

Thomas Aguirre  
1561 Sunset Drive  
Mifflintown, PA 17059

December 19, 2019

**VIA CERTIFIED MAIL**

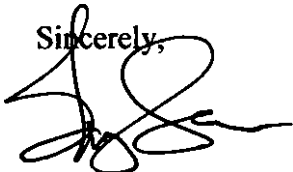
Secretary  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street, 2<sup>nd</sup> Floor West  
Harrisburg, PA 17120

**Re: Thomas Aguirre V. PPL Electric Utilities Corporation**  
**Docket No. C-2018-3005352**

Dear Secretary,

Enclosed, please find written comments labeled: 'Reconsideration of the Order' along with certificate of service addressed to Devin T. Ryan Esquire.

Sincerely,



Thomas Aguirre

Enclosures:

cc: Office of Special Assistants (OSA) at: ra-OSA@pa.gov  
Devin Ryan Esquire

**RECEIVED**

DEC 19 2019

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

December 19, 2019

Thomas Aguirre	:	
	:	
v.	:	C-2018-3005352
	:	
PPL Electric Utilities Corporation	:	

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**RECONSIDERATION OF THE ORDER**

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Pursuant to 52 Pa. Code § 5.572.5.41 of the Pennsylvania code, Thomas Aguirre (Complainant) respectfully requests that the Commission reconsider its decision in its Opinion and Order dated December 5<sup>th</sup> 2019. In support of its request, Complainant states the following:

**Background**

1. On October 10, 2018 the Complainant filed a formal complaint disputing PPL's Authority to require the installation of a smart meter at resident's location citing health and safety issues, cyber security risks and privacy rights.
2. A hearing was convened on May 16, 2019. The complainant appeared in person (*pro se*)
3. The Commission served its decision on July 17, 2019
4. Complainant filed exception on August 2, 2019
5. The Commission filed its opinion and order on December 5, 2019

## **Standards for Reconsideration**

This Petition For Reconsideration Should Be Granted Because It Presents New And Novel Arguments That Were Not Previously Heard Or Considered By The Commission. As set forth in *Duick v. Pennsylvania Gas and Water Co.*, 56 Pa.P.U.C. 553 (1985)

## **Grounds for Reconsideration**

1. That PPL's assertion that the complainants request for relief in the form of an extension was raised for the first time in his exception- is false.

*"...PPL notes that the relief requested of an extension of the schedule for PPL's installation of the complainant's smart meter is improperly raised for the first time in an exception..."*

The Opinion and order (Commission)- December 5<sup>th</sup> 2019 Pg 17 Par 2

However, the complainant respectfully made such request to the ALJ in complainants opening statement at his hearing back on May 16, 2019

*"I know that an opt out is not obtainable, but perhaps your Honor you can put a stay on this installation for the purposes of helping me complete my recovery"*

Complainant's opening statement at hearing Final paragraph May 16<sup>th</sup> 2019

2. The claimant argues that the previous submitted exhibits appear to have been overlooked or not addressed by the commission (Exhibit A-B)

The complainant asserts that PPL utilities corporation willfully and intentionally obfuscated the true nature of the meters delivery system and has failed to honor its legal obligation to adequately notify it customer base of such

### ***"45 Days before meter replacement***

***Direct mail notification to customers-*** ... *In addition to notifying the customer that they are scheduled to receive a new meter, the letter will provide information about PPL Electric meter replacement program, the new AMI system and meters..."*

PPL Electric Utilities Communications Plan January 15, 2016

However, no mention to AMI, Mesh, or Smart Meter was contained in any mailing received from PPL Electric to adequately inform its customer base. (Exhibit A)

This is in stark contrast to PPL Electric Corporations correspondence with stock holders and other legal matters (Exhibit B)

3. The Commission stated the following:

*"...under the existing iteration of Section 2807(f) of the Code, no "opt out" provision exists."*

PA Public Utility Commission- Opinion and Order December 5<sup>th</sup> 2019

The complainant reiterates his desire for only a delay. As no "opt-out" provision has or is being sought and that such a request places no unreasonable burden for either the utility or the commission in fulfilling such obligation as defined by act 129.

In contrast, the complainant who has expressed health challenges to this type of delivery system with supporting medical documentation would be forced to relocate outside the Commonwealth- a hardship the complainant feels would be disproportionate and an unreasonable burden while he is continuing medical care. (Exhibit L and M)

**Conclusion:**

Wherefore, for the foregoing reasons the complainant, Thomas Aguirre requests that the commission grant his request to delay installation of PPL's smart meter installation until the end of 2021.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas Aguirre', written over a horizontal line.

Thomas Aguirre (Complainant)


Dated December 19, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code § 1.54 (service by a participant).

**VIA FIRST CLASS MAIL**

Devin T Ryan Esquire  
17 North Second Street 12<sup>th</sup> Floor  
Harrisburg PA 17101-1601



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Thomas Aguirre

Date: December 19, 2019

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU



Thomas A. Aguirre  
1561 Sunset Dr.  
Mifflintown, PA 17059

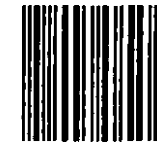
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TO - PENNSYLVANIA PUBLIC UTILITY COMMISSION  
COMMONWEALTH KEYSTONE BUILDING  
400 NORTH STREET, 2ND FLOOR WEST  
HARRISBURG, PA 17120

ATTN: ROSEMARY CHIAVETTA  
SECRETARY