

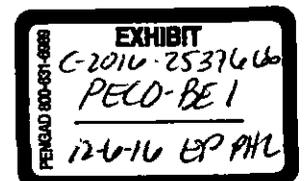
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2017 JAN -6 AM 10:58

PA FUC  
SECRETARY'S BUREAU

# Randall Customer Information Management System Contacts

## EXHIBIT "BE-1"



**CONTACT HISTORY**

**NAME:** CYNTHIA RANDALL  
**ACCOUNT NUMBER:** 53477-01501  
**ADDRESS:** 700 SHAWMONT AVE PHILADELPHIA PA 19128  
**CASE:** C-2016-2537666

---

11/28/11 The customer's husband called in regard to a smart meter. He stated he has been reading information regarding them. Rep advised the caller at this time there is an option in regard to the installation but there will be a time when everyone will have to have a smart meter installed. Records were updated with this information.

*csts husband ci reg smart meters and he wants to know and he states that he has read info regarding them adv cst that at this time it is an option but there will be a time when everyone has to have smart meters installed*

5/31/13 Account referred to have an AMI (advanced metering infrastructure) meter installed.

**AMR - AMI GRID ONE 2013 MASS METER DEPLOYMENT EFFORT**

5/4/13 Letter sent to 700 Shawmont Avenue notifying the customer that an AMI meter will be installed.

*Proactive Letter Sent: Letter One Sent: Mailed to 700 SHAWMONT Ave*

5/13/13 Mr. Paul Albrecht called stating he does not want an AMI meter installed because he has spoken to his attorney and he has done research and there is no law that says he has to have an AMI meter. He stated his wife has 3 types of cancer and he has 1 type of cancer. He believes the meter is linked to cancer. An investigation was initiated.

*VSI Call Center Inquiry: PECO AMI REFUSAL-Mr. Paul Albrech*

*t states he does not want mtr because, he has spoken with his attorney and done research and there is no law that says he has to have it. Cust states his wife has had 3 cancers and he has had 1 type of cancer. Cust bel*

*VSI Call Center Inquiry: CONT-ieves mtr is linked to cancer.*

*CUST SATISFIED*

5/13/13 In response to the customer's AMI refusal due to health and safety concerns, a letter was sent explaining the level of RF (radio frequencies) of the AMI meter is similar to the AMR (automatic meter reading) meter which has been at the home for the past decade. The RF levels are extremely low and meet the FCC (Federal Communications Commission) requirements. The AMI meter is safe and PECO must comply with PA ACT 129 LAW to upgrade existing technology. The account was coded DO NOT FIELD until cleared to do so.

AMI REFUSAL DUE TO HEALTH & SAFETY CONCERNS.  
SENDING LETTER EXPLAINING LEVEL OF RF OF AMI METER SIMILAR TO AMR MTR THAT HAS BEEN ON HOME FOR PAST DECADE. RF LEVEL EXTREMELY LOW & MEETS FCC REQUIREMENTS. AMI METER IS SAFE. PECO MUST COMPLY WITH PA ACT 129 LAW TO UPGRADE EXISTING TECHNOLOGY.  
AMI REFUSAL DO NOT FIELD UNTIL CLEARED

5/21/13 The customer's husband called to discuss his refusal to have an AMI meter installed. He stated he read PA ACT 129 from front to back and nowhere does it say he must accept an AMI meter. The customer was referred to 66 Pa. C.S. & 2807 (f) of Public Utility Code. The rep explained the statute does not give the customer an option to 'opt out' of the new meter installation. The customer stated he will pursue the matter legally. The installation of the AMI meter was moved to the end of the project.

An email was received wanting to know the frequency Band of the Landis-Gyr Focus AXR-SD meter? The email was referred to the supervisor.

---

*Cust. Randall's husband Paul Albrecht called to discuss AMI refusal. He states he read PA Act 129 from front to back-no where does it state he must accept AMI mtr. Referred cust to see 66 Pa. C.S. & 2807 (f) of Public Utility Code. I explained the statute does not give cust option to "opt out" of new mtr install. Cust will pursue legally. Install moved to end of project request # 5227171- rec email from the cust wanting to know Frequency Band of the Landis-Gyr Focus AXR-SD meter?- referred the Brenda Eison*

5/23/13 Supervisor received the customer's email. Records were documented that she had spoken to the customer earlier in the week and there was no additional work needed.

*OTD# 5230372 UNABLE TO PROCESS REQUEST FOR OPT  
OUT*

*fu to otd request # 5230372- forward copy of the letter to B  
. Eison and L Lamberson - the cust wants to opt out of have  
ing the ami meter installed.*

*fu to otd request # 5230372- rec email from form Linda Lambe  
rson stating she spoke with the cust earlier this week regar  
ding the issue- no work needed*

6/6/13 The Company received a letter from the customer's attorney, Mark Harris and it was forwarded to the AMI group (GRID ONE). The letter stated that his interpretation of ACT 129 differs from ours. The Company reached out to our Corporate Commutations and Legal departments to draft a response.

*Rec'vd letter from customer's atty Mark Harris forwarded fro  
m G1. His interpretation of Act 129 differs from ours. Rea  
ched out to Corp Comm L.Williamson and Legal's S.Lee for hel  
p with drafting response.  
otd#5248127 rec ltr cust cust attoney & ref to ami dept*

1/21/16 AMI installation letter sent.

