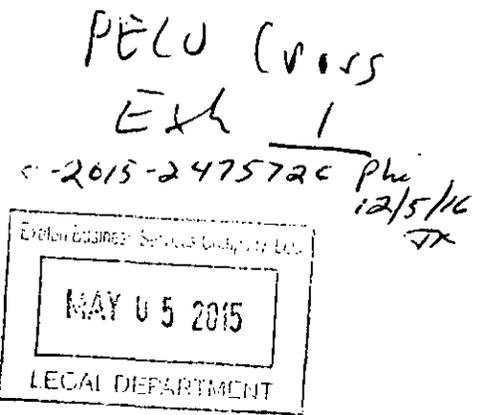


1191 Telegraph Road
West Chester, Pennsylvania 19380



April 30, 2015

Via US certified mail, first class mail, return receipt requested

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

Re: My response to PECO's reply to my formal complaint, including my NEW MATTER
your docket number C-2015- 2475726

Dear Secretary:

Since I do not have a word to pdf maker on my computer, I am unable to easily convert my word document to pdf to upload this response to your efilng system. To do so, I would have to manually feed each single page into my printer and collate and save each page afterwards into a single document. This is too taxing for me at this time.

Attached please find a copy of my response to PECO's reply to my formal complaint and PECO's New Matter which I received on Monday night.

Please note, I have raised my own NEW MATTER which follows from PECO's New Matter. Also please note that I commend your employee, Ms. Mayberry, from your technical support group, who has been extremely helpful in accommodating my needs requests under the Americans with Disability Act, unlike PECO, which to a person, has behaved in the opposite manner towards me each time I have requested reasonable accommodations under the ADA. I have served this on PECO's attorney via US Mail. Attestation is attached at the end of my submission.

Thank you for your consideration.

Sincerely yours,

Laura Sunstein Murphy, PhD, Esquire

attachments

cc: Peter Prociuk, MD (with attachment)
John F. Murphy (with attachment)
Chris Ross, State Representative (with attachment)
Andy Dinniman, State Senator (with attachment)

RECEIVED
2017 JAN -5 AM 11:44
PA PUC
SECRETARY'S BUREAU

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Laura Sunstein Murphy

v

Peco Energy Company (PECO)

PUC docket number C-2015-2475726

Date: April 30, 2015

submitted by: Laura Sunstein Murphy in response to PECO's first reply to my PUC complaint with docket number above.

AFFIDAVIT OF FACTS:

Dear Sirs and Madams:

1. I, Laura Sunstein Murphy, of 1191 Telegraph Road, West Chester, PA 19380, received PECO's formal notice to plead, although dated April 23, 2015, only on April 27, 2015 in the evening, via US mail. I was informed by Ms. Mayberry of PUC that I had only until May 4, 2015 to postmark my response to PECO's (highhanded, I might add) response and new matter.

2. First of all, I have no idea where PECO got its numbering system for its responses. It admits numbers one through 3 but denies number 4.

If PECO is denying my checked off statement in my complaint which is numbered 4 on the PUC complaint form, that "the utility is threatening to shut off my service or has already shut off my service", PECO's blatant denial of that fact is incorrect. PECO has threatened to shut off my service, as evidenced by its ten day shut off notice, a copy of which I included in my submitted Complaint to the PUC, which had prompted my Complaint to the PUC.

3. I have limited knowledge of PECO's dates of attempted installation of a new Smart Meter on my property. I neither admit or deny the dates alleged in PECO's answer number 4 as to my refusal to allow a Smart Meter installation.

4. PECO alleges that it is required to install "AMI meters for the company's electric distribution customers subject to the requirements of Act 129".

This is not true and I therefore deny this statement of PECO.

PA Act 129, both in its legislative history and actual wording does *not* mandate Smart Meter installation for every customer. Rather, in relevant sections to my Complaint and PECO's response, Act 129 mandates Smart Meters to be installed in all new construction, and in residences where the customer requests installation. There is absolutely *NO MANDATE* in ACT 129 to have a Smart Meter installed in every residence in Pennsylvania; to the contrary, the legislative history, the bill itself and the Act signed into law by Governor Rendell, specifically require the homeowner to request installation of Smart Meters in order for Smart Meters to be installed in an existing residence.

