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File #: 167945

September 3, 2019

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Dana Brennan v. PPL Electric Utilities Corporation
Docket No. C-2019-3007121

Dear Secretary Chiavetta:

Enclosed for filing is the Motion of PPL Electric Utilities Corporation to Dismiss the Formal Complaint of Dana Brennan in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "Devin Ryan", written over a horizontal line.

Devin Ryan

DTR/dmc
Enclosures

cc: Honorable Elizabeth Barnes (*w/enclosures*)
Certificate of Service

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA EMAIL & FIRST CLASS MAIL

Dana Brennan
16 Oslo Way
Newfoundland, PA 18445
jndbrennan@gmail.com

Date: September 3, 2019



Devin T. Ryan


**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Dana Brennan,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2019-3007121
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.371(b), YOU MAY FILE A REPLY TO THE ENCLOSED MOTION TO DISMISS WITHIN FIVE (5) DAYS AFTER THE DATE OF SERVICE. YOUR REPLY SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR REPLY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.

Kimberly A. Klock (ID # 89716)
Michael J. Shafer (ID # 205681)
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Allentown, PA 18101
Phone: 610-774-2599
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Date: September 3, 2019

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Dana Brennan,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2019-3007121
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**MOTION OF PPL ELECTRIC UTILITIES CORPORATION TO
DISMISS THE FORMAL COMPLAINT OF DANA BRENNAN**

TO ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:

Pursuant to 52 Pa. Code §§ 5.371-5.372, PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby files this Motion to Dismiss the Formal Complaint filed by Dana Brennan (“Complainant”) in the above-captioned proceeding, due to her failure to comply with the Order Granting Motion to Compel (“Order”) issued by Administrative Law Judge Elizabeth H. Barnes (“ALJ”) on August 2, 2019. In support of its Motion, PPL Electric states as follows:

I. INTRODUCTION

1. On January 16, 2019, PPL Electric was served with the Formal Complaint filed by the Complainant against the Company, which challenged the installation of the Company’s new automated metering infrastructure (“AMI”) meter at the service address.
2. On February 5, 2019, PPL Electric timely filed its Answer to the Complaint.
3. On February 14, 2019, a Notice was issued scheduling the telephonic evidentiary hearing for September 10, 2019 before the ALJ.

4. On March 7, 2019, a Prehearing Order was issued establishing certain procedural rules as well as the deadlines for the parties' exchange of written testimony and exhibits.

5. On June 12, 2019, PPL Electric served Interrogatories and Requests for Production of Documents on the Complainant – Set I (“PPL to Complainant Set I”) via email and certified mail. A true and correct copy of PPL to Complainant Set I is attached hereto and marked as **Appendix A**.

6. Pursuant to the Commission’s regulations, objections to PPL to Complainant Set I were due on or before June 24, 2019, and responses were due on or before July 2, 2019.

7. The Complainant never served any objections to PPL to Complainant Set I by June 24, 2019.

8. On July 3, 2019, the Complainant served her responses to PPL to Complainant Set I. However, the Complainant refused to provide or did not provide the information and materials requested in PPL to Complainant Set I, Questions 2, 3, 4, and 7. A true and correct copy of the Complainant’s responses PPL to Complainant Set I is attached hereto and marked as **Appendix B**.

9. On July 16, 2019, counsel for PPL Electric sent the Complainant a detailed email about the deficiencies with the discovery responses.

10. On July 17, 2019, PPL Electric filed a Motion to Compel responses to PPL to Complainant Set I, Questions 2, 3, 4, and 7.

11. The Complainant did not file an Answer to PPL Electric’s Motion to Compel.

12. On August 2, 2019, the ALJ issued an Order granting PPL Electric’s Motion to Compel. The Order specifically directed the Complainant to provide responses Questions 2, 3, 4,

and 7 to PPL Electric “no later than August 15, 2019.” A true and correct copy of the Order Granting Motion to Compel is attached hereto as **Appendix C**.

13. On August 15, 2019, PPL Electric received the Complainant’s responses to PPL to Complainant Set I, Questions 2 and 3. However, the Complainant failed to provide responses to Questions 4 and 7 as directed by the Order Granting Motion to Compel.¹ A true and correct copy of the Complainant’s supplemental responses is attached hereto as **Appendix D**.

14. On August 27, 2019, counsel for PPL Electric emailed the Complainant about, among other things, the status of the Complainant’s responses to Questions 4 and 7.

15. The Complainant has not responded to the Company’s August 27, 2019 email.

16. As of the filing of this Motion, no complete responses to PPL to Complainants Set I, Questions 4 and 7 have been received.

17. For the reasons explained herein, PPL Electric respectfully requests that the ALJ grant the instant Motion and dismiss the Complainant’s Formal Complaint with prejudice, due to her failure to comply with the ALJ’s August 2, 2019 Order Granting Motion to Compel and the Commission’s regulations.