Select Customer Contact for CYNTHIA RANDALL

Contact Edit Actions Help

Contacted	Type	
04/04/16	COMM FORMAL	700 SHAWMONT A
04/01/16	COMM FORMAL	
04/01/16	PUC Complaint	
03/14/16	Automated Metering Infrastructure (AMI)	
03/14/16	Change Meter Only Maintained	
03/09/16	Supervisor Comments	
03/09/16	Supervisor Comments	
02/19/16	Miscellaneous	
02/19/16	Product Change	
01/21/16	Automated Metering Infrastructure (AMI)	
10/02/15	Address Updated for USPS Compliance	
04/28/15	VRU Outage Reported - Sent to OMS	
05/18/87	Miscellaneous	

Comments:

Re-engagement letter sent

3/9/16 The Company received a certified letter from Attorney Kraut Harris stating that the customer does not want the Smart meter installed at their home and that this letter states as such. Customer has health concerns and does not want the AMI meter installed. Customer stated that she received a letter stating that we were asking to replace her analog meter. PECO does not have analog meters only AMR meters that read daily. A meter order was issued as a HEALTH refusal.

Select Customer Contact for CYNTHIA RANDALL

Contact Edit Actions Help

Contacted	Type	
04/04/16	COMM FORMAL	700 SHAWMONT A
04/01/16	COMM FORMAL	
04/01/16	PUC Complaint	
03/14/16	Automated Metering Infrastructure (AMI)	
03/14/16	Change Meter Only Maintained	
03/09/16	Supervisor Comments	
03/09/16	Supervisor Comments	
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05/18/87	Miscellaneous	

Comments:

received certified letter from Attorney Kraut Harris stating that the customer does not want the Smart meter installed at their home and that this letter states as such. Customer has health concerns and does not want the AMI meter installed. Customer stated that she received a letter stating that we were asking to replace her analog meter. PECO does not ha

Contact Edit Actions Help

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04/01/16	COMM FORMAL	
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10/02/15	Address Updated for USPS Compliance	
04/28/15	VRU Outage Reported - Sent to OMS	
05/18/87	Miscellaneous	

Comments:

does not have analog meters only AMR meters that read daily. CMO Issued asa HEALTH refusal.

3/14/16 A letter was sent in regard to AMI meters in response to the customer's letter received from her lawyer addressing the customer's health concerns regarding AMI meters. Acct#53477-01501 was placed on hold due to health concerns.

Select Customer Contact for CYNTHIA RANDALL

Contact Edit Actions Help

Contacted	Type	
04/04/16	COMM FORMAL	700 SHAWMONT A
04/01/16	COMM FORMAL	
04/01/16	PUC Complaint	
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01/21/16	Automated Metering Infrastructure (AMI)	
10/02/15	Address Updated for USPS Compliance	
04/28/15	VRU Outage Reported - Sent to OMS	
05/18/87	Miscellaneous	

Comments:

ACCT-5347701501: HOLD HEALTH REFUSAL PER B.EISON- AMI REFUSAL DO NOT FIELD UNTIL CLEARED

Select Customer Contact for CYNTHIA RANDALL

Contact Edit Actions Help

Contacted	Type	
04/04/16	COMM FORMAL	700 SHAWMONT A
04/01/16	COMM FORMAL	
04/01/16	PUC Complaint	
03/14/16	Automated Metering Infrastructure (AMI)	
03/14/16	Change Meter Only Maintained	
03/09/16	Supervisor Comments	
03/09/16	Supervisor Comments	
02/19/16	Miscellaneous	
02/19/16	Product Change	
01/21/16	Automated Metering Infrastructure (AMI)	
10/02/15	Address Updated for USPS Compliance	
04/28/15	VFU Outage Reported - Sent to OMS	
05/18/07	Miscellaneous	

Comments:

Sent letter on AMI mtrs, in response to the cust's letter received from her lawyer addressing cust's health concerns regarding AMI mtrs. Acct#53477-01501 is placed on hold due to health concerns.

4/1/16 Formal complaint received - C-2016-2537666 - AMI has not been installed.

Select Customer Contact for CYNTHIA RANDALL

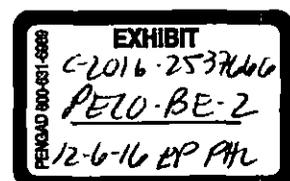
Contact Edit Actions Help

Contacted	Type	
04/04/16	COMM FORMAL	700 SHAWMONT A
04/01/16	COMM FORMAL	
04/01/16	PUC Complaint	
03/14/16	Automated Metering Infrastructure (AMI)	
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10/02/15	Address Updated for USPS Compliance	
04/28/15	VRU Outage Reported - Sent to OMS	
05/18/87	Miscellaneous	

Comments:  
C-2016-2537666 - AMI has not been installed.