PECO alleges in its response: "PECO must install AMI meters for all current AMR customers by the end of 2014. In order to comply with Act 129 and deployment plans filed with the Pennsylvania Public Utility Commission, PECO is terminating service to customers who, after repeated requests, do not give the company access to install the meter".

Compliance with Act 129 DOES NOT require PECO to install any Smart Meters in any residential home unless the customer requests same. PECO's threats to customers that it will terminate their service unless they submit to a Smart Meter is *ultra vires* and illegal *per se*. Therefore, PECO is wrong to threaten to terminate my electric service for refusal to allow changing my meter to a new Smart Meter.

PECO further alleges that "PECO has the right to terminate a customer's service for failure to permit access to install the Smart Meter. Pursuant to Section 10.5, PECO Energy has a right to access the premises of a customer at all reasonable times for the purpose of installing, removing or changing any or all equipment belonging to the company.... Section 18.3 of PECO Energy's tariff, permits the company to terminate a customer for cause if access to the meter is refused".

I have no knowledge of PECO's tariffs and no means of finding out about them in the short time I was told I have to answer PECO's response.

However, accepting as true what PECO alleges about the tariffs it cites, it is clear that PECO is mistaken in its facts. PECO alleges that I refused access to its current meter which is on my property.

This is not true. I have never refused access to PECO personnel to PECO's current meter on my property. NEVER. Not in the 25 years I have lived at my current property, and for decades before when I lived elsewhere in Pennsylvania.

By way of further explanation, in fact, when my husband and I first bought our little 11.88 acre farm in 1990, the house had an electric meter which required PECO personnel to come up the driveway to read it every month. Later, (and PECO probably has records on when that original meter was changed, if its records go back that far, to at least ten years ago) PECO replaced the original meter with a type of meter that they could read remotely from their corporate offices. PECO never came on our property after that meter was installed to read our electric usage displayed on the meter, because PECO has had that information available to it in their offices ever since PECO changed our original meter. Others have told me recently that I already have a smart

meter on my property since PECO replaced the old analog one with one that could be read remotely.

I have been told that the new Smart Meters that PECO wants to install emit far more EMF than any meters that PECO had heretofore deployed.

I simply refused to allow PECO to remove the current meter and replace it with a new Smart Meter because of my disabilities including but not limited to sensitivities to EMF, which would cause physical damage to my body by having additional EMF flooding my home.

Therefore, PECO does not have the right to terminate electrical service to my property for my refusal under the Americans with Disabilities Act request for reasonable accommodation.

5. PECO states "denied" in a number 5, apparently to my request that PECO stop threatening me to shut off my electric service because I and my husband are elderly and have medical conditions which will be seriously jeopardized if the electricity is shut off, and to my statement that we have paid all our bills on time and have been PECO customers for over 30 years.

I state in my complaint,

"I want PECO to stop threatening me to shut off my electric service because I and my husband are elderly and have medical conditions which will be seriously jeopardized if the electricity is shut off. We have paid all our bills on time and have been PECO customers for over 30 years.

This all started when PECO wanted to install a smart meter in our house. I refused access because PECO has not proven that smart meters will be safe for medically fragile individuals, nor has PECO proven that smart meters will not cause house fires, which they initially had done. Homes in my vicinity have burned down as recently as last year due to smart meter overheating.

We live in a rural area and are dependent on electricity to power the well pump to pump our water to the house and barn. Without electricity, we have no water.

Without electricity, I would not have been able to download the PUC complaint form to file a formal complaint. "

How can PECO deny these facts?

This denial does not pass the "red face" test.

Most of the above facts are plain on their own, merely statements of my wishes and my history dealing with PECO on the Smart Meter issues. PECO has finally admitted that its Smart Meters have caused house fires.