II. LEGAL STANDARDS

18. Under 52 Pa. Code § 5.321(c), a party is entitled to obtain discovery of any matter not privileged that is relevant to the pending proceeding, or any matter that is reasonably calculated to lead to the discovery of admissible evidence. Discovery is permitted regardless of whether the information sought “relates to the claim or defense of the party seeking discovery or to the claim or defense of another party.” *Id.*

¹ PPL Electric notes that Ordering Paragraph 2 states that responses are to be provided to Questions 2 and 3. However, it is clear from the remainder of the Order that PPL Electric’s Motion to Compel was granted in its entirety. Therefore, the Complainant was directed to provide responses to Questions 4 and 7 as well.

19. Answers to written interrogatories must “[a]nswer each interrogatory fully and completely unless an objection is made.” *Id.* § 5.342(a)(4).

20. Upon the motion of a party, the presiding officer may make an appropriate order for sanctions if a party fails to answer or otherwise respond to a discovery request, or refused to obey an order of the presiding officer respecting discovery. *See* 52 Pa. Code § 5.371(a).

21. Among the potential sanctions, the ALJ may enter:

(1) An order that the matters regarding which the questions were asked, the character or description of the thing or land, the contents of the paper, or other designated fact shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order.

(2) An order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting the party from introducing in evidence designated documents, things or testimony.

(3) An order striking out pleadings or parts thereof, staying further proceedings until the order is obeyed, or entering a judgment against the disobedient party or individual advising the disobedience.

(4) An order with regard to the failure to make discovery as is just.

52 Pa. Code § 5.372(a)(1)-(4) (emphasis added).

III. MOTION TO DISMISS FOR FAILURE TO COMPLY WITH THE ORDER GRANTING MOTION TO COMPEL

22. PPL Electric respectfully requests that the ALJ grant the instant Motion and dismiss the Complainant’s Formal Complaint with prejudice, due to her failure to comply with the ALJ’s August 2, 2019 Order Granting Motion to Compel.

23. Here, PPL Electric has propounded straightforward requests for the Complainant to provide information that is very relevant to the issues in this proceeding.

24. In Question 4, PPL Electric has asked the Complainant to identify health conditions she alleges have been caused or worsened by or will be caused or worsened by the installation of the AMI meter and to provide any medical records of those alleged conditions. This is especially relevant because the Complainant has alleged that the AMI meter has caused and will cause adverse health effects, but she has provided absolutely no medical records.

25. In Question 7, PPL Electric has simply asked the Complainant to provide copies of the exhibits she intends to present at the evidentiary hearing. Indeed, under the Prehearing Order, the Complainant was directed to serve PPL Electric with copies of her statements, reports, and any direct written testimony of any expert witnesses she intends to call to testify at the hearing by July 5, 2019. The response to this discovery request is critical because, to date, PPL Electric has received no statements, reports, or expert testimony from the Complainant.

26. By refusing to answer these interrogatories fully, even after being directed to do so by the ALJ, the Complainant is PPL Electric due process and preventing the full and complete development of the evidentiary record.

27. The Complainant's actions demonstrate her disregard of the ALJ's Order Granting Motion to Compel and the Commission's regulations.

28. Importantly, the Commission has regularly dismissed AMI meter complaints with prejudice due to the complainants' failure to answer discovery in compliance with the presiding administrative law judge's orders granting motions to compel. *See, e.g., Carol Sojda and Carol Lutzkanin v. Metropolitan Edison Co.*, Docket No. C-2017-2638350, pp. 7-8 (Jan. 9, 2019), *adopted*, Docket No. C-2017-2638350 (Order entered Mar. 28, 2019); *Kimberly Beckmann v. Metropolitan Edison Co.*, Docket No. C-2017-2613702, pp. 7-10 (Jan. 31, 2019), *adopted*, Docket No. C-2017-2613702 (Order entered Apr. 11, 2019); *Darlene Stanton v. Pennsylvania*

Electric Co., Docket No. C-2018-3001144, pp. 6-11 (May 10, 2019), *adopted*, Docket No. C-2018-3001144 (Order entered July 11, 2019); *Diana Cook v. West Penn Power Co.*, Docket No. C-2018-3003051, pp. 6-10 (May 1, 2019), *adopted*, Docket No. C-2018-3003051 (Order entered July 11, 2019).

29. Thus, consistent with the Commission's regulations and precedent, PPL Electric respectfully requests that the ALJ grant the instant Motion and dismiss the Complainant's Formal Complaint with prejudice.

IV. CONCLUSION

For the reasons set forth above, PPL Electric Utilities Corporation respectfully requests that Administrative Law Judge Elizabeth H. Barnes grant this Motion and dismiss the Formal Complaint filed by Dana Brennan with prejudice.

