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BEFORE THE

PA PUC  
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION

**Jeffrey Smiles,**

**Complainant**

**vs.**

**PPL Electric Utilities Corporation,**

**Respondent**

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

**NOTICE TO THE COURT; OBJECTION TO INITIAL DECISION NOT  
RECEIVED AND PETITION FOR REHEARING AND/OR  
RECONSIDERATION**

**Complainant, Jeffrey Smiles, submits his Notice To The Court; Objection To  
Initial Decision Never Received And Petition For Rehearing And Reconsideration.**

**Complainant avers and therefore states as fact the following:**

- 1. Complainant did not receive the "Initial Decision" issued by the  
Administrative law Judge.**
- 2. Complainant only learned of the "Initial Decision" through a letter  
sent by certified mail on July 24, 2019 titled "ERRATA."**

- 3. Complainant was afforded no opportunity to respond to the Initial Decision because he never received it and thus is being denied procedural Due Process.**

### **1. BACKGROUND**

- 1. On August 8, 2018, PPL Electric Utilities was served with the formal complaint filed by Complainant, Jeffrey Smiles.**
- 2. The complaint stated clearly and precisely the issues regarding smartmeters, including the self-evident requirement for an “opt-in” before installation, health, fire and safety issues and important privacy violations under the 4<sup>th</sup> Amendment of the Constitution for the United States of America and requested a hearing.**
- 3. On August 28, 2019 PPL Electric Utilities filed an alleged answer with the PUC.**
- 4. On or around September 10, 2018 notice was issued scheduling a telephonic hearing for March 8, 2019.**
- 5. On or around February 7, 2019 PPL mailed interrogatories to complainant via USPS.**
- 6. Counsel for PPL Electric Utilities contacted Complainant to reschedule the hearing because he would be out of town for that time.**
- 7. Hearing was rescheduled for May 24, 2019.**
- 8. On March 16, 2019 Complainant contacted PPL's counsel and**

**requested more time to answer the interrogatories.**

- 9. On April 19, 2019 Complainant returned his Answers to Interrogatories.**
- 10. On April 26, 2019 via regular mail, Complainant propounded Interrogatories on PPL Electric Utilities and has never received an answer.**
- 11. On May 24, 2019 at 3:24 am Devon Ryan, esq. Emailed Complainant a "Motion in Limine" attached as Exhibit 1.**
- 12. On May 24, 2019 a telephonic hearing was held at 9:00am in which Complainant explained that he was suffering from a severe migraine headache and was not able to concentrate effectively for the hearing. Complainant requested a continuance but was objected to and denied by the Administrative Law Judge.**
- 13. Complainant was forced to participate in a hearing while in a debilitated condition.**
- 14. During the hearing Complainant raised the issue of the Interrogatories he had mailed to PPL attorney, Devon Ryan, over a month before and it was stated by Mr. Ryan that he had only received the Interrogatories the day before the hearing. Again, they have never been answered.**
- 15. Throughout the hearing Complainant's rights were not just trampled, they were shattered. The hearing was an unequivocal travesty.**

## 2. PETITION FOR REHEARING AND/OR RECONSIDERATION

Because Complainant did not receive the "Initial Decision" he is clearly being deprived of his substantive and procedural rights of Due Process, therefore he must petition for rehearing and/or Reconsideration.

Date: August 15, 2019

By: Jeffrey W. Smiles

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

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**People for Life and Freedom!**

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**From:** "Ryan, Devin" <DRyan@PostSchell.com>  
**To:** <jeffrsmil@peoplepc.com>  
**Sent:** Friday, May 24, 2019 3:24 AM  
**Attach:** PPL Electric (Smiles) Motion in Limine.pdf  
**Subject:** PPL - Smiles - Motion in Limine  
Mr. Smiles,

Attached is a courtesy copy of the Motion in Limine filed by PPL Electric yesterday in your PUC complaint proceeding. A hard copy was sent via overnight delivery, as indicated on the certificate of service.

Sincerely,

**Devin Ryan**  
**Associate**  
**Post & Schell, P.C.**  
17 North Second Street  
12th Floor  
Harrisburg, PA 17101

717-612-6052 (Phone)  
717-731-1981 (Fax)  
[DRyan@PostSchell.com](mailto:DRyan@PostSchell.com)  
[www.postschell.com](http://www.postschell.com)

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**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**Jeffrey Smiles**

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

**vs.**

**PPL ELECTRIC UTILITIES  
CORPORATION**

**CERTIFICATION OF SERVICE**

I hereby certify that I have served a true copy of 'Notice To The Court; Objection To Initial Decision Not Received And Petition For Rehearing And/Or Reconsideration,' 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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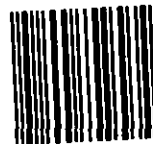
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Sinking Spring, Pa 19608

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Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Comm.  
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17105-326565