An update amendment is needed to my Complaint regarding house fires caused by Smart Meters. I therefore, wish to amend my Complaint to allege the following:

I mentioned the date of house fires caused by Smart Meters "as recently as last year". However, a friend of mine in Chester County who was forced to get a Smart Meter installed today in her condominium complex told me a neighbor of hers (who just had a Smart Meter installed) sustained a house fire just yesterday shortly after the Smart Meter was installed. My Complaint should be amended to reflect the continuing threat of house fires caused by Smart Meter installation.

As to PECO's response to my number 8, PECO states that "Energy [sic] neither admits nor denies the allegations in paragraph 8. PECO is without knowledge or information sufficient to form a belief as to the truth of this averment and, therefore, such allegation is deemed denied". If PECO does not keep records of consumer telephone calls in response to 10 day shut off notices, it is surprising, especially in light of PECO's admission of having been contacted by me and having received my physician's letter stating I have medical conditions that would be aggravated if the electricity would be shut off to my home. See paragraph 4 of PECO's answer of respondent, PECO Energy Company:

"..On March 10, 2015, the Complainant refused installation of the AMI meter at her home. On March 24, 2015, PECO Energy sent a ten-day termination notice to the Complainant, advising that her service would be terminated for failure to give access to install the meter. On March 27, 2015, the Complainant contacted the company and stated that she had a medical condition and did not want the meter. On April 1, 2015, PECO Energy received a medical certification from the Complainant's physician."

I am shocked further, that PECO has no way of knowing that California and other states have opt out provisions as to installation of Smart Meters. That is knowledge that is easily gleaned from an internet search or on LEXIS NEXIS or Westlaw.

And additionally, PECO states that it has no knowledge of bills in the PA legislature that have been stymied from coming to debate for years due to Rep. Godshall's conflict of interest? That is common knowledge and is all over the internet. and furthermore, PECO mentions the very bill, House Bill 2188, that has not come before the General Assembly because of Rep. Godshall's conflicts of interest, in PECO's NEW MATTER numbers 13-16.

As to the NEW MATTER raised by PECO, I have the following Affidavit and my own NEW MATTER, which follows directly from my Complaint and PECO's New Matter, and which both PECO and the PUC must answer to.

1. Admitted, I have requested to opt out of getting a new Smart Meter installed in my home because I am disabled. And my health would be further impaired by installation of a Smart Meter. In the alternative, I ask that installation of a Smart Meter in my home be delayed until 2023, or if Smart Meter opt out is the law in PA before 2023, in which case I will renew my request to opt out of installation of a smart meter in my home. I reserve the right in 2023, if I am still alive, to renew my objections to installation of a Smart Meter in my residence, if there is no opt provision by that time.

By way of further answer, I raise a NEW MATTER HERE.

PECO and the Pennsylvania PUC are required to service the public. Additionally, both PECO and the PPUC are granted federal funding for their operations in serving the public.

Specifically, PPUC and PECO have a mandate, according to PPUC's own Consumer Guide summarizing "the regulations regarding Standards and Billing Practices for Residential Service.

"As a residential utility customer, you have many important rights and responsibilities to ensure fair dealings between you and your utility company. This guide highlights your rights These rights and responsibilities include your right to:

* safe and reliable utility service...."

You have the responsibility to:

* pay your bill on time...."

I have always paid my PECO bill on time. For over thirty years.

PECO and the PUC have the responsibility to provide safe and reliable utility service.

I am disabled. I am over 18 years of age. I have alleged that I am disabled in my Complaint and one of my physicians has attested to my disabilities. I therefore qualify as a member of the protected class under the Americans with Disabilities Act, and PECO and the PUC must provide me reasonable accommodations for my disabilities. Federal law requires this.

I have alleged my disabilities in my Complaint. PECO has acknowledged that it is aware that I am disabled. PUC is also aware that I am disabled. PUC representative Ms. Mayberry of PUC technical support immediately gave me reasonable accommodations when I asked for them because of my disabilities. I was very pleased with her efficiency and helpfulness to me. (I hope she reads this and is rewarded appropriately for proper conduct by her employer, the PUC.)