Respectfully submitted,



Kimberly A. Klock (ID # 89716)
Michael J. Shafer (ID # 205681)
PPL Services Corporation
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Allentown, PA 18101
Phone: 610-774-2599
Fax: 610-774-4102
E-mail: kklock@pplweb.com
mjshafer@pplweb.com

Devin T. Ryan (ID # 316602)
Garrett P. Lent (ID # 321566)
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Date: September 3, 2019

Attorneys for PPL Electric Utilities Corporation

APPENDIX A

Interrogatories and Requests for Production of Documents Propounded by PPL Electric Utilities Corporation on Dana Brennan – Set I



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Devin Ryan

dryan@postschell.com
717-612-6052 Direct
717-731-1981 Direct Fax
File #: 167945

June 12, 2019

VIA CERTIFIED MAIL (7017 1450 0002 3778 1151)
VIA E-MAIL

Dana Brennan
16 Oslo Way
Newfoundland, PA 18445

Re: Dana Brennan v. PPL Electric Utilities Corporation
Docket No. C-2019-3007121

Dear Ms. Brennan:

Enclosed are the Interrogatories and Requests for Production of Documents Propounded by PPL Electric Utilities Corporation on Dana Brennan – Set I in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Please provide answers to the enclosed discovery within twenty (20) days of the date of service, pursuant to 52 Pa. Code § 5.342.

Sincerely,



Devin Ryan

DTR/jl
Enclosures

cc: Rosemary Chiavetta, Secretary (*Letter & Certificate of Service Only*)
Certificate of Service

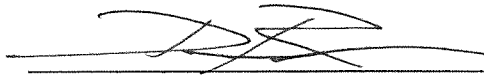
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

VIA EMAIL & CERTIFIED MAIL

Dana Brennan
16 Oslo Way
Newfoundland, PA 18445
jndbrennan@gmail.com

Date: June 12, 2019


Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Dana Brennan,	:	
	:	
Complainant	:	
	:	
v.	:	Docket No. C-2019-3007121
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent	:	

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED BY
PPL ELECTRIC UTILITIES CORPORATION ON
DANA BRENNAN – SET I**

Pursuant to 66 Pa.C.S. § 333 and 52 Pa. Code §§ 5.341 *et seq.*, PPL Electric Utilities Corporation (“PPL Electric”) propounds the following Interrogatories and Requests for Production of Documents (hereinafter, “discovery requests”) on Dana Brennan (“Complainant”) – Set I.

INSTRUCTIONS AND DEFINITIONS

1. The “Responding Party,” “you,” or “your” means the party to which these discovery requests are propounded and/or all attorneys, agents, affiliates, subsidiaries, employees, consultants, members, constituents, and representatives acting on behalf of the Responding Party.
2. “Commission” means the Pennsylvania Public Utility Commission.
3. To “identify” a natural person means to state that person’s full name, title or position, employer, last known address, and last known telephone number.

4. To “identify” a business entity means to state the full name of such business, the form of the business, and its location or address.

5. To “identify” a “document” means to provide all of the following information irrespective of whether the document is deemed privileged or subject to any claim of privilege:

- a. The title or other means of identification of each such document;
- b. The date of each such document;
- c. The author, preparer or signer of each such document; and
- d. A description of the subject matter of such document sufficient to permit an understanding of its contents and importance to the testimony or position being examined and the present or last known location of the document. The specific nature of the document should also be stated (*e.g.*, letter, business record, memorandum, computer print-out, etc.).

In lieu of “identifying” any document, it shall be deemed a sufficient compliance with these discovery requests to attach a copy of each such document to the answers hereto and reference said document in the particular interrogatory to which the document is responsive.

6. “Document” means the original and all drafts of all written and graphic matter, however produced or reproduced, of any kind or description, whether or not sent or received, and all copies thereof which are different in any way from the original (whether by interlineation, date-stamp, notarization, indication of copies sent or received, or otherwise), including without limitation, any paper, book, account, photograph, blueprint, drawing, sketch, schematic, agreement, contract, memorandum, press release, circular, advertising material, correspondence, letter, telegram, telex, object, report, opinion, investigation, record, transcript, hearing, meeting, study, notation, working paper, summary, intra-office communication, diary, chart, minutes, index sheet, computer software, computer-generated records or files, however stored, check, check stub, delivery ticket, bill of lading, invoice, record or recording or summary of any telephone or other conversation, or of any interview or of any conference, or

any other written, recorded, transcribed, punched, taped, filmed, or graphic matter of which the Responding Party has or has had possession, custody or control, or of which the Responding Party has knowledge.

7. "Communication" means any manner or form of information or message transmission, however produced or reproduced, whether as a document as herein defined, or orally or otherwise, which is made, distributed, or circulated between or among persons, or data storage or processing units.

