

28
September 28, 2019

ANASTASIOS SMALIS
LIPSOSS CORP CONSTRUCTORS
6652 NORTHUMBERLAND ST
PITTSBURGH PA 15217
412 303 5564
EMAIL:smalisanastasios18@gmail.com

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SEP 28 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

ROSEMARY CHIAVETTA SECRETARY
COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA PUBLIC UTILITY COMMISSION
400 NORTH ST 2nd FLOOR
HARRISBURGH, PA 17120

Reference: PUC file NO.C-2019-3012350

Dear Madam:

Attached is your letter dated September 22, 2019 indicating directions for signature. This document was provided to me from a potential counsel for representation but no documents were attached. As of today September 26, 2019 at 5 pm no documents were received. I took the liberty to resign all documents for in order to meet your deadline. Also I received noted signature pages on September 27, 2019 which I am attaching with signatures. Anastasios Smalis is president of Lipsoss Corp and Anastasios Smalis is part of the formal complaint as submitted. I believe the filling that was submitted all to response to Duquesne light were on time due to proper signature other which is original but would sign again both Lipsoss Corp Constructors and Amastasios Smalis.

Hoping this rectifies the signature and filling. If there is anything more that is required please have your clerk contact me by email. Thank you in advance.

Sincerely

Lipsoss Corp Constructors
Lipsoss Corp Constructors
Anastasios Smalis *anastasios Smalis*

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIPSOSS CORP CONSTRUCTORS

Complainant,

Vs

No. C-2019-3012350

DUQUESNE LIGHT COMPANY

Respondent

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**REBUTTAL ANSWERS TO RESPONDENT
ANSWER AND NEW MATTER TO FORMAL
COMPLAINT AND COMPLAINANTS NEW
MATTER OF FRAUD AND ABUSE OF
COMMISSIONS REGULATIONS**

Filed on behalf of Complainant Lipsoss
Corp and Anastasios Smalis pro-se

6652 Northumberland St
Pittsburgh PA 15217
412 303 5564

email: smalisanastasios18@gmail.com

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**BUTTAL ANSWERS TO RESPONDENT
ANSWER AND NEW MATTER TO FORMAL
COMPLAINT
AND COMPLAINANTS NEW MATTER OF FRAUD AND ABUSE OF COMMISSIONS
REGULATION**

Complainant Lipsoss Corp and Anastasios Smalis files its Rebuttal Answers to Respondents Answer and new Matter to Formal Complaint are as folow.

1. Answer as to No.4 the complaint filed in the Allegheny County Court of Common Pleas Docketed at GD-19-009684 has been withdrawn without prejudice and moved to the United States District Court for the Western District of Pennsylvania No. 19-1066 due to new U. S. Supreme Court Knick v. Scott township which the court ruled on the taking clause under the 5th Amendment Knick can proceed to federal Court at any time instead going through the state court. Claimant believe case against City of Pittsburgh is a mirror to the U. S. Supreme Court Ruling.

Complainant as to Duquesne Light Company and (OSHA) has been withdrawn without prejudice from the federal Complaint No. 19-1066 on September 19, 2019 as in complainants "Exhibit A-2" so that complaint filed with the PA PUC against Duquesne Light Company can proceed properly.

At present complainant counsel Shaheen Wallace has not answered emails for the representation of complainant. Complainant request permission to retain counsel and allow 30 days period to obtain proper counsel for representation of Lipsoss Corp Constructors.

As to respondents claim of 15 Pa. C. S. A. 1511, Complainant is within their right to file this formal complaint with the PA PUC due to respondent never obtained an easement of aerial rights to place less than 7 feet on top of claimants roof as submitted photos as "Exhibits." Respondent never obtained Eminent Domain as require by 052. Pa. Code 57.91 for public purpose electricity as require by the commission. Property was condemned by the City of Pittsburgh Building inspection due to respondent misled complainant that "we were here first" after letter dated September 8, 2010 as submitted as "Exhibit 25" in the formal complaint to the commission and now submitted as "Exhibit A-3 clearly misled and defrauded complainant in refusing to remove High-Tension bare wire over complainants roof which amounts to trespass. The commission's regulations have been violated by respondent. Supervisor of safety informed complainant the bare wires are 23.000 volts. The PA PUC regulation provides that utility company must obtain lease or easement to go over private property which amounts to trespass under Pa law.

Respondent has always maintained that they were here first and refer to City of Pittsburgh Right-Away department which advised claimant that complainant does not own the aerial rights to my building and property. This scenario between the respondent and Pittsburgh Right-Away Department has been going for 10 years without complainant rights to access to the back of building in a safe manner to comply with the federal regulations 29-CFR 1926 Subpart L enacted November 29, 1996 which states (any worker working near HIGH VOLTAGE WIRES must be at least 10 feet away.) Scaffolds-Outlined requirements for working near energized power lines. The energized power lines were over complainant's roof less than 7 feet over the roof and Duquesne Light Company refusal to remove power lines away from over complainant's roof amounts to negligence and fraud on complainant inability to install scaffolding to comply with the federal law of OSHA 29-CFR 1926 Subpart L enacted 1996. Due to negligence and fraud by DLC the building is condemned and the commissions Eminent Domain regulations should have been exercised by respondent.

Respondent knew of this law and they placed it their web-site as submitted in complainants complaint to the PUC "Exhibit A-1" and now resubmitted as complainants "Exhibit-A-4

Due to damage obtain from the constant rain pouring into the back of the building of over 10 years caused the main center beam on the top floor to collapse over 1 foot which would collapse the back of the building unless emergency repairs to back of building. Proper professional engineering is required to place steel supports from the first, second and third floor to place 50 ton jacks to support and lift 6 heavy timber beams and roof to upright of 1 foot to its proper place. Without this procedure the property is worthless.