Yet, PECO representatives I have spoken to about my disabilities, and PECO's legal team including Shawane L. Lee, Esquire, Counsel for PECO Energy Company, have consistently refused to grant me reasonable accommodations under the ADA, insisting that PECO will shut off my electricity if I don't permit PECO to install a Smart Meter, no matter what the health risks to me of the Smart Meter, and no matter what the health risks to me of having no electricity, and no matter what my fragile health condition is.

I will reaffirm here some of my disabilities. I was born with two rare genetic mutations which severely impact my activities of daily living: Ehlers Danlos Syndrome Hypermobility Type and Lipedema. There is no cure for either of these conditions. There are only treatments, and management of these diseases is lifelong. I see specialists and undergo physical therapy for my conditions on a weekly basis. These two connective tissue diseases cause me moderate to severe pain every day. I suffer from whole body inflammation all the time. I have hypothyroidism, and have to watch everything I eat and the air I breathe very carefully because I have numerous digestive dysfunction issues, can and have gone into atrial fibrillation (heart arrhythmia, which two of my brother and my mother suffered from), and easily get congested and more inflamed. My lymphatic and blood circulatory systems are impaired compared to the normal person. I am hypersensitive to smells, foods, EMF, including but not limited to florescent lighting and cell phones next to my ear, which give me an instant headache, and airborne pathogens. At least two of my siblings suffer from extreme sensitivities as I do. My father died of leukemia at a young age in

1978, which death was brought on by changes in his body caused by EMF exposure he received during World War II when he was helping to develop radar, and afterwards in the workplace as he worked every day in electronics with oscilloscopes and other electronic devices for military and residential use. He was obviously hyper sensitive to EMF and he died prematurely because of EMF exposure. I have inherited my Ehlers Danlos Syndrome from my father, through his mother's side of the family, tracing it back to the mid 1800s. I have undergone many operations and procedures, starting in my thirties, to repair tears in my cartilage, muscles and ligaments of my knees, shoulders and other joints; detached retina twice, requiring emergency surgeries and extended months long recuperations, I was forced to undergo a colon resection after suffering many bouts of severe diverticulitis requiring emergency ER visits, and pelvic organ prolapse surgery, plus many surgeries in my legs for venous insufficiency, eye surgery, and three surgeries in Germany by an expert on lipedema surgery, Dr. Josef Stutz, less than two years ago, because I was unable get out of bed or walk or even sit at a computer without almost passing out from leg pain. At the time, there were no surgeons in the United States who offered lipedema surgical treatment. I traveled to Tucson, Arizona, also, in 2013 to be examined by the world's leading expert on lipedema and other rare adipose tissue disorders, Dr. Karen Herbst. As a matter of fact, when PECO sent me its ten day shut off notice, I was recuperating from colon surgery performed at the University of Pennsylvania on March 9, 2015. I take many supplements each day to try to help me manage my genetic diseases. See, e.g., Herbst, Karen L., MD, "Rare Adipose disorders (RADS) masquerading as obesity", *Acta Pharmacologica Sinica* Vol. 33: p. 155-72 (2012); Herbst, Karen L., MD, website: www.lipomadoc.org; Stutz, Josef J., MD, and Krahl, D., MD: "Water Jet-Assisted Liposuction for Patients with Lipoedema: Histologic and Immunohistologic Analysis of the Aspirates of 30 Lipoedema Patients", *Journal of International Society of Aesthetic Plastic Surgery* (2008); Stutz, Josef J., MD, "Liposuktion beim Lipödem zur Verhinderung von Gelenkspät komplikationen" *Vasomed*, Vol 23 (2011); Nimisha Kakadia* and Niranjana S Kanaki *Ehler Danlos Syndrome: An Overview*, Parul Institute, J. Chem. Pharm. Res., 2011, 3(3):98-107; Castori, M, *Ehlers-Danlos Syndrome, Hypermobility Type: An Underdiagnosed Hereditary Connective Tissue Disorder with Mucocutaneous, Articular, and Systemic Manifestations*, International Scholarly Research Network ISRN Dermatology Volume 2012, Article ID 751768, 22 pages doi:10.5402/2012/751768; D. Mantle, R.M. Wilkinsb, V. Preeedy, *A novel therapeutic strategy for Ehlers-Danlos syndrome based on nutritional supplements*, Elsevier, *Medical Hypotheses*, (2005), 64, 279-81; Cornely, Manuel E., M.D., " *Lipedema and Lymphatic Edema*" Chapter 3, from *Liposuction, Principles and Practice* medical textbook, 88 Chapters, Melvin A. Shiffman MD, JD, Alberto Di Giuseppe, eds. Springer (2006);