8. "Date" means the exact day, month, and year, if ascertainable, or if not, the best approximation thereof.

9. Items referred to in the singular include those in the plural, and items referred to in the plural include those in the singular.

10. Items referred to in the masculine include those in the feminine, and items referred to in the feminine include those in the masculine.

11. The answers provided to these discovery requests should first restate the question asked and identify the person(s) supplying the information.

12. In answering these discovery requests, the Responding Party is requested to furnish all information that is available to the Responding Party, including information in the possession of the Responding Party's attorneys, agents, consultants, or investigators, and not merely such information of the Responding Party's own knowledge. If any of the discovery requests cannot be answered in full after exercising due diligence to secure the requested information, please so state and answer to the extent possible, specifying the Responding Party's inability to answer the remainder, and stating whatever information the Responding

Party has concerning the unanswered portions. If the Responding Party's answer is qualified in any particular, please set forth the details of such qualification.

13. If the Responding Party objects to providing any document requested on any ground, identify such document by describing it as set forth in Instruction 5 and state the basis of the objection.

14. If the Responding Party objects to part of a discovery request and refuses to answer that part, state the Responding Party's objection and answer the remaining portion of that discovery request. If the Responding Party objects to the scope or time period of a discovery request and refuses to answer for that scope or time period, state the Responding Party's objection and answer the discovery request for the scope or time period that the Responding Party believes is appropriate.

15. If, in connection with a discovery request, the Responding Party contends that any information, otherwise subject to discovery, is covered by either the attorney-client privilege, the so-called "attorneys' work product doctrine," or any other privilege or doctrine, then specify the general subject matter of the information and the basis to support each such objection.

16. If any information is withheld on grounds of privilege or other protection from disclosure, provide the following information: (a) every person to whom such information has been communicated and from whom such information was learned; (b) the nature and subject matter of the information; and (c) the basis on which the privilege or other protection from disclosure is claimed.

17. As set forth in 52 Pa. Code § 5.342(g), these discovery requests are continuing, and the Responding Party is obliged to change, supplement, and correct all answers given to conform to new or changing information.

18. "Formal Complaint" means the Formal Complaint filed by the Complainant at Docket No. C-2019-3007121.

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED ON
DANA BRENNAN – SET I**

PPL to Complainant-I-1

Re: Formal Complaint.

- (a) Please explain in detail the reasons why you are challenging the Company's installation of the new smart meter.
- (b) Please describe in detail all health concerns, if any, raised by the Company's new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (c) Please describe in detail all safety concerns, if any, raised by the Company's new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (d) Please describe in detail all privacy concerns, if any, raised by the Company's new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (e) Please describe in detail all reasons you believe the Company's new smart meter violates the law.

PPL to Complainant-I-2

Please identify all wireless phones, cellphones, microwaves, wireless routers, wifi networks, tablets, computers, Bluetooth speakers, wireless security systems, smart speakers (*e.g.*, Amazon Echo), garage door openers, baby monitors, and walkie talkies that are contained in or used in the house.

PPL to Complainant-I-3

Please state whether you or any member of your household uses a cell phone. If so, please provide the make and model of each cell phone and, for each phone identified, provide 12 months of phone bills or other records of actual cell phone usage.

PPL to Complainant-I-4

- (a) Please state every health condition you claim was caused by a smart meter or will be caused or worsened by the installation of PPL Electric's new smart meter.
- (b) Please provide the date that every health condition identified in subpart (a) began.

- (c) Please provide copies of all your medical records of every health condition identified in subpart (a).
- (d) For each alleged health condition that you do not have medical records for in response to subpart (c), please state whether such condition was diagnosed by a medical professional. If so, please provide the name, address, and telephone number of the medical professional and the date of the diagnosis.
- (e) For each of the alleged health conditions identified in subpart (a), please state whether you have been prescribed any therapy or treatment for the condition by a medical professional. If so, please identify the therapy or treatment, provide the name, address, and telephone number of the prescribing medical professional, and provide the date the therapy or treatment was prescribed.

PPL to Complainant-I-5

Please identify each person you plan to call as a fact witness in this proceeding. For each person, please:

- (a) Provide the person's name, home and business address, background, and qualifications;
- (b) Explain in detail the subject matter(s) on which the witness is expected to testify; and
- (c) Provide the source(s) of information relied upon or referenced by the witness.

PPL to Complainant-I-6

Please identify each person you plan to call as an expert witness in this proceeding. For each person, please:

- (a) Provide the person's name, home and business address, background, and qualifications;
- (b) Explain in detail the subject matter(s) on which the witness is expected to testify;
- (c) Provide the source(s) of information relied upon or referenced by the witness; and
- (d) Provide a copy of the expert witness's current curriculum vitae.

