



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Main Fax
www.postschell.com

Devin Ryan

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

September 13, 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: Stephanie Wright v. PPL Electric Utilities Corporation
Docket No. C-2018-3006049

Dear Secretary Chiavetta:

Enclosed for filing is the Motion of PPL Electric Utilities Corporation to Dismiss the Formal Complaint of Stephanie Wright 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 read 'Devin Ryan', is written over a horizontal line.

Devin Ryan

DTR/jl
Enclosure

cc: Honorable Elizabeth Barnes
Certificate of Service

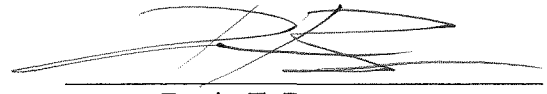
CERTIFICATE OF SERVICE

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 E-MAIL & FIRST CLASS MAIL

Stephanie Wright
243 Old Bethlehem Road
Quakertown, PA 18951
E-mail:Hawkecho@gmail.com

Date: September 13, 2019



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Stephanie Wright,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2018-3006049
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**MOTION OF PPL ELECTRIC UTILITIES CORPORATION TO
DISMISS THE FORMAL COMPLAINT OF STEPHANIE WRIGHT**

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 Stephanie Wright (“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 27, 2019. In support of its Motion, PPL Electric states as follows:

I. INTRODUCTION

1. On November 16, 2018, PPL Electric was served with the Formal Complaint filed by the Complainant against the Company, which challenged the planned installation of the Company’s new automated metering infrastructure (“AMI”) meter at the service address.
2. On December 6, 2018, PPL Electric timely filed its Answer to the Complaint.
3. On December 12, 2018, a Notice was issued scheduling the telephonic evidentiary hearing for July 11, 2019 before the ALJ.

4. On February 1, 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 April 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 April 22, 2019, and responses were due on or before May 2, 2019.

7. The Complainant never served any objections or answers to PPL to Complainant Set I.

8. Pursuant to the Prehearing Order dated February 1, 2019, the Complainant was required to serve any statements, reports, and direct testimony of any expert witness she intends to call on or before May 3, 2019.

9. The Complainant has not served any statements, reports, and direct testimony of any expert witness on PPL Electric to date.

10. The Company served its direct testimony and exhibits in this case on June 3, 2019, as required by the Prehearing Order.

11. On July 1, 2019, PPL Electric filed a letter requesting that the telephonic evidentiary hearing be rescheduled for September 20, 2019.

12. On July 2, 2019, a Notice was issued rescheduling the telephonic evidentiary hearing for September 20, 2019.

13. On August 13, 2019, PPL Electric filed a Motion to Compel responses to PPL to Complainant Set I.

14. The Complainant did not file an Answer to the Motion to Compel.

15. On August 27, 2019, the ALJ issued an Order granting PPL Electric's Motion to Compel. The Order specifically directed the Complainant to provide complete responses to PPL to Complainant Set I by "no later than September 12, 2019." A true and correct copy of the Order Granting Motion to Compel is attached hereto as **Appendix B**.

16. On September 6, 2019, PPL Electric received the Complainant's responses to PPL to Complainant Set I. However, the Complainant failed to provide complete responses to Questions 2, 3, and 4, as directed by the Order Granting Motion to Compel. A true and correct copy of the Complainant's responses is attached hereto as **Appendix C**.

17. As of the filing of this Motion, no complete responses to PPL to Complainant Set I, Questions 2, 3, and 4 have been received.

18. 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 27, 2019 Order Granting Motion to Compel and the Commission's regulations.

II. LEGAL STANDARDS

19. 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.*

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

21. 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).

22. 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

23. 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 27, 2019 Order Granting Motion to Compel.

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

25. In Question 2, PPL Electric has asked that the Complainant 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 talks that are contained in or used in the house. This inquiry is relevant to whether the Complainants expose themselves to technology that emits higher levels of radio frequency (“RF”) fields than the new AMI meter.

26. Relatedly, in Question 3, the Company has requested information regarding the Complainant’s cell phone usage and records of such usage. Using this information, PPL Electric could calculate the amount of the Complainant’s RF exposure from any cell phones and compare it to the lower amount of RF exposure from the new AMI meter.

