

200 Brook Hollow Road
Mount Pleasant, PA 15666

January 1, 2020

VIA ELECTRONIC FILING

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

Re: Michael T. Jennings v. West Penn Power Company
Docket No. C-2018-3006031

Dear Secretary Chiavetta,

Attached please find the **Objection of Michael T. Jennings to the Response and Objections of West Penn Power Company Dated December 20, 2019** in the above-referenced matter. This document has been served on West Penn Power as shown in the Certificate of Service.

Please contact me if you have any questions.

Very Truly Yours,



Michael T. Jennings

ssj
Enclosures

CC: ALJ Watson
Certificate of Service

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

MICHAEL T. JENNINGS :
 :
 v. : Docket No. C-2018-3006031
 :
 WEST PENN POWER COMPANY :

January 1, 2020

OBJECTION OF MICHAEL T. JENNINGS
TO THE RESPONSE AND OBJECTION OF WEST PENN POWER COMPANY DATED
DECEMBER 20, 2019

Dear Honorable Watson,

On December 20, 2019, West Penn Power Company responded to my Motion to Stay for Proceedings. Please allow this letter to serve as my objection to West Penn Power Company's response and objection.

West Penn Power referred to the Motion for Delay of Hearing in the case of *Liza Mousios v. Metropolitan Edison Company*¹ as being "a nearly identical request" to my Motion to Stay of Proceedings. Ms. Mousios did not cite the Petition by William and Jean Haas at Docket No. 658 M. D. 2019, *William Jean Haas, Petitioners v. Pennsylvania Public Utilities Commission, Respondents*, as part of her request as I did in my Motion. Ms. Mousios' request referred solely to persons experiencing health effects and harm from the RF/EMF-emitting invoicing tools ("smart" meters) who have filed lawsuits at the Commonwealth Court level.

I assert that the Petition filed by William and Jean Haas **absolutely** involves me and my family as residents and property owners in Pennsylvania. The Haas Petition does not depend on individuals being harmed from the invoicing tools. It is an action to declare the PUC's interpretation of Act 129 violates the Pennsylvania State Constitution and would be unconstitutional for **everyone** in the state. Even though we are not directly named in the case, we are involved and it does have a bearing on our case.

The Petition seeks to establish Act 129 also violates the United States Constitution which would again involve me and my family as we are also United States citizens. Therefore, on both accounts, State and Federal levels, the Haas Petition has **total relevance** to my case.

¹ *Liza Mousios v. Metropolitan Edison Company; Roy Cumming v. Metropolitan Edison Company*, Docket Nos. C-2019-3007989 and C-2019-3007995 (Prehearing Order Complainants' Motion to Delay Hearing entered December 13, 2019).

Should the Commonwealth Court rule in favor of William and Jean Haas, an RF/EMF-emitting invoicing tool will not have to be deployed on my property and the above-referenced matter will be moot.

I could not have included the Haas Petition in my testimony and exhibits filed on November 25, 2019, as the Haas Petition was filed with the Commonwealth Court on November 27, 2019.

Concerning the *Assumption of Commission Jurisdiction Over Pole Attachments from the Federal Communications Commission*², cited by West Penn, this order does not give authority for installing an invoicing tool on personal property. In fact, there is no mention at all in the Order of giving any approval to install an invoicing tool on personal property, rather only on poles.

Commonwealth v. Thomas, 51 A.3d 255 (Pa. Super. Ct. 2012) is totally inapplicable to my situation.

Wherefore, for the foregoing reasons, Complainant, Michael T. Jennings, respectfully requests that the Administrative Law Judge grant his Motion to Stay of Proceedings in *Michael T. Jennings v. West Penn Power*, Docket No. C-2018-3006031.

Respectfully Submitted,



Michael T. Jennings, Complainant
200 Brook Hollow Road
Mount Pleasant, PA 15666
724-600-9338
Lilmac2@zoominternet.net

Dated: January 1, 2020

² See *Assumption of Commission Jurisdiction Over Pole Attachments from the Federal Communications Commission*, Docket Number L-2018-3002672 (Order entered September 3, 2019).

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

MICHAEL T. JENNINGS	:	
Complainant	:	
	:	
v.	:	Docket No. C-2018-3006031
	:	
WEST PENN POWER COMPANY	:	
Respondent	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the **Objection of Michael T. Jennings to the Response and Objections of West Penn Power Company Dated December 20, 2019**, in accordance with the requirement of 52 Pa. Code § 1.54 (relating to service by a participant.)

Service by e-filing and email:

Lauren Lepkoski
Tori Giesler
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
llepkoski@firstenergycorp.com
tgiesler@firstenergycorp.com

Service by e-filing and first-class mail:

Administrative Law Judge Jeffrey A. Watson
Pennsylvania Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222

Dated: January 1, 2020



Michael T. Jennings
200 Brook Hollow Road
Mount Pleasant, PA 15666
724-600-9338
Lilmac2@zoominternet.net