

*gene bazan*

Box 24 Lemont, PA 16851  
814/234-0836 Genebazan@aol.com

October 13, 2019

VIA E-FILING

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utilities Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

RE: Eugene J. Bazan v. West Penn Power Company Docket No. C-2017-2640338

Dear Secretary Chiavetta:

I am copying you on my filing with ALJ Jeffrey A. Watson on October 12, 2019 of our **STATUS REPORT #2 OF EUGENE J. BAZAN IN COMPLAINT AGAINST WEST PENN POWER COMPANY**. I have also copied Attorney Tori Giesler of West Penn Power this same date.

Sincerely,

A handwritten signature in black ink that reads "Eugene J. Bazan". The signature is written in a cursive, flowing style.

Eugene J. Bazan  
Complainant

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITIES COMMISSION**

EUGENE J. BAZAN	:	
	:	
Complainant	:	<b>C-2017-2640338</b> :
	:	
Vs	:	
	:	
FIRST ENERGY/WEST PENN POWER	:	
	:	
Respondent	:	
	:	

**STATUS REPORT #2 OF EUGENE J. BAZAN IN COMPLAINT  
AGAINST WEST PENN POWER COMPANY**

TO THE HONORABLE ALJ Jeffrey A. Watson:

**A. Background**

In your June 28, 2019 “Prehearing Order Establishing Litigation Schedule” you established a timetable including an October 14, 2019 deadline for parties to submit a Status Report in the proceeding. This is complainant’s Status Report.

We are copying Respondent West Penn Power and e-Filing with the PUC.

**B. Recent Chronology**

1. Complainant submitted corrected Expert Witness Testimony of Dr. Tania Slawecki on July 22, 2019.
2. Complainant received WPP’s Interrogatories and Requests for Production of Documents (Set II) in a letter dated August 7, 2109.
3. On August 19, 2019, Complainant objected to questions 1-6 and 11 in the above-mentioned letter and answered questions 7-10 in our letter of August 27, 2019.
4. We did not hear any more on Interrogatories and concluded that WPP had ended discovery by the September 9, 2019 date set in your timetable.
5. On October 1, 2019 complainant requested from you, Judge Watson, the opportunity to open discovery on WPP’s written rebuttal testimony of its witnesses including associated exhibits and documents which the witnesses intend to use, as soon as we receive these. We notified you of our intent to do so, and request you to authorize this if it is necessary. We wished for an amount of time for our discovery comparable to that which you afforded West Penn Power. We copied WPP on this request, and e-Filed with the PUC.
6. In your letter dated October 7, 2019 you, Judge Watson, wrote that I had not verified my copying WPP on this request. In fact, I had done so in the Certificate of Service.

7. On October 9, 2019 I spoke with your legal assistant Dan to clarify this matter (in item 6 above), pointing out that I had noted my copying WPP and e-Filing with the PUC. Dan reviewed my correspondence, agreed with me, and said there was nothing more I had to do. I sent you a confirmatory email on this matter, on which I also copied WPP attorneys Giesler and Lepkoski.
8. As of this mailing, we await WPP's submittal of their Written Rebuttal Testimony and associated exhibits and documents.

### **C. Note on Hearing Dates**

In light of our request to open discovery on respondent's rebuttal testimony for a period of time comparable to that which WPP had, scheduling a hearing in November would not give us this comparable time, slightly over 6 weeks from June 26 when you authorized WPP's discovery request until close of discovery on September 9. With Thanksgiving and Christmas holidays, we suggest setting hearing dates after January 1, 2020.


### **D. What We Have Learned Thus Far**

What we have learned thus far is that smart meters are more hazardous to our collective health, homes, and the environment than we initially thought; cost more (financially and environmentally) than we were led to believe; did not pass the cost-benefit expectations of backers; exacerbate climate change with their overall increased energy use as determined by life-cycle analysis; and violate privacy as guaranteed in our Federal and State Constitutions.

In our Expert Witness Testimony we focused on safety issues, including hazards to human health, and found that chronic exposure to low-level microwave radiation from wireless devices, including smart meters, has been found to cause insomnia, headaches, tinnitus and hearing loss, neuro-psychiatric effects, anxiety and depression, heart arrhythmias, fatigue, confusion, memory problems, and dizziness. In addition, dirty electricity can exacerbate diabetes and in general interferes with molecular signaling in the body, which can cause a host of adverse effects. In addition, we referred to studies documenting damage to insects and animals.

It remains a mystery to us how, in the face of all the attestations by complainants throughout Pennsylvania, media coverage on wireless devices from smart phones to 5G, industry reports and research studies, the PUC and the utilities it regulates remain willfully blind to the deficiencies and hazards of smart meters and continue to insist that the law requires such installation when in fact the law does no such thing, but rather the law has been transmogrified by the PUC's own Implementation Order, outside the scope and purview of the legislature.

Respectfully submitted,



Eugene J. Bazan  
PO Box 24  
Lemont, PA 16851

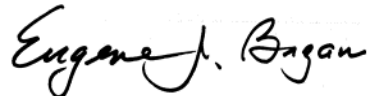
October 12, 2019

**CERTIFICATE OF SERVICE**

I certify that I sent on October 12, copies of our **Status Report #2** to Judge Jeffrey A. Watson and Attorney Tori Giesler for West Penn Power Company. I am E-Filing this report this day on October 13, 2019 to the PUC for filing under our Docket Number C-2017-2640338 to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utilities Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor  
Harrisburg, PA 17120

Dated October 13, 2019

A handwritten signature in cursive script that reads "Eugene J. Bazan".

Eugene J. Bazan  
PO Box 24  
Lemont, PA 16851  
Docket No. C-2017-2640338