27. In her responses to Questions 2 and 3, the Complainant states that she “object[s] to answering” these questions. Appendix C.

28. However, the Complainant cannot “object” to providing these responses. The due date for objections to these discovery requests has long since passed, and the ALJ explicitly ordered the Complainant to provide responses to these interrogatories.

29. 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.

30. The Complainant claims that she does not need to provide any of this information or her medical records because “[w]e do not presently have a smart meter installed.” Appendix C.

31. The Complainant fails to recognize that Question 4 is not limited to health conditions she alleges have been caused by the AMI meter. Rather, it also encompasses any health conditions the Complainant alleges “will be caused or worsened by the installation of the AMI meter.”

32. Thus, the Complainant cannot refuse to provide this response and the requested medical records simply because the AMI meter has not been installed yet.

33. 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.

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

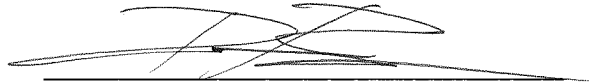
35. Importantly, the Commission has regularly dismissed AMI meter complaints with prejudice due to the complainants’ failure to answer discovery in compliance with the presiding administrative law judge’s orders granting motions to compel. *See, e.g., Carol Sojda and Carol Lutzkanin v. Metropolitan Edison 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).

36. 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 Stephanie Wright with prejudice.

Respectfully submitted,



Kimberly A. Klock (ID # 89716)
Michael J. Shafer (ID # 205681)
PPL Services Corporation
Two North Ninth Street
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)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: dryan@postschell.com
glent@postschell.com

Curtis S. Renner (ID # 326488)
Watson & Renner
1901 Pennsylvania Avenue, NW
Suite 1005 - ENS
Washington, DC 20006
Phone: 202-737-6302
E-mail: crenner@w-r.com

Date: September 13, 2019

Attorneys for PPL Electric Utilities Corporation

APPENDIX A

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



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Main Fax
www.postschell.com

Devin Ryan

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

April 12, 2019

VIA CERTIFIED MAIL (7017 1450 0002 3778 0871)
VIA E-MAIL

Stephanie Wright
243 Old Bethlehem Road
Quakertown, PA 18951

Re: Stephanie Wright v. PPL Electric Utilities Corporation
Docket No. C-2018-3006049

Dear Ms. Wright:

Enclosed are the Interrogatories and Requests for Production of Documents Propounded by PPL Electric Utilities Corporation on Stephanie Wright – 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/jpf
Enclosures

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

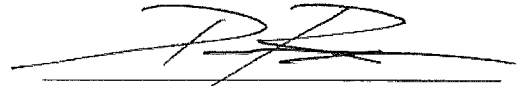
CERTIFICATE OF SERVICE

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 E-MAIL & FIRST CLASS MAIL

Stephanie Wright
243 Old Bethlehem Road
Quakertown, PA 18951
E-mail: Hawkecho@gmail.com

Date: April 12, 2019

A handwritten signature in black ink, appearing to read 'D. Ryan', written over a horizontal line.

Devin T. Ryan

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Stephanie Wright,	:	
	:	
Complainant	:	
	:	
v.	:	Docket No. C-2018-3006049
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent	:	

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED BY
PPL ELECTRIC UTILITIES CORPORATION ON
STEPHANIE WRIGHT – 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 Stephanie Wright (“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-2018-3006049.

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED ON
STEPHANIE WRIGHT – 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

August 27, 2019 Order Granting Motion to Compel

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Stephanie Wright

v.

PPL Electric Utilities Corporation

:
:
:
:
:

C-2018-3006049

ORDER GRANTING MOTION TO COMPEL

PPL Electric Utilities Corporation (PPL or Respondent) served its Set I Interrogatories and Requests for Production of Documents (Set I) upon Stephanie Wright (Complainant) on April 12, 2019. Objections were due on or before April 22, 2019. Responses were due on or before May 2, 2019. Complainant never served responses or objections to PPL. On August 13, 2019, PPL filed a Motion to Compel. Complainant has not filed a response to the Motion.