# **45-Day AMI Deployment Letter**

## **EXHIBIT "BE-2"**





An Exelon Company

Grid One Solutions, Inc.  
700 Turner Way  
Suite 205  
Aston, PA 19014

Laudis + Byr Focus AXR-SD

T2 P1  
Cynthia Randall  
Or Current Resident  
700 Shawmont Ave  
Philadelphia, PA 19128-3125

5/4/2013



Service Address:

Account: 5347701501

During the past few months you have received several letters and telephone calls from us about our meter replacement project. We are replacing the meters in your area and it is important that you contact us immediately to schedule an appointment.

When we replace our meter you will experience a brief service interruption – typically less than a minute. And, if you are home, we'll let you know before we begin working to make sure you are aware.

In the future, these new meters will help us provide more information to help you understand how you use energy, and how to save energy and money. They will also help us provide faster and more convenient service, detect problems faster and provide the platform for new products and services.

PECO is installing these meters as part of Pennsylvania state law, PA Act 129, requiring utilities state-wide to install new metering technology for customers. Customers who do not accept their new meter could face service termination.

We are committed to doing everything we can to educate customers and help them understand this new technology, its similarities to our current metering system, and its advantages. For more information please call 1-855-741-9011 or visit [www.peco.com/technology](http://www.peco.com/technology).

Please call 1-855-741-9011 immediately to schedule your appointment.

Sincerely,

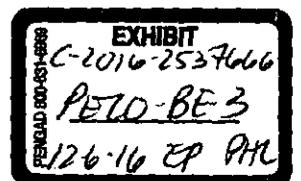
PECO Meter Installation Team

PUC 1800 692 7380

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SECRETARY'S BUREAU

**Albrecht/Randall letter to Grid One**

**EXHIBIT "BE-3"**



Grid One Solutions, Inc.  
700 Turner Way  
Suite 205  
Aston, PA 19014

To whom it may concern,

This letter is to confirm the phone conversation I had with a representative at Grid One Solutions, Inc. this afternoon, Mon., May 13, 2013. My call was in response to a letter requesting an appointment to have a Smart Meter installed on our property by PECO. I was informed by the representative that there was a "Refusal" form available to opt out of having the Smart Meter installed, and I stated that I wished that to be submitted; that we do not want a Smart Meter. I stated that, among other reasons, my wife Cynthia Randall has had three types of cancer, and I have had two Melanomas removed from my face. The type of high-level, continual EMF radiation emitted from Smart Meters is a well known and documented cancer risk, as well as causing many other serious health problems. Our health is not negotiable.

We assume, as longtime customers in good standing, that our electric service will continue uninterrupted. Thank you for your attention to this matter.

Sincerely,

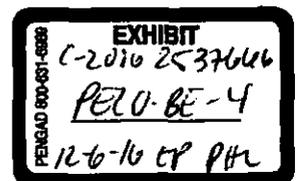
Paul Albrecht/Cynthia Randall  
700 Shawmont Ave.  
Phila., PA 19128-3125  
PECO Account # 5347701501

cc: PECO Customer Service  
cc: Mark Harris, Esq., Kraut/Harris PC

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**5/14/13 – PECO Meter Installation  
Team Letter to Randall**

**EXHIBIT “BE-4”**





An Exelon Company

Grid One Solutions, Inc.  
700 Turner Way  
Suite 205  
Aston, PA 19014

T2 P1  
Cynthia Randall  
Or Current Resident  
700 Shawmont Ave  
Philadelphia, PA 19128-3125

May 14, 2013



Dear Cynthia Randall:

Please accept our sincere apologies for the letter dated 5/4/13 that was sent to you in error. This letter indicated that we made previous attempts to contact you. This was not correct. We are very sorry for any inconvenience this error may have caused. The letter you should have received was to explain that we will be replacing our current meters with newer technology.

In the next two months, we will be replacing meters in your area. When we replace your meter you will experience a brief service interruption – typically less than a minute. And, if you are home, we will let you know before we begin working to make sure you are aware.

If your electric meter is located indoors, or in another location that requires you to provide us access, please contact us at 855-741-9011 to schedule an appointment. If your electric meter is already accessible, simply do nothing.

In the future, these new meters will help us provide more information to help you understand how you use energy, and how to save energy and money. They will also help us provide faster and more convenient service, detect problems faster and provide the platform for new products and services.

If you have any questions, please visit [www.peco.com/technology](http://www.peco.com/technology) or call 855-741-9011.

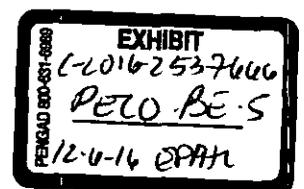
Sincerely,

PECO Meter Installation Team

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SECRETARY

**5/17/13 – Linda Lamberson letter to  
Randall**

**EXHIBIT “BE-5”**





An Exelon Company

PECO  
Customer Service Center  
2301 Market Street, N4-2  
P.O. Box 8699  
Philadelphia, PA 19101-8699

www.peco.com

May 17, 2013

Cynthia Randall  
700 Shawmont Avenue  
Philadelphia, PA 19128

Dear Ms. Randall:

This will confirm your concerns you have expressed to PECO regarding having an AMI meter installed on your home.

Following overheating issues with some of our newly installed Sensus meters last year, we took unprecedented action to suspend the installation of meters to additional customers while work was completed to prevent similar situations from occurring in the future. PECO completed its own internal investigation, worked with independent experts for additional scientific analysis and testing, and aggressively worked with vendor Sensus to develop meter enhancements for their meter.

