

Lydia and Alan Rieger
211 Ben Franklin Hwy W.
Birdsboro, PA 19508

August 20, 2019

VIA FIRST CLASS MAIL

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

RE: Lydia and Alan Rieger v. Metropolitan Edison Company;

Docket No. C-2018-03005877, C-2018-03005887 and C-2018-03005889

Dear Secretary Chiavetta :

In accordance with the **Interim Order Requiring Status Report** issued by Judge Watson on July 22, 2019, please be advised that Lydia and Alan Rieger are submitting the attached 2 page report of our status dated 8/18/2019.

Copies of the report are being provided in accordance with the Certificate of Service. Should you have any questions or concerns regarding his information, please feel free to contact us.

Respectfully submitted,

Lydia Rieger



Alan Rieger



cc: Certificate of Service

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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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Status Report of Lydia and Alan Rieger – August 18, 2019

We have sold and no longer own the home at 553 Rock Hollow Rd., Birdsboro. There is still an issue of Met Ed having modified the service at that home without our knowledge as the owners of the property. Something needs to be done to prevent this from happening to other owners.

We have also sold and no longer own the home at 202 Cinder St., Birdsboro.

We are still a long way from agreeing to accept the installation of Smart meter technology. Unfortunately this places us in the Hobson's choice of either: accepting a device we don't want to be exposed to at our home; investing substantial costs into relocating a meter socket (which would still subject us to risks and data concerns); investing in additional testimonies in support to our positions; or facing a risk of electrical shut off while a family member is dependent upon reliable electrical service for mobility and breathing technology in our home.

On April 4, 2019, Alan Rieger contacted the Met-Ed customer Service to ask for assistance in getting a design/cost estimate for possibly relocating a meter socket at our 211 Ben Franklin Hwy W. Home. During the Call that day, Met Ed informed us that a design engineer would contact us. Alan placed follow up phone calls on 4/29/19 to report that no contact attempts had been received and we were given a contact name for the designer. Several phone calls, voice mails, and days later we finally heard from the designer on 5/6/19 over 30 days after our inquiry and after the discovery period had ended. As a result, we were very delayed in determining the true costs and time frame for completion of relocating our meter socket.

The farther we go in investigating how the State of Pennsylvania has reached this point in the smart meter installation agenda, the more perplexed we are that the PA PUC has determined to *Impose a Universal Mandate upon the people of Pennsylvania and that this mandate without any apparent accommodations for any consumers has been allowed to stand for this long.*

It is clear that the PA Senate record shows the Senators voting on the passage of HB2200 believed it did not impose a mandate upon the People of Pennsylvania. Clearly PA ACT 129 as legislated was not and is not a mandatory Smart Meter installation bill(Legislative Journal –Senate, October 8 2008 Senator Tomlinson page 2626 and Senator Boscola Page 2627). Further – the same Legislative Journal points out that Gladys Brown was a party to the discussions prior to passage of the bill (Page 2628). The PUC knew what was passed into law and is obligated to abide by the law.

The PUC approval of a smart meter deployment plan based on an EDC "assumption" of a consumer mandate which is not specified in ACT 129 and is contrary to PA Code 52 is problematic. PA Act 129 references PA code 52 at least twice. At no point in PA Act 129 are the words amend, repeal or replace used with regard to PA code 52.

The PA PUC is on record stating they believe PA Act 129 was written with some intent beyond what was stated in the act. To the extent that the PUC has directed certain functions of meters and implementation of deployment plans which exceed what is written in PA code and PA act 129, the PA PUC is exceeding, through unilateral executive mandate, the scope of Act 129.

On the Constitutional questions of safety and security of our persons and our homes from searches, seizures, recording and transmission of our info without our consent, the PA PUC is requiring a utility to collect data which the government could not collect and/or to collect that data against the Wishes of the individual and/or to transmit that data without the consent of the people who are the source of the data. Our indefeasible rights cannot be removed by legislation and do not cease to exist due to an added cost to a utility company or customer.

On the question of providing safe reliable service to the customers, Met-Ed responded to our interrogatories by claiming they believe that digital electronic smart meters and electromechanical meters are about equally secure. First Energy Senior Vice President and Chief Information officer Mr. Bennett Gaines is on record in testimony of October 21, 2015 that although he believes the "design and construct (of the currently used systems) is secure", with over million customers in PA he is "**convinced that given enough time with a bad actor they could figure out how to be destructive with that**". Since electromechanical meters do not communicate with other devices, do not contain computers, and cannot be remotely accessed or hacked, the myth of Smart Meters having equal safety with electromechanical meters is obviously exposed. The PA PUC has failed to exercise proper concern for the safety and security of the Electrical Service to Consumers who are being forced by the PA PUC to utilize Digital Smart meters against the customer's choice.

Based upon the available documentation, we have no reason to believe that a PUC appointed ALJ would be empowered to correct the overreach of the PA PUC. It is clear that this Formal Complaint process cannot resolve the primary issues here.

It is clear that the Absence of Proof does not equal Proof of Absence with regard to possible health effects of exposure to these devices. We have chosen not to participate as subjects in an undisclosed forced human experiment. We have had our meter socket relocated away from our home in exercise of our rights to decide what we will allow to be affixed to the side of our home and what level of exposure to those devices is acceptable to us.

The PA PUC may believe that it is right to replace electromechanical meters with computer based devices "in the public interest". However, No act of legislation or executive mandate rises to the level of constitutional amendment to modify or remove our natural indefeasible rights.

We intend to withdraw our formal complaint without satisfaction. We choose this not because we agree that the PUC could or should force PA Consumers to use the Advanced Metering Technology. It is our best use of our resources to reduce the potential impact of a device we cannot turn off which is designed to do far more than just measure our electricity use.

If the PA PUC and Met Ed can see a way to accommodate individual electromechanical meter choice for consumers, we'd be willing to discuss that. Otherwise, our dispute is with the way the PA PUC has ignored the need for accommodation, ignored the individual natural rights of consumers and inappropriately imposed a mandate which was not intended by the legislature.

Sincerely,

Alan J. Rieger and Lydia R. Rieger

Handwritten signatures of Alan J. Rieger and Lydia R. Rieger in black ink.

BEFORE THE

PENNSYLVANIA PUBLIC UTILITY COMMISSION

LYDIA AND ALAN RIEGER : **Docket Nos. C-2018-3005877**
v. : **C-2018-3005887**
METROPOLITAN EDISON COMPANY : **C-2018-3005889**

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Status Report of Lydia and Alan Rieger dated 8/18/2019 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:

VIA FIRST CLASS MAIL

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

Dated August 20, 2019

Lydia and Alan Rieger
211 Ben Franklin Highway West
Birdsboro, PA 19508
610-639-4355
AskAlan4Homes@gmail.com

Alan Rieger
Lydia Rieger

cc: Administrative Law Judge Jeffrey A Watson
cc: Lauren M. Lepkoski
Tori L. Giesler
Firstenergy Service Company

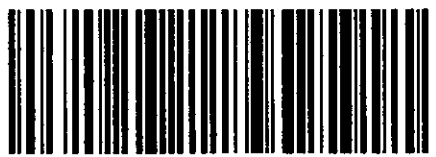
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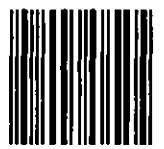
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Birdsboro PA 19508



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ROSEMARY CHIAVETTA, SECRETARY
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