

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Jeffrey Smiles,**

**Complainant**

**vs.**

**PPL Electric Utilities Corporation,**

**Respondent**

**Docket No. C--2018-3003895**

**PA PUC  
SECRETARY'S BUREAU**

**2019 AUG 19 AM 10:11**

**RECEIVED**

**NOTICE  
AND  
PETITION FOR JUDICIAL DETERMINATION OF JURISDICTION**

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**TO: Judge Elizabeth H. Barnes:**

This Petition calls for clarification of jurisdiction of the Administrative Courts of the COMMONWEALTH OF PENNSYLVANIA PUBLIC UTILITY COMMISSION (PUC).

Quoted from a letter signed by Rhonda L. Daviston, Assistant Counsel for the COMMONWEALTH OF PENNSYLVANIA PUBLIC UTILITY COMMISSION: **“the exclusive method for a ratepayer or other person to initiate a complaint against a public utility is for the ratepayer to file a formal complaint with the Secretary of the Commission.”** Emphasis added.

There are two issues of jurisdiction that the above statement by Rhonda Daviston raises.

1. The instant formal complaint as filed is filed not by a person, or corporation, but by a people, living and breathing with a soul, in Common Law, on the land, not in the territory or sea jurisdiction. From Rhonda Daviston's language, she implies that a ratepayer is a entity or corporation. Does this court have jurisdiction to issue decisions for complaints other than by persons, **or is said jurisdiction limited to fictitious entities only?**
2. The instant formal complaint as filed is not only against a utility, but also is against the COMMONWEALTH OF PENNSYLVANIA PUBLIC UTILITY COMMISSION. **Does this court have jurisdiction to order the PUC to change policy, procedures, rules, or rulings?**
3. Act 129 of 2008 is being improperly interpreted by the PUC. Under the rules of statutory construction, The word "shall" in Act 129 means there is no escape from the plain language meaning. The plain language of the act is "at the customer request." **Refer to HB2200 §2807(f)7(2)(i)!** There is nothing in the statute or the history of the statute to think that "at the customer request" means anything but what it says and is only emphasized by the word "shall" that precedes it. The wording this statute has been presented to numerous people and after reading it, the only ones who think that it is mandatory are electric company employees their attorneys and some employees of the Commonwealth of Pennsylvania. It is a Maxim of Law that a statute be interpreted according to the plain language of the people, not misinterpreted


and abused at the behest of lawyers or for profit utility companies. How else can the people know what is required of them?

4. **CONTRA LEGEM FACIT, QUI ID FACIT, IEX PROHIBET; IN FRAUDEM VERO, QUI SALVIS VERBIS LEGIS, SENTENTIAM EJUS CIRCUMVENIT.**
5. **He acts against the law. who does that which the law prohibits; but he acts fraudulently, who observing the word, or the law, eludes its meaning.**

**Contra veritatem lex nunquam aliquid permittit.  
The law never allows anything against truth.**

**If there is no response within ten (14) days, I will assume that silence is admission that your court does not have jurisdiction over my claim.**

**Date: August 15, 2019**

By: 

Jeffrey W. Smiles  
3049 Octagon Avenue  
Sinking Spring, Pa 19608  
Ph: 610-678-0254

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Jeffrey Smiles**

**vs.**

**PPL ELECTRIC UTILITIES  
CORPORATION**

**Docket No. C-2018-3001474**

**CERTIFICATION OF SERVICE**

I hereby certify that I have served a true copy of NOTICE AND PETITION FOR JUDICIAL DETERMINATION OF JURISDICTION USPS To the following:

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

Devin Ryan, Esq.  
Post Schell  
17 North Second Street  
Harrisburg, Pa 17101-1601

Date: August 15, 2019

By: 

Jeffrey W. Smiles  
3049 Octagon Avenue  
Sinking Spring, Pa 19608  
Ph: 610-678-0254

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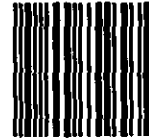
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Sinking Spring, Pa 19608

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Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Comm.  
P.O. Box 3265  
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17105-326565