Because of my disabilities, I am easily fatigued, and I spend most of my days at home, when I am not going to doctors' appointments. I can often function in the mornings, but by afternoon, I am usually lying down for at least several hours. When I am able to perform work, I do so from home. I rarely travel far.

My home is required to be a safe place for me to live, given my inherited disabilities which render me far more vulnerable to EMF damage than the average person. See: McCarty, et al, *Electromagnetic hypersensitivity: evidence for a novel neurological syndrome*, *Int J. Neurosci*, 2;011 Dec: 121 (12)670-6; American Academy of Environmental Medicine Recommendations Regarding Electromagnetic and Radiofrequency Exposure; Johansson, Karolinska Institute, Department of Neuroscience, Communication to California Public Utilities Commission on the deployment of Smart meters health dangers to vulnerable individuals, July 9, 2011; Morgan, et al, *Mobile phone radiation causes brain tumors and should be classified as a probable human*

carcinogen, Spandidos pub, p 1865-71 (Feb 25, 2015), BioInitiative 2012, a Rationale for Biologically-based Exposure Standards for Low-Intensity Electromagnetic Radiation: <http://www.biointiative.org>; Yakymenko et al, *Long-Term Exposure to Microwave Radiation Provokes Cancer Growth: Evidences from Radars and Mobile Communication Systems*, *Exp Oncol* 2011 33, 2 62-70.

PECO and PUC owe me a duty both under their mandates and also under the ADA to provide me with safe electrical power. See Settlement Agreement between the United States of America and City Utilities of Springfield, Missouri, Department of Justice Complaint Number 204-43-140. See also, 42 USC section 12101 et seq.; see also, West Penn Power Energy: Re: Goretzka v. Allegheny Energy, Inc., et al. CCP Allegheny County, No. GD-11-009919. Jury verdict of \$109 million over wrongful death (settled for \$105 million in 2013).

Title II requires public entities, including states and state agencies, to avoid discrimination based on disability, and prohibits discrimination by forbidding people with disabilities from being "excluded from participation in or being denied the benefits of the services, programs or activities of a public entity". Title II prohibits any activity that would deny "full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations" to people with disabilities.

Depriving me of electricity because of my disability certainly falls within the purview of the ADA. If there ever was a "benefit of services" enjoyed by the rest of the population who was not disabled, safe electricity provision which did no harm to the homeowner, is one of them.

PECO should have, *sua sponte*, upon learning of my disabilities, offered me the reasonable accommodation I requested. Instead, PECO badgered me, threatened me with cutting off my right to receive electricity in my home, and refused to grant me reasonable accommodations, even going so far as to allege that I have no rights to electricity at all, given my disabilities. PECO offered me, an elderly disabled adult, who always paid her bills on time, not even as much accommodation as it offers to those who do not pay their bills!

Title III of the ADA requires public accommodations to avoid discrimination based on disability. Title III of the ADA requires public accommodations to provide equal access to goods and services to people with disabilities as are provided to non-disabled patrons. This prohibition on discrimination includes a requirement to modify standard practices and procedures when necessary to provide access, and to provide auxiliary aids and services necessary to ensure that a person is not denied service due to disability. The US Department of Justice guidance to the ADA states that "although compliance with Title III may result in some additional cost, a public accommodation may not place a surcharge only on particular individuals with disabilities".