Although the enhancements – now available on this model Sensus meter – did show some improvements, PECO worked with the National Electric Energy Testing, Research & Applications Center (part of Georgia Tech), Exponent (an engineering and scientific consulting firm headquartered in California) and Underwriters Laboratory (a leading testing and certification company) for independent testing and analysis. The firms found that the L+G meter was the best solution for our customers at this time. This is the brand of meter we are currently using.

We have taken unprecedented steps to safely test our meters. We are confident in the independent, scientific testing results by NEETRAC, Exponent and UL. We will continue to test and monitor our meters to ensure they meet the highest safety standards. Safety remains our top priority and we appreciate your cooperation.

All Pennsylvania utilities are required to install new metering technology for customers as part of Pennsylvania's 2008 Act 129 or face possible service termination. We look forward to continuing to work with our customers to successfully meet this requirement.

Should you have any further questions regarding this project or any other aspect of your PECO service, please do not hesitate to contact me. I can be reached daily at (215) 844-6044.

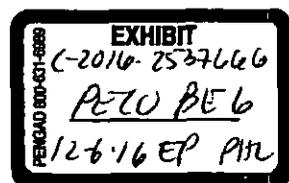
Sincerely,

Linda Lamberson  
PECO Meter Installation Team

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**6/4/13 – Letter to L. Lamberson from  
Kraut Harris**

**EXHIBIT “BE-6”**





MARK S. HARRIS  
mharris@krautharris.com

Counselors at Law

VIST Financial Building, Suite 311  
1767 Sentry Parkway West  
Blue Bell, Pennsylvania 19422

Telephone 215-542-4900  
Facsimile 215-542-4999

June 4, 2013

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PA POC SECRETARY

Ms. Linda Lamberson  
PECO Meter Installation Team  
Customer Service Center  
2301 Market Street, N4-2  
P. O. Box 8699  
Philadelphia, PA 19101-8699

**RE: Service Address: 700 Shawmont Avenue, Philadelphia, PA 19128  
Account 535347701501**

Dear Ms. Lamberson:

Please be advised that I represent Cynthia Randall and her husband, Paul Albrecht, in connection with the Smart Meter which is proposed to be installed on the above property in the near future. I have been involved with Ms. Randall and Mr. Albrecht for some time regarding this issue which is extremely important to them, particularly from a healthcare perspective.

My client received a letter from Grid One Solutions, Inc. (which is being copied on this letter) stating that the current meter on my client's property is to be replaced by a "Smart Meter." Upon receipt of this letter, my client contacted Grid One Solutions and discussed the issue with one of its representatives. This occurred on May 13, 2013. My client made it very clear that they do not want a Smart Meter installed in their property for a number of reasons, foremost Ms. Randall's history of having cancer and Mr. Albrecht having two melanomas removed all of which could be exacerbated by the EMF radiation emitted from "Smart Meters" (which are a well known documented cancer risk). The Grid One representative said she would send my client a "Refusal Form," but to date they have not received it. My client also apparently had a conversation with you regarding their concerns over having a "Smart Meter" installed at the property. Regardless of the fact that you stated that "all Pennsylvania utilities are required to install new metering technology for customers as part of Pennsylvania's 2008 Act 129 or face possible service termination," it is our position that my client has the ability to opt out of the Smart Meter installation and retain their current meter. Since my client is a customer of long standing, I find it outrageous that there would be a threat of termination if they opt out of the program. I find it hard to believe that there is any legal precedent for such action.

Act 129 requires electric distribution companies to furnish Smart Meter technology "upon request from a customer." This concept of the customer "requesting" a Smart Meter is mentioned elsewhere in the Act. It is our view that under the law the customer has the ability not to have a "Smart Meter" installed if the customer does not request it. Not only has my client not

Ms. Linda Lamberson  
PECO Meter Installation Team  
June 4, 2013  
Page - 2 -

requested it, but my client is specifically opting out of having the Smart Meter installed. Furthermore, it is our position that my client cannot be forced to pay the cost for installing a Smart Meter regardless of how that cost is passed through to the customer.

This letter is to formally advise PECO and Grid One Solutions, Inc. that my clients are denying any type of consent to PECO and Grid One Solutions, Inc. to install such a device on the above property. It is my client's position that any attempt to install such a device on the property will constitute a trespass and, therefore, prohibited by law.

I have advised my client to place a sign at the location of the current meter specifically stating that this meter is not to be replaced without the written consent of the owner of the property. The bottom line is that my clients do not intend to allow a "Smart Meter" to be placed on their property to further endanger their health.

I would be more than happy to discuss this matter with you and, if you wish to do so, you may contact me at the above number.

Very truly yours,

KRAUT HARRIS, P. C.



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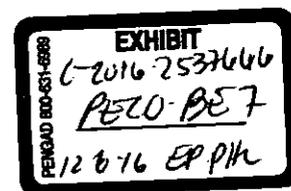
Mark S. Harris

MSH:jas

cc: Paul Albrecht  
Cynthia Randall  
Grid One Solutions, Inc.