In its Motion to Compel, PPL seeks an order compelling full responses to Set I, Questions 1-7. Specifically, PPL requests information about Complainant's above-mentioned allegations. 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 amount of cell phone usage and 12 months of phone bills showing usage. PPL requests medical records, medical diagnoses and/or prescribed treatment of therapy associated with the medical conditions Complainant alleges result from exposure to meters. PPL requests the identification of every witness Complainant intends to call at the September 20, 2019 hearing, the curriculum vitae of the witness, subject matter and sources of information relied upon or referenced in the witness' testimony. Finally, PPL requests copies of all exhibits intended to present at the evidentiary hearing.

52 Pa. Code § 5.342(a)(4) provides that a party must answer fully and completely unless an objection is made. This includes the production of documents and information sought

C-2018-3006049 - STEPHANIE WRIGHT v. PPL ELECTRIC UTILITIES CORPORATION

Revised 7/2/2019

STEPHANIE WRIGHT
243 OLD BETHLEHEM RD
QUAKERTOWN PA 18951
215.322.2158

Accepts E-Service

KIMBERLY A KLOCK ESQUIRE
MICHAEL J SHAFER ESQUIRE
PPL SERVICES CORPORATION
TWO NORTH NINTH STREET
ALLENTOWN PA 18101
610.774.5696
610.774.2599

Accepts E-Service

Representing PPL Electric Utilities Corporation

DEVIN T RYAN ESQUIRE
GARRETT P LENT ESQUIRE
17 NORTH 2ND STREET
12TH FLOOR
HARRISBURG PA 17101-1601
717.612.6052
717.612.6032

Accepts E-Service

Representing PPL Electric Utilities Corporation

CURTIS S RENNER ESQUIRE
WATSON & RENNER
1901 PENNSYLVANIA AVE NW SUITE 1005-ENS
WASHINGTON DC 20006
202.737.6302

APPENDIX C

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

SEP 06 2019

S. WRIGHT
DKT C-2018-300049

1084

Smart Meter Questions

1.

(a) Why am I challenging the install? Because it's an unnecessary 'upgrade' that was forced upon the customer and I have no interest in paying for one to be installed or for relocation of the present meter box.

(b) There have been zero long term studies done on how the smart meters effect living things. Your own company admits this as the tech is barely a decade old.

Smart Meters and "Dirty Electricity"

Smart Meters placed on homes appear to have a particularly devastating effect on health as this pulsed non-ionizing radiation is transmitted through household wiring, creating widespread local fields of what is termed dirty electricity (**Dirty electricity EMF Analysis**) Although aiming to connect wirelessly to our appliances and Internet of Things Appliances that are now being sold, this disharmonic mix of frequencies from both wired and wireless sources can affect our biological functioning. This is despite the fact that these levels are well below the **ICNIRP Guidelines** that are considered "safe". Sienkiewicz et al notes that with regards to research in this field, "there is a crucial difference between epidemiology studies and laboratory work in terms of signals investigated: most people are exposed to a complex mixture of frequencies and signals at varying intensities, whereas the majority of animal studies have been performed using a single frequency or intensity." **Are Exposures to Multiple Frequencies the Key to Future Radiofrequency Research?**

- For an engaging, concise and helpful explanation see also **Electrical Pollution in Your Home**, **Alison Main, Nov 2017**.

Research on Smart Meters

Although there is a growing body of peer reviewed evidence that wireless non-ionizing microwave electromagnetic radiation is harmful to all living organisms at high and low exposures and to all organ systems there is virtually no research on Smart Meters themselves. **Dr. Lamech**, however, examined a government survey in Victoria, Australia looking at symptoms development after smart meters were installed. One would expect adverse symptoms similar to electrosensitivity and this was confirmed by Frederica Lamech (2014).

She writes, "In 2006, the government in the state of Victoria, Australia, mandated the rollout of smart meters in Victoria, which effectively removed a whole population's ability to avoid exposure to human-made high-frequency nonionizing radiation. This issue appears to constitute an unprecedented public health challenge for Victoria. By August 2013, 142 people had reported adverse health effects from wireless smart meters by submitting information on an Australian public Web site using its health and legal registers."