The ADA necessitates that (1) PECO does not install a new Smart Meter in my home and (2) PECO will continue to supply me electricity through an electricity supplier of my choice. I will even offer a compromise in the meantime, which could be accomplished by postponing implementation of a Smart Meter replacement meter in my case until 2023, when the whole state is supposed to have Smart Meters installed in accordance with PUC's ultra vires regulation, by which time: (1) I may be dead, or in the alternative, hopefully, by which time (2) Rep. Godshall will be impeached or will otherwise no longer be in office and Smart Meter opt out legislation will be a reality in Pennsylvania, (3) case law in PA will have developed to allow Smart Meter opt outs, (4) PUC's implementing regulation will be successfully constitutionally challenged (5) federal law

either through case law or legislation will have developed to supersede PA non opt out provisions of the PUC implementing regulations of Smart Meter roll outs or (6) the ADA will not be superseded by less favorable laws relating to EMF exposure to susceptible individuals and I renew my objections to Smart Meter installation in my home under the ADA.

2. I have no time due to the short time constraints placed on my by PECO to research the veracity of PECO's allegation number 2 in its NEW MATTER. Therefore, I neither admit nor deny it.

3. I have no time due to the short time constraints placed on my by PECO to research the veracity of PECO's allegation number 3 in its NEW MATTER. Therefore, I neither admit nor deny it.

4. Denied. The opposite is true. The statute and its legislative history of Act 129 do not mandate installation of smart meters; the statute and its legislative history mandate that residential customers of older construction must actively "opt in" if they want smart meters.

5. I have no time due to the short time constraints placed on me by PECO to research the veracity of PECO's allegation number 5 in its NEW MATTER. I neither admit nor deny the allegations.

6. I have no time due to the short time constraints placed on me by PECO to research the veracity of PECO's allegation number 6 in its NEW MATTER. I neither admit nor deny the allegations.

7. I have no time due to the short time constraints placed on me by PECO to research the veracity of PECO's allegation number 7 in its NEW MATTER. I neither admit nor deny the allegation.

8. I have no time due to the short time constraints placed on me by PECO to research the veracity of PECO's allegation number 8 in its NEW MATTER. I neither admit nor deny the allegation.

9. I have no time due to the short time constraints placed on me by PECO to research the veracity of PECO's allegation number 9 in its NEW MATTER. I neither admit nor deny the allegation.

10. I have no time due to the short time constraints placed on me by PECO to research the veracity of PECO's allegation number 10. in its NEW MATTER. I neither admit nor deny the allegation.

11. I have no time due to the short time constraints placed on me by PECO to research the veracity of PECO's allegation number 11 in its NEW MATTER. I neither admit nor deny the allegation.

12. Denied at least in part. The existing Statute, PA Act 129, has no "absence of an 'opt out' provision" because it requires an affirmative act on the part of a homeowner of not new construction to affirmatively "opt in". PA Act 129 did not omit an opt out provision because Act 129 did not envision the scenario set up by the PUC which would mandate Smart Meters on an unwilling public consumer of electricity, for whatever reason. My home was built in 1978. I did not opt in to a smart meter. The House Bill 2188 was crafted, NOT to not to rectify any lack of opt out provision in the Act, but to clarify a mistake in PUC's regulations purportedly implementing PA Act 129, but which, actually, changed the intent of the Act completely. PUC's regulation rolling out the Smart Meters without an opt out provision runs contrary to the intent and wording of the Act.

13. Denied in part, unless you include PUCs regulations under "existing law". Admitted in part, which describes HB 2188 wording.

14. Admitted in part, denied insofar as PECO refers to the "mandatory schedule established by Act 129." Act 129 establishes no schedule for mandatory cram down of Smart Meters on PECO customers living in old construction, and certainly establishes no mandatory schedule of Smart Meter installation on PECO customers who have disabilities covered under the ADA.

15. Admitted in part, denied in part. Admitted that HB 2188 has not been scheduled for a vote by the General Assembly. By way of further explanation, Rep. Godshall's son is allegedly paid by PECO for Smart Meter roll outs, and Rep. Godshall has a conflict of interest in not allowing HB 2188 to be scheduled for a vote by the General Assembly. Denied in part that "the ability to opt out of smart meter installation is not currently permissible under the law." By way of further explanation, federal law supersedes state law where federal law gives more protection to citizens than state law. The federal ADA permits opt out of smart meters as a reasonable accommodation to individuals who are disabled and who would be harmed by installation of smart meters in their homes. I am one such individual, as I have raised in my Complaint and further explained by my NEW MATTER above.