**6/10/13 – Letter from S. Lee to M.  
Harris.**

**EXHIBIT “BE-7”**



Direct Dial: 215.841.6841

June 10, 2013

**VIA FACSIMILE – (215) 542-0199**

Mark S. Harris, Esquire  
Kraut Harris, Counselors at Law  
VIST Financial Building, Suite 311  
1767 Sentry Parkway West  
Blue Bell, PA 19422

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2013 JAN -6 AM 10:58  
PENNSYLVANIA  
SECRETARY'S OFFICE

**Re: Request for Smart Meter Installation "Opt Out"  
700 Shawmont Avenue, Philadelphia, PA 19128  
PECO Acct. No. 53477-01501**

Dear Mr. Harris:

I am in receipt of your correspondence to PECO Energy ("PECO") through Linda Lamberson dated June 4, 2013, wherein you advise the company that your clients (Cynthia Randall and Paul Albrecht) deny consent for the installation of the "Smart Meter" at their property. In your letter, you note your clients' concerns about the smart meter and the effects they believe it may have on their health, considering they both have a history of cancer. You also mention that you do not believe PECO has the legal authority to install the meter as you believe that Act 129 suggests that smart meter installation is to be initiated at the request of the customer. I hope this letter will address some of your concerns regarding the legal authority the company has to install the meter.

By way of background, Governor Edward Rendell signed Act 129 of 2008 into law on October 15, 2008. The Act took effect 30 days thereafter on November 14, 2008, and amended Section 2807 of the Public Utility Code. Among other things, the Act specifically directed that electric distribution companies (such as PECO) with more than 100,000 customers file smart meter technology procurement and installation plans with the Pennsylvania Public utility Commission ("Commission") for approval. See 66 Pa. C.S. § 2807(f). The statute does not provide customers with an option to "opt out" of smart meter installation. The statute has very specific requirements and does not, as you believe, require the utility to install the meter only "upon request from a customer."

June 10, 2013  
Page 2 of 2

I have enclosed two recent decisions by the Commission titled Maria Povacz v. PECO Energy, C-2012-2317176 (Jan. 24, 2013) and Theresa Gavin v. PECO Energy, C-2012-2325258 (Final Order entered, Jan. 24, 2013), which specifically addresses whether a PECO customer can “opt out” of meter installation. You will note in the Maria Povacz decision the Commission determined:

There is no provision in the Code, the Commission’s Regulations or Orders that allows a PECO customer to “opt out” of smart meter installation, as the Complainant desires to do. Accordingly, unless and until House Bill 2188, *supra*, passes the General Assembly, or some other provision is put in place that specifically allows customers to opt out of smart meter installation, PECO has not violated any provision of the Code, any Commission Order or Regulation or any Commission-approved Company tariff by prohibiting the Complainant from opting out.

Additionally, in Theresa Gavin, Administrative Law Judge Kandace F. Melillo determined:

To the extent that Ms. Gavin desires the ability to “opt out” of the smart meter installation, she should advocate for such ability before the General Assembly. In the alternative, Ms. Gavin could also file a petition for rescission or amendment of the Implementation Order, *supra*, entered June 24, 2009, and the PECO Smart Meter Approval Order, *supra*, entered May 6, 2010, pursuant to Section 703(g) of the Public Utility Code, 66 Pa. C.S. §703(g). In her petition, Ms. Gavin could advocate that customers be allowed to “opt out” of smart meter installation. However, such a petition for rescission or amendment would likely be futile as the Commission has interpreted current law to require smart meter installation. The Commission cannot regulate in violation of a statute.

At the present time, Ms. Randall and Mr. Albrecht’s property is not scheduled for installation of the smart meter as their meter installation date has been moved. PECO expects the meter to be installed at the property sometime at the end of 2014 and the company is willing to work with you in this regard. I understand that your clients do not give PECO consent to install the meter; however, as I have detailed above, the company is required to install the meter pursuant to Act 129. There is no current legislation giving them the ability to “opt out” of the installation and the Commission has agreed.

If you have any questions about the Maria Povacz or Theresa Gavin decisions or the installation of the smart meter, please do not hesitate to contact me directly.

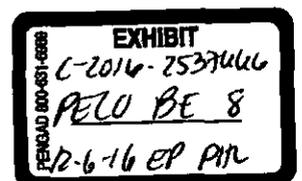
Very truly yours,



Shawane L. Lee  
Assistant General Counsel, Exelon BSC  
Encl.

**7/31/13 – Letter from K. Harris to S.  
Lee**

**EXHIBIT “BE-8”**





MARK S. HARRIS  
mharris@krautharris.com

Counselors at Law

VIST Financial Building, Suite 311  
1767 Sentry Parkway West  
Blue Bell, Pennsylvania 19422

Telephone 215-542-4900  
Facsimile 215-542-0199

July 31, 2013

Shawane L. Lee, Esquire  
Assistant General Counsel  
Exelon Business Services Company  
Legal Department, S23-1  
2301 Market Street  
P. O. Box 8699  
Philadelphia, PA 19101

RECEIVED  
2013 JAN -9 AM 10:58  
SECRETARY PAUL ALBRECHT

**RE: Service Address: 700 Shawmont Avenue, Philadelphia, PA 19128  
Account 535347701501**

Dear Ms. Lee:

I am in receipt of your letter dated June 10, 2013 in response to my letter of June 4, 2013 which I sent on behalf of my clients, Paul Albrecht and Cynthia Randall, who live at the above service address. I appreciate your providing me with the background behind the SMART Meter implementation pursuant to Act 129 of 2008, which took effect on November 14, 2008. My clients understand that the Statute does not provide customers with an option to "opt-out" of SMART Meter installation." However, we disagree with your position that the Statute does not have a specific requirement whereby the customer is to affirmatively request the installation of the SMART Meter in order for the utility company to have an obligation to install it.

