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November 4, 2019

**VIA ELECTRONIC FILING**

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

**Re: Michael W. Chattin v. Pennsylvania Electric Company**  
**Docket No. C-2017-2630649**

Dear Secretary Chiavetta:

By letter dated October 23, 2019, Pennsylvania Electric Company (“Penelec”) was served with notice of the filing of exceptions by the Complainant in the above-referenced proceeding. In response, Penelec offers this letter as its brief reply to exceptions. Mr. Chattin simply states as his exceptions that he “cannot recognize” the Initial Decision rendered by Administrative Law Judge Emily I. DeVoe due to the use of “/s/” even though the Commission has explained the use of the “/s/” was a standard and accepted practice. Further, Mr. Chattin states his complaint was “entirely ignored” and that the Commission is ignoring 66 Pa.C.S. § 2807(f)(7)(2)(i) seemingly as a reason why his case should not be dismissed. Mr. Chattin simply “objects” to the decision, rather than filing an exception to a specific finding of fact or conclusion of law.

What Mr. Chattin fails to acknowledge is that, despite an order compelling his replies to the discovery requests issued by Penelec, he has yet to provide any responses whatsoever to the discovery requests. Furthermore, Mr. Chattin never identified whether he would be presenting witnesses in this proceeding nor did he file a status report, despite an order from the presiding officer directing him to do both. His only responses to the presiding officer or Penelec were to state that he would not be attending the scheduled prehearing conference, then later to challenge the presiding officer’s impartiality and requesting her recusal – after making similar arguments to a prior judge assigned to this matter, rendering impossible to even reasonably conduct a prehearing conference in this matter.

Overall, Mr. Chattin’s continued unwillingness to actively participate in the proceeding that he himself initiated impairs Penelec’s ability to effectively defend itself against his claims and against any testimony he would have presented in this matter, and thus its due process rights would

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be in jeopardy should Mr. Chattin's case be permitted to move forward given his repeated disregard for numerous presiding officers' orders. For these reasons, the Initial Decision should be approved and Mr. Chattin's case should be dismissed, with prejudice.

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Please contact me if you have any questions regarding this matter.

Very truly yours,



Tori L. Giesler

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c: Per Certificate of Service  
Office of Special Assistants (via email at [ra-OSA@pa.gov](mailto:ra-OSA@pa.gov))

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

**MICHAEL W. CHATTIN**

**V.**

**PENNSYLVANIA ELECTRIC COMPANY**

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**Docket No. C-2017-2630649**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true copy of this document of Pennsylvania Electric Company upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by First Class Mail, postage prepaid, as follows:

Michael W. Chattin  
58 Rocky Top Lane  
Rome, PA 18837

Administrative Law Judge Emily I. DeVoe  
Pennsylvania Public Utility Commission  
Office of Administrative Law Judge  
Piatt Place, Suite 220  
301 5th Avenue  
Pittsburgh, PA 15222

Dated: November 4, 2019



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