PPL to Complainant-I-7

Please provide copies of all exhibits you intend to present or utilize at the evidentiary hearing in this proceeding. For each exhibit to be used as part of your direct case, please identify the witness who will be sponsoring the exhibit.

APPENDIX B

Dana Brennan's Answers to PPL Electric Utilities Corporation's Interrogatories and Requests for Production of Documents – Set I

JUL 08 2019

July 3, 2019

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Dana Brennan,	:	
	:	
Complainant	:	
	:	
	:	Docket No. C-2019-3007121
v.	:	
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent	:	
	:	
Represented by Post & Schell	:	
Devin Ryan, Atty.	:	
17 N. Second St. 12 th floor	:	
Harrisburg, Pa 17101	:	

Cc Pennsylvania Public Utility Commission
 Secretary Administrative Law Judge
 400 North Street,
 Harrisburg, PA 17120

ANSWER TO INTERROGATORIES AND
 REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED
 BY PPL ELECTRIC UTILITIES CORPORATION ON
 DANA BRENNAN-SET 1

1. (a) As explained in previous documentation to Attorney Ryan and the Pennsylvania Public Utility Commission, PPL Electric Utilities Corporation was notified in person that we rejected to the installation of the so called smart meter. PPL Electric Utilities Corporation was never given any consent to the installation of a smart meter on our property. Without our knowledge they trespassed onto our property and installed the smart meter without notice or permission to do so.

(b) The smart meters are known to cause numerous ailments which we had explained in part in the rebuttal to answer dated 2/18/19 which Attorney Ryan, the Public Utility Commission and Mr. Phil Walnock, Program manager Advance metering, 835 Hamilton St. Suite 150, Allentown, PA 18101, received by certified mail. Please refer to 4a of said document explaining that it has been well established that the smart meters cause numerous health problems which PPL Electric Utilities Corporation is purposely hiding from the public. Our concerns are as follows: 1. cancer & Re-activating cancer for those in remission, 2. nausea, 3. headaches, 4. dizziness, 5. tinnitus, 6. stabbing pain in ears, 7. brain damage in children, 8. heart palpitations, 9. heart attack, 10. hormonal issues, 11. immune problems, 12. extreme fatigue, 13. insomnia, neurological problems, 15. exacerbation of pre-existing conditions such as cancer, 16. eye problems, 17. leg cramps, 18. anemia, 19. seizures, 20. inflammation, 21. depression, 22. DNA, sperm, cell and gene damage, 23. Behavioral problems. These effects can be witnessed by researching health effects of AMI smart meters on Youtube and other news articles relating the health damage radiation emitting smart meters cause. Attorney Ryan, Mr. Walnock, Program manager, and Pennsylvania Public Utility Commission all received by certified mail a three page document outlining some of the dangers and also the invasion of privacy connected with the unlawful use of the smart meter installed by PPL Electric Utilities Corporation. For your convenience the three pages signed by me, Dana Brennan, and dated 2/10/2019 is included.

(c) As explained previously in documents sent to Attorney Ryan and the Pennsylvania Public Utility Commission my husband takes grand mal seizures after having brain surgery which has been exacerbated since the smart meter installation. He also has trouble sleeping and fatigue. I, Dana, personally have undergone eye surgery, am experiencing tinnitus continually in my ear, leg cramping and dizziness. Our 15 year old son has ADHD and his behavior has been on the decline since the smart meter installation. From the beginning we have respectfully requested that smart meter be removed and that the analog meter be re-installed due to our health matters. PPL Electric Utilities Corporation was also given notice of Non Consent to Trespass, Surveillance and Radiation Pollution and Fire Hazard Notice of Liability Adhesion Contract dated 2/18/19. This document consists of three pages which was sent to Attorney Ryan, Pennsylvania Utility Commission, and Mr. Phil Walnock, PPL.

On 5/14/2018 Claire Edwards, staff member of the United Nations states that 237 EMF Scientists from 41 Nations are appealing to the United Nations, World Health Organization and the EU to stop 5G technology due to major health and environmental concerns. There are numerous articles and programs to view relating to the EMF exposure from smart meters with damage to our health and the environment.

(d) At no time was PPL Electric Utilities Corporation or any other agency whatsoever given our consent or permission to invade our privacy by any means whatsoever. This was explained in detail in the documentation that was sent to Attorney Ryan, etc. PPL Electric Utilities Corporation has no right to invade my privacy. We do not have any contract whatsoever with PPL Electric Utilities Corporation for them to take it upon themselves to collect data from our household to profile us as individuals or send any

information to a third party to profit. The standing agreement we had with PPL Electric Utilities Corporation was to be provided with clean electricity without sacrificing our privacy or gathering information. This also was explained repeatedly in documentation to Attorney Ryan. Please refer to the document you received dated 2/10/2019. This document also refers to trespassing, stalking, wiretapping, assault as well as other liabilities to include criminal and civil action.