After removing any ineligible participants without confirmed address, she took a survey of symptoms reported after the smart meters were placed. She found host of adverse physical health symptoms. These symptoms had a negative effect on these peoples lives in terms of normal functioning. Notably only 8% of the 92 final group reported they had electrosensitivity prior to the installation of smart meters, which Dr. Lamech states, "... points to the possibility that smart meters may have unique characteristics that lower people's threshold for symptom development." The most common reported symptoms were:

- insomnia
- headaches
- tinnitus
- fatigue
- cognitive disturbances
- dysesthesias (abnormal sensation)
- dizziness

Dr. Lamech Research

Self-reporting of symptom development from exposure to radiofrequency fields of wireless smart meters in Victoria, Australia: A case series. Self Reporting of symptom development from exposure to radio frequency fields of wireless smart meters in Victoria, Australia... <https://www.ncbi.nlm.nih.gov/pubmed/25478801>

Dr. De-Kun Li Provides Testimony to the FCC on Smart Meter Harm.

Dr. De-Kun Li Testimonial Letter to FCC regarding electromagnetic radiation. <https://ecfsapi.fcc.gov/file/7022311506.pdf>

Dr. De-Kun Li Testimony FCC-- Docket2011-00262 <https://ecfsapi.fcc.gov/file/7520940945.pdf>

Research on EMR Exposure from Smart Meter: Within ICNIRP guidelines

All measurements done in the lab were well below ICNIRP reference level for the general public. The issue that has been brought up by electrical engineers is that the radiofrequency radiation that travels from the Smart Meter also apparently travels through the wiring of the house setting up an electromagnetic field in all of the electrical wiring. This could account for the symptoms felt by many when Smart Meters are placed.

- **Exposure to electromagnetic fields from smart utility meters in GB; part I) laboratory measurements. (2017)** Peyman A et al. Bioelectromagnetics. 2017 Mar 21. <https://www.ncbi.nlm.nih.gov/pubmed/28324620>
- **Assessment of exposure to radio frequency electromagnetic fields from smart utility meters in GB; part II) numerical assessment of induced SAR within the human body. (2018)** Quresho MRA et al. Bioelectromagnetics. 2018 Apr;39(3):200-216.

An Inconvenient Truth: Richard H. Conrad, Ph.D. Pre- Filed Testimony to Maine PUC on smart Meters

Dr. Conrad, who received a Biochemistry degree from John Hopkins University and completed post graduate work at the Institute of Molecular Biophysics of Florida State University and in the Department of Biochemistry of Cornell University, gave clear and compelling expert testimony to the Maine Public Utilities Commission in 2013 regarding Smart Meters. He describes the key issues with development of electrosensitivity symptoms after the installation of Smart Meters, reporting on his own Smart meter survey. He dispels the myths of electrosensitivity and provides scientific evidence that electrosensitivity is NOT a nocebo effect.

Dr. Conrad notes, "If a government agency or a corporation was forcing the deployment of technology on citizens that was known in advance to cause disability or significant harm to one out of every 100 citizens, would this amount of harm be "acceptable" or would it be cause to halt such deployment? What would the

DK1 C-798-
3006049
304

probability of harm have to be to be prevent deployment? The actual acceptable limit chosen would probably be proportional to the perceived degree of necessity of the particular technology. Most technology is not as necessary as we think it is. There is always a safer design. The precautionary principle is the only ethical way to proceed.

AN INCONVENIENT TRUTH:

"Smart meters are sensitizing hundreds of thousands, maybe millions of people all over the world to become Electrically HyperSensitive, regardless of the stubborn adherence of industry and the FCC to thermal "safety" standards. Their response to non-thermal evidence is to ignore, disregard, deny, and above all, disbelieve. They neither conduct nor support unbiased non-thermal effects research." Dr. Conrad- Maine Public utilities Commission Testimony on Smart Meters. 2013.

Health Effects Reported with Smart Meters

Once these Smart Meters began to be installed in different states, reports of adverse health effects similar to electrosensitivity surfaced. These symptoms include fatigue, insomnia, poor concentration and heart palpitations. These are especially noted when Smart Meters are installed near where peoples heads are in the bedroom. When the Smart Meters were removed many people reported their symptoms resolved. Some people have to leave there homes due to immediate severe adverse symptoms. Because of the widespread health effects that were observed, in addition to reports of inaccurate inflated billing and privacy issues, at least 24 states have a Smart Meter Opt Out Law of one degree or another . Smart Meter Opt Out Laws in 24 States Massachusetts is one of the most recent states to consider a similar Bill- S1684 Smart Meter Opt Out Massachusetts.