The Implementation Order issued by the PUC was intended to establish standards that each plan needed to meet and provide guidance on the procedures to be followed and was intended to implement Act 129. Under the heading "SMART Meter Deployment" in the Order it states clearly that "Act 129 requires EDC's to furnish SMART technology (1) upon request from a customer that agrees to pay the cost of the SMART Meter at the time of the request . . ." (emphasis added). Under the heading "Customer Request" in the PUC Implementation Order, it specifically states that ". . . each covered EDC must supply a SMART Meter upon request by a customer, per Act 129" (emphasis added)," although the PUC recognized that the customer should not have to pay "the entire cost of the SMART Meter and its supporting infrastructure" since such a requirement would be "so cost prohibitive that no customer would request a SMART Meter." These statements unequivocally express the intent of the legislature and the PUC that in order for a SMART Meter to be installed, a customer need request one.

I do not know how one can ignore the specific language in the Implementation Order that states that "upon request the utility provider would be obligated to install the Meter." As you can see, the concept of a customer making a "request" for a SMART Meter is mentioned a number of times. Therefore, if the customer elects not to request a SMART Meter, one need not be installed.

Shawane L. Lee, Esquire  
July 31, 2013  
Page - 2 -

Basically, this is not an opt-out provision, but rather, an "opt-in" provision that my client has declined to act upon. My client has not requested a SMART Meter and, has specifically stated that they do not want a SMART Meter attached to their property. This is in full compliance with Act 129 which, to my knowledge, has never eliminated the words "upon request" from the Act.

The cases that accompanied your letter discuss the Act from the viewpoint of an "opt-out" perspective rather than an "opt-in" perspective. Both cases deal with the issue of opting-out of the SMART Meter installation. Neither Plaintiff argued the "opt-in" component of Act 129. In fact, the Povacz decision by the PUC specifically sites Section 2807 of the Code, 66 Pa. C.S. Section 2807 and quotes, in pertinent part, as follows:

(f) SMART Meter Technology and Time of Use Rates -

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(2) electric distribution companies shall furnish SMART Meter technology as follows:

(i) upon request from a customer that agrees to pay the cost of the SMART Meter at the time of the request (emphasis added).

The case goes on to discuss whether or not a customer can "opt-out" of the SMART Meter installation. However, because the issue was never raised by the Plaintiff, the PUC never deals with my clients' position which is that Act 129 creates an "opt-in" process which is only implemented if the customer so requests the installation. The Gavin case which you provided to me is no different since, once again, it only focuses on the argument that a customer can "opt-out" of the installation but not the requirement that the resident "opt-in" so as to have the SMART Meter installed. As stated in Gavin, "the sole issue in Ms. Gavin's Complaint is whether the customers can opt-out of SMART Meter installation."

Clearly, the utility is obligated to install SMART Meters on properties, but only upon the request of the customer, as per Act 129. The fact that PECO may view a customer's having not affirmatively requested a SMART Meter as a deemed request does not undermine my clients' position that they have specifically stated in writing that they are not requesting the SMART Meter.

Shawane L. Lee, Esquire  
July 31, 2013  
Page - 3 -

Therefore, this letter is intended to reaffirm that my client has not requested a SMART Meter be installed on the subject property and, therefore, PECO and GridOne Solutions are neither obligated to install it nor do my clients wish them to install it. The reasons for which my clients have not requested the SMART Meter be installed are not relevant. The fact is they have not requested it and that should be sufficient for the SMART Meter not to be installed.

I appreciate your further consideration of my clients' position. They maintain their right to do what is necessary to avoid having a SMART Meter installed on their property.

Very truly yours,

KRAUT HARRIS, P. C.



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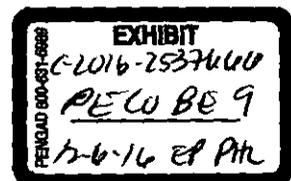
Mark S. Harris

MSH:jas

cc: Paul Albrect  
Cynthia Randall  
GridOne Solutions, Inc.

**1/21/16 – B. Eison Letter to C. Randall**

**EXHIBIT “BE-9”**





An Exelon Company

01/21/2016

CYNTHIA RANDALL  
700 SHAWMONT AVE  
PHILADELPHIA PA 19128

DEAR MS RANDALL

At PECO we put our energy into keeping the lights on and gas flowing, and helping customers save energy and money. As part of these efforts, we are working to upgrade our electric and natural gas meters with newer technology.