(e) As explained to Attorney Ryan and the Pennsylvania Public Utility Commission in numerous documents they received by certified mail PPL Electric Utilities Corporation is in violation of our first, fourth, and fifth amendment Constitutional rights as well as laws provided to us under the Pennsylvania Constitution regarding wire tapping, electronic surveillance or any other means to collect data from our property without permission or consent. We have a right to privacy without fear. We should have a reasonable expectation of privacy in our home. PPL Electric Utilities Corporation is in violation of our Constitutional rights. The Supreme Court has recognized certain fundamental rights that we inherited as part of our Liberty to include privacy. Nothing outweighs the privacy of a citizen of this country. The fourth amendment protects us from individual's illegal search and seizure, however, this is exactly what PPL Electric Utilities Corporation is doing. Please refer to other documents and information relating to our privacy.

PPL to Complainant 1-2

Under our Constitutional right to privacy this information is unavailable. However if you are trying to make connections to our usage to other equipment that we may or may not have we must remind you that any device that could have been purchased was by choice not by force as PPL Electric Utilities Corporation is doing with the smart meter installation. Additionally, other devices such as a cell phone, microwave, wifi, etc., all come with a warning advertising that there is a risk of being harmful to ones health such as cancer, brain tumor, breast cancer, etc. It seems that PPL Electric Utilities Corporation had purposely excluded this warning of the danger of smart meters to the general public. Additionally, all of the devices mentioned can be physically turned off and the risk ended. Whereas the smart meter has electrical pulsations going through our home 24 hours a day, 7 days a week, 365 days a year. Therefore, we are being bombarded continuously by EMF.

PPL to Complainant 1-3

Under our Constitutional rights to privacy this information is unavailable. This is answered in 1-2.

PPL to Complainant 1-4

(a) This information was already provided in previous documentation and the above caption.

(b) After installation of smart meter.

(c) Violation of right to privacy

(d) Violation of right to privacy

(e) The information was provided in previous documents received by certified mail.

PPL to Complainant 1-5

(a) Dana Brennan, 16 Oslo Way, Newfoundland, PA 18445. Qualifications: caregiver, mother & housewife, taking care of my veteran husband who had undergone brain surgery and takes grand mal seizures, my 15 year old son who had ADHD and myself who underwent laser surgery.

(b) The danger of Smart meters as previously explained.

(c) As previously explained information has been obtained through research on Youtube, news corporations and The World Health Organization which you can look up.

PPL to Complainant 1-6

(a) N/A

(b) N/A

(c) N/A

(d) N/A

Complainant to PPL Electric Utilities Corporation.

Attorney Ryan, as you were well aware of from the beginning, I, Mrs. Dana Brennan, as the Complainant, have always asked for a fair, reasonable and peaceful solution by requesting that an analog meter be re-installed and allowing us to opt out of the smart meter which has been done by other public electric utility companies. I had brought this to your attention in documents already in your possession.

We will have no other alternative but to send out the same request of documentation as we received requesting full disclosure of all records without exception to include all testing and findings related to PPL Electric Utilities Corporation smart meters, information relating to the level of radiation being

emitted by the smart meters as well as other information such as the members of general public requesting removal of smart meters and why.

We will allow 20 days to receive a reply before sending official requests for the information as well as a request to the amount of money that PPL Electric Utilities Corporation will generate by using their spyware and selling to a third party as well as other requests for information not mentioned. Attorney Ryan, it was never our intention to open up a can of worms, however, our respectful request to re-install an analog meter has been ignored and never mentioned thus far and has seemed to fall on deaf ears. I hope your firm and PPL Electric Utilities Corporation can come to terms with our reasonable request and solution. We respectfully ask the Pennsylvania Public Utility Commission to allow us to live without the threat of spyware or any health hazard accompanied by the smart meter installation.

Respectfully Submitted

David L. Brennan

7-3-19

FROM:

Mrs. Dana Brennan
16 Oslo Way
Newfoundland, PA 18445

JUL 08 2019

TO:

Mr. Phil Walnock, Program Manager, Advanced Metering
PPL Electric Utilities
835 Hamilton St. Suite 150
Allentown, PA 18101-1179

CC: Devin T. Ryan, Post & Schell, P.C.

17 North Second Street, 12th Floor

Harrisburg, PA 17101-1601

Pennsylvania Public Utilities Commission
400 North Street

Harrisburg, PA 17120

Docket No. C-2019-3007121
February 10, 2019

Prior to the installation of the smart meter a PPL Electric Utilities representative. Was told not to install the smart meter and left. Later without consent or permission PPL Electric Utilities snuck onto our property and installed the meter without our permission or consent.