16. Denied. My formal complaint, and as modified by my NEW MATTER, to opt out of installation of a smart meter or in the alternative to delay installation of a Smart Meter on my residence until 2023 should not be dismissed as a matter of law. Federal law requires PECO and the PPUC to provide reasonable accommodation to individuals with a disability. Allowing me to continue to receive electricity in my home without the removal of my current electric meter which can be read from PECO's offices as it has been read for many years, is a reasonable accommodation for my disability. The ADA requires reasonable accommodation, even if that accommodation might cause the business to incur increased costs. If PECO and PUC should disagree that my request to not have a smart meter installed is not a "reasonable" accommodation, I offer in the alternative, that PECO postpone until 2023 installation of a smart meter in my home, unless Pennsylvania law changes in the interim, in which case I reaffirm my desire to opt out. I offer this alternative suggestion without prejudice to reaffirm my rights under the ADA at any time during or after 2023 if necessary to shield myself from EMF radiation which will be harmful to my health. Delaying installation of a smart meter in my home until 2023 or never installing a Smart Meter on my property will not harm PECO's installation objectives in the least. I live in rural West Bradford township of Chester County. (When my husband and I moved here in 1990. the road was not paved. The 100 acre field behind our home has since been subdivided into 20 acre parcels.) My farm does not front on the street. The Giunta's farm below me fronts on the street. The electric line which runs from the street to the Giunta's farm has only my property and one other neighbor's property, the Seltzers, on that same electrical line. Even if the Giuntas have given access to a Smart Meter installation, delaying installation of a Smart Meter on my property will only delay installation at one other property, the Seltzers, if I understand the mechanics of Smart Meter networks. Not an unreasonable request, and certainly within the contemplation of reasonable accommodation of the ADA.

17. Admitted. PECO has not even installed a Smart Meter on my property, thank goodness. Why would I allege that "PECO Energy has improperly installed the meter inconsistently with any Plan", when PECO has not installed a Smart Meter at all?

18. Admitted in part, denied in part. I don't "simply allege that [I do not] want a meter installed because of health concerns." I insist that a Smart Meter not be installed on my property because it will jeopardize the fragile state of my health, given my age, my chronic progressive genetically weak condition, and my hypersensitivity to EMF, and in addition, my protections afforded me by the ADA.

19. Denied. PECO is not operating on the basis of Act 129 in the least. Not in the spirit or the letter of the law of Act 129, which, according to its legislative history and exact wording itself, affirmatively required customers in old residences to request installation of Smart Meters if they wanted them. By way of further answer, PECO is attempting to act in direct conflict with its duties under the ADA to permit me to enjoy continuous safe electricity on my property without a Smart Meter.

20. Denied, as specifically set forth above.

21. Denied, as specifically set forth above.

22. Denied, as specifically set forth above. PECO's stand as set forth in its verbal communications with me, with my political representatives I contacted when I received the 10 day shut off notice, and in PECO's answer to my Complaint should be reversed, and PECO should accept my offer for settlement as outlined in my NEW MATTER above, consistent with the ADA and Act 129.

Wherefore, I respectfully request that the Honorable Commission grant the relief I have requested in my Complaint as modified by my NEW MATTER set forth above.

Respectfully Submitted,



Laura Sunstein Murphy, resident of Chester County, West Bradford Township, PA

I certify that I will have served a copy of this response to Shawane L. Lee, Esquire, in the same manner as she served a copy of PECO's response to my Complaint, via U.S. Mail to:

Shawane L. Lee
Counsel for PECO Energy Company
2301 Market Street, S23-1
P.O. Box 8699
Philadelphia, PA 19101-8699

dated April 30, 2015, in West Chester, PA.



Laura Sunstein Murphy