Attach for purpose of correcting respondent that they were here first as "Exhibit A 5" pages 1-22 copy of complainant's deeds to 48-R-283 & 285 for 4073 Liberty Pittsburgh PA15224 dating back as to 1890 clearly dictates nowhere did respondent have any conveyance granted to them for any aerial rights.

Attached for purpose of correcting respondents that they were here first as "Exhibit A-6 pages 1-23" of 7 lots deeds to 49-R-351-353-355-356-357-358-359 dating back to 1890 clearly dictates nowhere did respondent have any conveyance granted to them for any aerial right and also on private. Complainant submitted in the formal complaint "Exhibits A-23 and A-24" and resubmits "Exhibits A-6 & A-7. The 7 lots and 2 electrical poles and HIGH-VOLTAGE wires over complainants property. Complainant property rights is own to the curb of Ewing St. Respondent clearly misled complainant which amounts to fraud and abuse of consumer and violated commissions regulations.

As to respondents claim that they meet all requirements to 52 Pa. Code 57.194. Distribution systems reliability, complainant believes respondent has violated section (a) An EDC shall furnish and maintain adequate, efficient, safe and reasonable service and facilities, and shall make repairs, changes, alterations, substitutions, extensions and improvements in or to the service and facilities necessary or proper for the accommodation, convenience

and safety of its patrons, employees and the public. The service shall be reasonably continuous and without unreasonable interruptions or delay.

Claimant believes respondent did violate Pa 52 Pa Code.194 as to the safety of the public, patrons and especially the owners of property due to the erection of high-tension wires over the roof of claimant.

As to answers to No. 5 complainant is within their right and the PUC should reject their objections due to violation of PUC regulations and PA codes as described above.

As to answers to 6. Claimant believes respondent abused claimant in directing them that they were here "first" which amounts to fraud information and abuse of regulation provided by the PA PUC which are governed by the U S Department of energy.

As to respondents No.8 Claimant has spoken with counsel for respondent and counsel will be provided for complainant within 30 days.

CLAIMANTS RESPONSE TO RESPONDENTS NEW MATTER

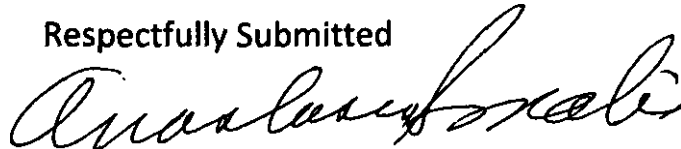
10. No answer is required
11. No answer is required
12. No answer is required
13. Complainant agrees and counsel will be provided by claimant within 30 days
14. Complaint agrees and counsel will be provided within 30 days.
15. Complainant agrees and counsel will be provide within 30 days.
16. Complainant will provide counsel within 30 days or by the hearing date.
17. Complainant information was given to him by the supervisor of safety for respondent.
18. the pole is located in a municipal right away but the arm and high-tension bare wires are over complainant roof less than 7 feet in violation of

federal law and Pa PUC regulation for failure to obtain condemnation of property or easement to enter over private property.

19. The distribution line over complainant roof is in violation of 52 Pa. Code 57.194

HEREFORE Complaint Lipsoss Corp Constructors and Anastasios Smalis respectfully request at the Pennsylvania Public Utility Commission deny respondents answers and new matters. Complainant respectfully request proper hearing before the Pennsylvania Public utility Commission.

Respectfully Submitted



LIPSOSS CORP CONSTRUCTORS

ANASTASIOS SMALIS

6652 Northumberland St

Pittsburgh PA 15217

412 303 5564

Email:smalisanastasios18@gmail.com

PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIPSOSS CORP CONSTRUCTORS

Complainant,

Vs

No. C-2019-3012350

DUQUESNE LIGHT COMPANY

Respondent

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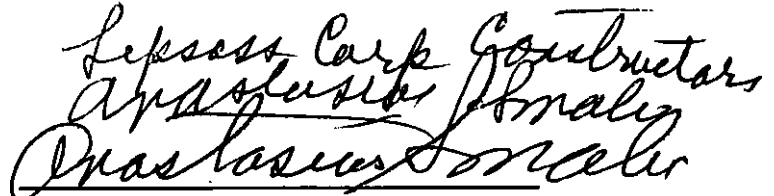
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VERIFICATION

I, Anastasiosn Smalis, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S.4904 (relating to unsworn falsification to authorities).



Anastasios Smalis

LipsoSS Corp Constructors

Dated:9/18/2019

PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIPSOSS CORP CONSTRUCTORS

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Complainant,

SEP 28 2019

Vs

No. C-2019-3012350 PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

DUQUESNE LIGHT COMPANY

Respondent

CERTIFICATE OF SERVICE

I Anastasios Smalis and Lipsoss Corp constructors certify that a true and correct copy of the foregoing documents was sent to the following individuals by first class mail

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SEP 19 2019

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Emily M. Farah
Counsel for respondent
411 Seventh Avenue
Mail drop 15-7
Pittsburgh Pa 15219

Lipsoss Corp Constructors
Anastasios Smalis - Anastasios Smalis
9/18/2019

ORIGIN ID:AGCA (412) 303-5564
ANASTASIOS SMALIS

6652 NORTHUMBERLAND ST

PITTSBURGH, PA 15217
UNITED STATES US

DATE: 28SEP19
ACTWT: 0.40 LB
CAD: 8898397/85F02021

BILL CREDIT CARD

RS

TO ROSEMARY CHIAVETTA, SECRETARY
COMMONWEALTH OF PA, PENNSYLVANIA
PUBLIC UTILITY COMMISSION
400 NORTH ST, 2ND FLOOR
HARRISBURG PA 17120

(000) 000-0000

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