OALJ, Mediation Unit.

A copy has been provided to the Respondent in the manner indicated on the attached Certificate of Service.

Please contact me at your convenience if there are any questions.

Sincerely,



James W. Kuhn

CC: Margaret A. Morris, Reger Rizzo & Darnall LLP

Re: Docket NO. C-2019-3010453

James W. Kuhn v. Pennsylvania Electric Company

Answer and New Matter

Certificate of Service

I hereby certify that a copy has been served upon the following in the indicated manner;

First Class Mail

Margaret A. Morris

Reger Rizzo & Darnall LLP

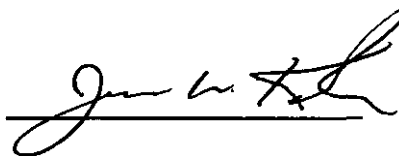
Cira Centre, 13th Floor

2929 Arch Street

Philadelphia, PA 19104

mmorris@regerlaw.com

Date July 17th, 2019



James W. Kuhn

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BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

JAMES W. KUHN

v.

PENNSYLVANIA ELECTRIC COMPANY

DOCKET NO. C-2019-3010453

Answer and New Matter of James W. Kuhn to the Pennsylvania Electric Company

James W. Kuhn submits its Answer and New Matter to the Respondent, Pennsylvania Electric Company.

In response thereto, the Complainant represents as follows:

Please note, the Complainant, James Kuhn requests this matter NOT be referred to the OALJ, Mediation Unit.

Furthermore,

A major safety issue and immediate danger does exist to the Pennsylvania Electric Companies (Penelec), facilities, lines and poles which is supported by an independent forester Mark R. Webb written evaluation previously submitted. The Penelec rate payers are being subjected to additional future costs and liabilities by refusing to remove the tree which is a few inches away and leaning towards the so-called, secondary line. The explanation given by many Penelec employees and recently an area manager that it is policy to NOT remove any trees near secondary lines, ONLY PRIMARY lines no matter the present danger.

I proceeded to ask, when the tree falls, who cuts the tree off of the Penelec line; they replied, they would absolutely clear the line, fix the damage and restore service similar to the major destruction on September 16th, 2018 by a similar dangerous tree. Once again they explained if this was a primary line it would be removed immediately.

Please understand, I personally do not want to see healthy trees removed. A few days after the clean up of Sept 16, 2018 a Penelec employee personally showed me how dangerous this tree in question was. He placed a stick about 3 feet in length inside the tree near the rotted base and then removed it showing how thick the remaining outer portion exists being only a few inches. This can be demonstrated at any time and proves this an immediate danger and the professional forester explains it

will fall and cause major damage and loss of life if anyone is in the path of the tree and electric lines. The upper part (crown) of this tree is estimated to weigh over 10-20 tons and it is hollow 16 feet from the base of the tree making it very top heavy causing an immediate danger with the ability to fall anytime.

Why does Penelec refuse to take responsibility to their rate payers protecting them from unnecessary costs and loss of service stating the reason is that the line is labeled as a secondary line. The rate payers pay the same price for service and should receive the same level of protection.

This is a very simple common sense problem, cut the tree before it falls since it has been identified as a serious threat and immediate danger to the Penelec rate payers.

New Matter Response

This dispute needs to be dissolved by lowering the tree below the electric wire height, saving costs on total removal and eliminating an immediate danger and saving the rate payers major expense and disruption of service similar to the incident on Sept 16, 2018. The tree is leaning towards the electric line and will fall on the line !

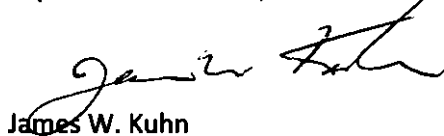
If not then the case needs to be in front of an Administrative law Judge to protect the Penelec rate payers from major expense and liability.

The time and resources of the commission, all parties and Penelec rate payer's will be conserved if this matter is simply resolved by lowering the tree height under the electric line to avoid the tree falling on the line.

The local township (Bloomfield Township) zoning officer has stated they can not remove the tree due to the township maintenance agreement does not permit them to do that. The zoning officer has strongly recommended removal or lowering of the tree below the electric wire height.

Also the PUC electric safety officer, a professional forester and an additional tree removal company have all recommended removal due to the immediate danger of the tree.

Respectively submitted and verification of facts as to the best of my knowledge, information and I expect that it can be proved at a hearing held in this matter.


James W. Kuhn

Mr. James W. Kuhn
2222 Buxton Rd
Titusville, PA 16354

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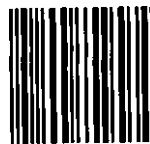
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Secretary
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