**NOTICE OF NO CONSENT TO TRESPASS, SURVEILLANCE AND RADIATION POLLUTION
AND FIRE HAZARD**

NOTICE OF LIABILITY, ADHESION CONTRACT

Dear Mr. Phil Walnock, PPL Electric Utilities and all agents, officers, employees, contractors and interested parties,

In regard to your possible intention to install an electronic utility meter at the above address, those meters violate the law and cause endangerment to users and the public due to the following factors:

- 1) They individually identify electrical devices and record when they are operated causing invasion of privacy.
- 2) They monitor household activity and occupancy in violation of rights of domestic privacy.
- 3) They transmit wireless signals which can be intercepted by unauthorized and distant parties.
- 4) No power company or other individual or agency has consent to conduct surveillance or monitoring or to emit radiation (RF, EMR, EMF) on our property with an electronic utility meter. If such consent is presumed, it is hereby denied.
- 5) Data about occupant's daily habits and activities are collected by digital meters, recorded and stored in permanent databases which are accessed by parties not authorized or invited to know and share that private data. Employees and officers of the utility company are not authorized to collect, view or share

such private and personal data.

5) Those with access to the data can review a permanent history of household activities taken and viewed unlawfully and without the consent of occupants and subjects of the surveillance.

6) Those databases may be shared with, or fall into the hands of unauthorized law enforcement, private hackers of wireless transmissions and other unidentified parties for use against the interests of the energy subscribers and the occupants of the structures without their knowledge and consent.

7) Electronic utility meters are, by definition, surveillance devices which violate Federal and State wiretapping laws by recording and storing databases of private and personal activities and behaviors in situations where privacy is expected and private activities are recorded without the consent or knowledge of those people who are monitored.

8) It is possible for example, with analysis of certain electronic utility meter data, for unauthorized and distant parties to determine medical conditions, sexual activities, physical locations of persons within the home, vacancy patterns, general affluence, trade secrets and personal habits of occupants.

9) Digital meters cause, by intentional transmission and/or incidental disruption of house current with switch mode power supplies, cancer-causing electromagnetic radiation to be emitted in proximity of the installed location and property in violation of laws against public endangerment, assault and commission of bodily harm.

10) Digital Meters are designed to transmit using electromagnetic radiation known to cause cancer and many other diseases, illnesses and symptoms.

11) Digital meters have no surge protection and are unlawful fire hazards which are not permitted on our property.

12) FCC regulations require that no radio transmitters may be installed on private property without the consent of the property owner. Consent is hereby denied.

For the above reasons, and by right of occupancy and property ownership, I prohibit and deny consent of, any installation and use of any monitoring, eavesdropping, monitoring, surveillance and radiation emitting devices on my property and place of residence and rightful occupancy, especially in the form of an electric utility meter. Any attempt to install any such device directed at me or other occupants on my property or residence will constitute trespass, stalking, wiretapping and assault, all prohibited and punishable by law through criminal and civil actions. All persons, government agencies and private organizations responsible for installing or operating monitoring devices which I consider to be unlawful will be fully liable for major financial and compliance claims and demands in unlimited monetary value. This is legal notice. The liabilities and obligations listed above are true and binding upon all parties upon delivery of this notice. These terms and conditions apply without regard to status or existence of any "opt-out" contract.

Utility service may not be denied for refusal of unlawful conduct by the utility company or for any act of self defense or any exercise of property rights.

Because this issue is related to misconduct, violations and crimes by you and your utility company policies, no fees, charges or penalties may be associated with any remedies you are requested to provide.

Under my authority as owner and/or rightful occupant of the above property, and under your implied or expressed application to enter that property, this is an adhesion contract to which you are now bound until and unless you respond with factual and supported rebuttal to ALL of the above points in a sworn statement by an authorized and identified party within 21 days of this delivery. Any rebuttal must show your authority to install an unlawful radiation-emitting surveillance device (digital electric "meter") on my property without my consent. Because you are violating the law, your easements do not provide that authority. Expect rebuttal to any claim of such authority. Any failure to timely show and prove full and

binding authority to install the unlawful and harmful device on my property and/or place of occupancy will be agreement with all terms and conditions herein. I deny and refuse any past, present and future proposal, offer, demand or claim contrary to any terms or conditions herein.

Notice to principle is notice to agent and notice to agent is notice to principal. All rights reserved.

Mrs. Dana Brennan 2-18-2019

Mrs. Dana Brennan, Property owner 16 Oslo Way, Newfoundland, PA 18445

APPENDIX C

August 2, 2019 Order Granting Motion to Compel

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Dana Brennan	:	
	:	
v.	:	C-2019-3007121
	:	
PPL Electric Utilities Corporation	:	

ORDER GRANTING MOTION TO COMPEL

On January 14, 2019, Dana Brennan (Complainant) filed a Formal Complaint against PPL Electric Utilities Corporation (PPL or Respondent) seeking the removal of a smart meter at her service property in Wayne County, Pennsylvania. Complainant alleges: 1) that radiofrequency fields from smart meters have adverse health effects; and 2) there are data privacy issues with the meters.