Based on our previous conversation, the installation of our new meter at your property was postponed. During the past three years more than 1,700,000 new electric meters have been installed at customer homes and businesses across the area. These new meters provide more information to help customers make informed decisions about their energy use and identify opportunities to save energy and money. In addition, this technology has significantly enhanced our storm restoration efforts and enabled us to provide faster and more convenient service to our customers.

These meters are being installed as part of Pennsylvania state law, PA Act 129, requiring utilities state-wide to install new metering technology for customers. We are scheduled to complete our project by April, 2016.

When complete, we also will fully transition to an upgraded communications network. At that time, our current meter on your property will no longer be able to communicate with our network. This will impact our ability to provide you reliable service and accurate billing. We are contacting you today to inform you that we plan to install a new meter at your property. Please call 1-215-841-5950 as soon as possible to schedule an appointment.

If you have any questions please visit [www.peco.com/technology](http://www.peco.com/technology).

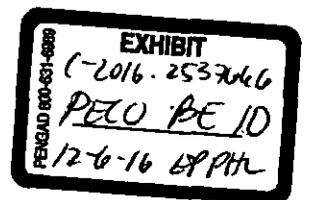
Sincerely,

Brenda Eison,  
Manager, Customer Care

RECEIVED  
2017 JAN -6 AM 10:59  
PA PUB  
SECRETARY'S BUREAU

**3/3/16 – Letter from M. Harris to  
Brenda Eison**

**EXHIBIT “BE-10”**





MARK S. HARRIS  
mharris@krautharris.com

Counselors at Law

5 Valley Square, Suite 120  
Blue Bell, Pennsylvania 19422

Telephone 215-542-4900  
Facsimile 215-542-0199

March 3, 2016

Via Certified Mail  
Return Receipt Requested  
And U. S. First Class Mail

MAR 17 2016

PECO Meter Installation Team  
Attention: Brenda Eison, Manager, Customer Care  
Customer Service Center  
2301 Market Street, N4-2  
P. O. Box 8699  
Philadelphia, PA 19101-8699

RECEIVED  
2016 JAN -6 AM 10:59  
SECRETARY'S OFFICE

**RE: Service Address: 700 Shawmont Avenue, Philadelphia, PA 19128  
Account Number: 5347701501**

Dear Ms. Eison:

Please be advised that I represent Cynthia Randall and Paul Albrecht (her husband), the owners of the above-mentioned property. On January 21, 2016, my clients received a letter from your office advising them that their analog meter on the subject property is to be replaced by a "Smart Meter" sometime in April, 2016. This letter is to formally advise you that my clients object to the replacement of the analog meter with the "Smart Meter" for health and other reasons and refuse to have it installed.

By a letter dated July 31, 2013 to Shawane L. Lee, Esquire, Assistant General Counsel for Exelon, I informed her that my clients objected to the installation of a "Smart Meter" on their property. I also sent a letter on June 4, 2013 to Ms. Linda Lamberson, PECO Meter Installation Team, advising her of my representation and my client's insistence that a "Smart Meter" not be installed on their property. As I indicated in that letter to Ms. Lamberson, the health of my clients would be seriously compromised by the EMF radiation emitted from the "Smart Meter" due to Ms. Randall's history of having cancer and Mr. Albrecht having had two melanomas removed. My clients pay their bills promptly and see no reason to have their health placed at risk by the installation of the "Smart Meter." My clients reiterate their objection to install a "Smart Meter" on the property in view of the health risk that it presents to both of them.

In furtherance of their objection to have this meter placed on their property, I note that numerous cases are currently in front of various Administrative Law Judges in which the claimants are objecting to the placement of "Smart Meters" on their respective properties based on health reasons. Notably, in an Opinion and Order of the Pennsylvania Public Utility Commission dated January 20, 2016 in the matter of Susan Kreider v. PECO Energy Company, the PUC specifically ordered the Administrative Law Judge in that case to hear medical evidence in furtherance of Ms. Kreider's claim that a "Smart Meter" will exacerbate her health condition,

PECO Meter Installation Team  
Attention: Brenda Eison, Manager, Customer Care  
March 3, 2016  
Page - 2 -

not unlike the situation involving my clients. This is not the only case in front of an Administrative Law Judge where medical evidence will be provided to support a claimant's position that a "Smart Meter" will increase the health risk to that particular claimant.

Furthermore, please be advised that, following in the footsteps of Ms. Kreider, Ms. Laura Murphy and others, my clients are also in the process of filing a Formal Complaint against PECO through separate legal counsel to formally press their case against the installation of a "Smart Meter" on their property. As in Ms. Kreider's and Ms. Murphy's case, my client will allege that they will suffer specific "deleterious health symptoms" related to the "Smart Meter" if it is installed at their house.

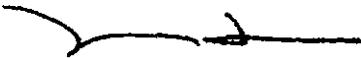
Therefore, this letter is to formally demand, on behalf of my clients, that a "Smart Meter" not be installed pending the outcome of both the Kreider and Murphy case and my clients' own case against PECO. If PECO attempts to install the "Smart Meter," my client will not permit the PECO service person on their premises. We understand that other individuals in their situation have been threatened by PECO that their electric service will be terminated. Such a threat is outrageous since PECO should neither install the "Smart Meter" nor terminate my client's electric service prior to a determination by an Administrative Law Judge, and possibly the Superior Court of Pennsylvania, on whether or not forcing individuals who are susceptible to EMF emissions by installing a "Smart Meter" constitutes unsafe and unreasonable service in violation of Section 1501 of the Public Utility Code.