Opt Out Option in 24 States

Many citizens and community groups have organized in the United States and abroad to oppose and stop Smart Meter installations for several reasons, including health effects. As noted above 24 states now have an opt out option. Reports of harassment and power being shut off has raised concern and awareness about this issue. Michigan is now in the middle of assessing their utility, DTE Energy Corporation, with testimony being entered into the record for 2018 (see below). Massachusetts is the latest to propose legislation allowing opt outs for smart meters Massachusetts Bill S 1864 , S 1864-An Act relative to utilities, smart meters, and ratepayers' rights.

California Opt-Out

In Northern California you can call Pacific Gas and Electric (PG&E) Opt Out Program at 1-866-743-0263 and ask to Opt Out or call your local utility. People who do not wish to keep their Smart Meters in the 24 states that allow this can call their local utility as well to return back to an analogue meter with a human meter reader. Note that municipalities vary even in states to allow opting out of Smart Meters.

(c) When I first started fighting this ten years ago many were proven faulty and several houses burned down because of them. That tends to put a damp on any perceived trust in the product or company.

(d) In Aug 2018 the US Court literally had to agree that any and all information collected by the smart meters were protected under the 4th Amendment and forced the power companies to cease selling the information to 3rd parties. Privacy means nothing when compared to the money that can be made.

DLG-C-2018-
3006049
4 of 4

Then there's the question of hacking. We keep being told that there are 'safety measures in place' but how do we know that we're safe? Just because you tell us we are means nothing. Apparently in five minutes on the Internet I've learned that it all comes down to a single chip in each meter that holds a pair of symmetric AES-128 encryption keys which are spoofable and means that someone with the know-how can do anything from using the smart meter to read higher or lower to simply shutting it down completely. I'm not pleased with that from a home owner's stand point and it's terrifying from a community view. That doesn't even touch on the micro data usage that's collected up to a thousand times a day which is unnecessary and invasive.

(e) Pending smart meter legislation in PA.

I would like to see how these bills fare before being forced into having one installed.

HB 310	Consumer Consent to Share Smart Meter Information	Referred to House Consumer Affairs Committee (February 1, 2019)	Energy Efficiency
HB 311	Consumer "Opt Out" of Smart Meter Usage	Referred to House Consumer Affairs Committee (February 1, 2019)	Energy Efficiency
HB 312	Repeal of Smart Meter Mandate	Referred to House Consumer Affairs Committee (February 1, 2019)	Energy Efficiency
HB 313	Smart Meter Legislation	Referred to House Consumer Affairs Committee (February 1, 2019)	Energy Efficiency

2. I object to answering this question. It is invasive and has nothing to do with my objecting to having a smart meter installed against my wishes since unlike 24 other states PA does not permit an Opt-Out.

3. I object to answering this question. It is invasive and has nothing to do with my objecting to having a smart meter installed against my wishes since unlike 24 other states PA does not permit an Opt-Out.

4. We do not presently have a smart meter installed. And I have already answered this in question #1b.

5. I have none as I know I am going to be forced to have the smart meter installed against my wishes since this is a farce. I am presently making arrangements with PPL via Carmen Horton to have a post installed away from the house or waiting until the garage, which is presently under construction, is sufficiently built to have the meter box moved to the post and then install the smart meters.

6. See answer to #5.

7. See answer to #5.

S. WRIGHT
243 OLD BETHLEHEM RD
QUAKERTOWN, PA 18951



7019 0140 0000 2032 4432

PHILADELPHIA



1000



17101

U.S. POSTAGE PAID
FCM LETTER
QUAKERTOWN, PA -
18951
SEP 04, 19
AMOUNT

\$6.85

R2305K134932-06

DEVIN RYAN, ASSOC.
POST + SCHELL, P.C.
17 N 2ND ST
12TH FLOOR
HARRISBURG, PA 17101

17101-163812