The Complaint was served upon PPL on January 16, 2019. PPL served its Answer on February 5, 2019, denying the material averments in the Complaint. On February 14, 2019, a Call-In Telephone Hearing Notice was issued scheduling a hearing for September 10, 2019. On March 7, 2019, a Prehearing Order was issued directing Complainant to serve copies of statements, reports and any direct written testimony of any expert witnesses intended to be called at the hearing by July 5, 2019.

PPL served its Set I Interrogatories and Requests for Production of Documents (Set I) upon the Complainant on June 12, 2019. Objections were due on June 24, 2019. Complainant never served objections. Complainant served responses to Complainant Set I, however, she did not respond to Questions 2, 3, 4 and 7.

On July 17, 2019, PPL filed a Motion to Dismiss Objections and Compel Responses to Discovery. An Answer to the Motion to Compel was due on or before July 23, 2019. Complainant never served responses to the Motion to Compel or complete responses to Questions 2, 3, 4, and 7. The hearing in this matter is currently scheduled for September 10, 2019.

In its Motion to Compel, PPL seeks an order compelling full responses to Set I, Questions 2, 3, 4, and 7. Specifically, PPL seeks the identification of all wireless phones, cellphones, microwave ovens, wireless routers, wi-fi networks, tablets, computers, Bluetooth speakers, wireless security systems, smart speakers, garage door openers, baby monitors, and walkie talkies in the service property. PPL requests the make, model and amount of cell phone usage and 12 months of phone bills showing usage for any cell phones used in the household.

Complainant objects on the grounds of a Constitutional right to privacy. Conversely, PPL claims its interrogatories regarding electronic devices used in the household and any medical records pertaining to health conditions allegedly caused or exacerbated by an AMI meter and information about whether those conditions were diagnosed by a medical professional.

I find information requested in PPL Interrogatories 2, 3, 4 and 7 may be admissible or lead to discovery of admissible evidence at the hearing and is discoverable under the broad terms of 52 Pa. Code Section 5.321. Whether there are devices emitting radio frequency fields in the service property and the frequency and duration of the usage of these devices, including cell phones, may be admissible and relevant at the hearing. Additionally, as Complainant alleges adverse health effects from an AMI meter, information pertaining to the medical records of individuals claiming deleterious effects from AMI meters are likely to lead to admissible evidence. Interrogatory No. 7 is a basic discovery request for exhibits is also permissible. A Protective Order will be entered concurrent with this Order so as to protect any information pertaining to cell phone records or medical records that Complainant wishes to identify as “confidential” in Complainant’s responses.

C-2019-3007121 - DANA BRENNAN v. PPL ELECTRIC UTILITIES CORPORATION

DANA BRENNAN
16 OSLO WAY
NEWFOUNDLAND PA 18445
570.676.0745

DEVIN T RYAN ESQUIRE
17 NORTH 2ND STREET
12TH FLOOR
HARRISBURG PA 17101-1601
717.612.6052
Accepts eService

APPENDIX D

Dana Brennan's Supplemental Answers to PPL Electric Utilities Corporation's Interrogatories and Requests for Production of Documents – Set I

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Dana Brennan :
 :
 v. : C-2019-3007121
 :
 PPL Electric Utilities Corporation :

ANSWER TO MOTION TO COMPEL

Answer to question 2 and 3 of PPL Electric Utilities Corporation Set I
Interrogatories and requests for production of documents:

I am not using a health issue as an argument, but will continue to voice my opinion of the Smart Meter danger under the Constitutional First Amendment. My argument and complaint primarily will be the violation of my Constitutional rights of the 3rd, 4th and 14th Amendments as well as other laws that were previously brought to your attention. PPL Electric Utilities Corporation is invading my privacy and property by trespassing as they collect personal information from my home and use thereof.

It has been pointed out from the start that the items listed below can all be turned off, unlike the Smart Meter PPL Electric Utilities Corporation has illegally installed which continuously transmits microwave radiation frequency 24 hours a day, 7 days a week, 365 days a year. Therefore, the items below are actually safer since their transmission can be terminated in comparison to the Smart Meter which cannot.

I-2. One HP windows 7 desktop WIRED computer. Used occasionally.
One Verizon router.

I-3. One Samsung cell phone, pay as you go, no records. Used occasionally.

Questions that PPL Electric Utilities Corporation must answer
#10, 11, 12, 13, 14, 15 on enclosed document Objection by Dana Brennan.

Respectfully Submitted to Honorable Judge Barnes,
Dana Brennan
Dana Brennan

Cc: Devin Ryan
Secretary Rosemary Chiavetta