I trust there will be no further reason to address this issue with PECO until such time as a final decision has been rendered in connection with my clients' Formal Complaint.

Thank you for your anticipated cooperation.

Very truly yours,

KRAUT HARRIS, P. C.



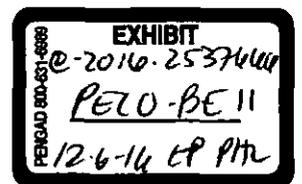
Mark S. Harris

MSH:jas

cc: Excelon Business Services Company  
Attention: Shawane Lee, Assistant General Counsel  
Cynthia Randall  
Paul Albrecht

**3/14/16 – Letter from Brenda Eison to  
M. Harris**

**EXHIBIT ‘BE-11’**





An Exelon Company

March 14, 2016

Attn: MARK S. HARRIS  
5 VALLEY SQUARE, SUITE 120  
BLUE BELL, PENNSYLVANIA PA 19422

On behalf of:  
CYNTHIA RANDALL & PAUL ALBREICHT  
700 SHAWMONT AVE  
PHILADELPHIA PA 19128  
Acct#: 53477-01501

RECEIVED  
2017 JAN - 6 AM 10:59  
PA P&S BUREAU

Dear Mr. Mark,

This letter is to inform you that we have received your letter regarding the health concerns of your clients, about installing the AMI Electric Meter in their house at: 700 SHAWMONT AVE PHILADELPHIA PA 19128.

Accordingly, I want to provide you with some additional information that I think you will find helpful about the technology that PECO is using for its system upgrades.

The upgraded meters we are installing are known as Advanced Metering Infrastructure (AMI), and are based on similar technology to that which PECO currently uses. All upgraded equipment, just like our existing AMR system, meets Federal Communications Commission (FCC) requirements.

Essentially, the difference between the AMR (existing) and AMI (upgraded) technologies is their ability to provide additional information to customers about how they use energy. This additional information is captured through the technology in the new meter and will be provided to customers through a Web-based application. The AMI meters that PECO is installing also contain a device that will allow the meters to communicate with compatible, customer-purchased devices in the future. Currently, these functions are not enabled, but they may be at a future date. Again, the AMI meters and these functions communicate in the same way as the meters currently in use, with lower cumulative radio frequency (RF) emissions. Cumulative RF volumes, including the typical distance and duration of transmissions of the AMI meter technology that we've selected for this project, are not just lower than that of many other household devices including a cell phone, but in fact are several orders of magnitude - more than 500 times - lower (0.19 milliwatts per square centimeter for a cellular phone versus 0.00037 milliwatts per square centimeter for an AMI meter). Also, unlike the cell phone which is most often held up to the ear, or a microwave oven which is most often located in a heavily-trafficked area of the home, most meters in PECO's service territory are located outside the home or in customer basements, resulting in decreased RF level with the additional distance.



An Exelon Company

With regard to privacy, your security is one of our top priorities. That is why this system will be a physically-secured, PECO-owned, private, encrypted, fiber optic and wireless system – ensuring the privacy and security of your energy usage information. We will also continue to work with the National Institute of Standards and Technology (NIST), the Federal Energy Regulatory Commission (FERC), and the Pennsylvania Public Utility Commission to ensure we continue to ensure the privacy of our system and your vital customer information.

We also understand that customers may simply not want a new meter, but under Pennsylvania law (Act 129 of 2008) all Pennsylvania utilities are required to install new metering technology for every customer in our service territory.

Act 129 mandates strict timetables for system installation. While it may seem simple to allow some customers to "opt-out" of receiving an AMI meter, in fact, this would be extremely costly as a second, manual data collection system would have to be established from the ground up for a small number of customers. And, shifting these costs onto the majority of customers would be unfair and inconsistent with sound public policy.

Additionally, there are substantial operational advantages of automated metering that saves customers money, improves operational performance and reduces impacts to the environment through reduced truck rolls and emissions. Because of PECO's transition to AMR metering more than a decade ago, PECO customers have saved significantly, as expensive and less accurate manual collection of meter data was eliminated.

More importantly, our ability to respond to emergency outage events has been substantially enhanced due to automated metering technology. Three large storms in the last half of 2011 provided a great example of how advanced technology can help us respond to emergencies by enhancing our ability to know who's on and who's off -- the most critical information during any emergency event. During Hurricane Irene, for example, our ability to remotely test whether customers did or did not have service accelerated our ability to restore power to all of our customers by at least 24 hours. It would be a disservice to all our customers to eliminate these critical technological capabilities or create "blind spots" in our system that would slow restoration times for all.

Operationally, partial deployment is impossible because our systems must provide coverage to all customers within a given geographic footprint. And, given the benefits our customers have experienced from our existing automated metering systems, we strongly believe these systems are in the broad public interest. We plan to replace the Sensus meter that is currently on your home with the L+G meter.

Currently the account 53124-38015 is placed on hold due to health concerns.

Any further questions or concerns, please call 215-841-4298

Sincerely, Brenda Eison  
Manager, Customer Care