

331 Shady Ridge Drive
Monroeville, Pennsylvania

January 25, 2020

Via Paper Filing

Judge Jeffrey Watson
PA PUC Pittsburgh Administrative Law Judge Office
301 Fifth Ave, Suite 220
Piatt Place
Pittsburgh, PA 15222

RE: **Michele Hriadil and Francis Hriadil v. Duquesne Light Company**
Docket No. C-2016-2571726
Status Report

Cc: Jeremy V Farrell, Esquire, Counsel for Duquesne Light Company
Rosemary Chiavetta, Secretary, Pennsylvania Public Utility Commission

Dear ALJ Watson:

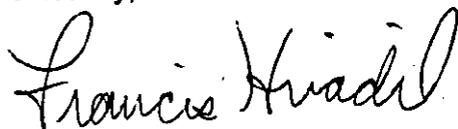
Enclosed please find a copy of Complainants'

Response to
Respondent's Objections to Complainants' Discovery Interrogatories
for Respondent's New Exhibit F-8
and
Motion to Compel Discovery

A copy of this document along with its certificate of service has been served upon the Respondent's Counsel, Jeremy V Farrell, Esquire, and provided to PUC Secretary Chiavetta, in accordance with Commission regulations.

Please feel free to contact me if you have any questions.

Sincerely,



Francis Hriadil
Complainant
(412) 779-3314
hriadil@attglobal.net

Enclosure

RECEIVED

JAN 25 2020

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

DUQUESNE LIGHT COMPANY,

Respondent.

No: C-2016-2571726

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JAN 25 2020

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

RESPONSE TO
RESPONDENT'S OBJECTIONS TO
COMPLAINANTS' DISCOVERY
INTERROGATORIES FOR
RESPONDENT'S NEW EXHIBIT F-8
AND MOTION TO COMPEL DISCOVERY

Filed by Michele and Francis Hriadil

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Monroeville, Pennsylvania

RESPONSE TO
RESPONDENT'S OBJECTIONS TO
COMPLAINANTS' DISCOVERY INTERROGATORIES FOR
RESPONDENT'S NEW EXHIBIT F-8
AND MOTION TO COMPEL DISCOVERY

TO: ALJ JEFFREY A. WATSON

TO: RESPONDENT'S GENERAL COUNSEL, JEREMY V FARRELL, ESQUIRE, AND PAUL SHANE
MILLER, ESQUIRE.

HERE IS THE FILING OF OUR WRITTEN RESPONSE TO RESPONDENT'S OBJECTIONS TO
COMPLAINANTS' DISCOVERY INTERROGATORIES FOR RESPONDENT'S NEW EXHIBIT F-8,
AND OUR MOTION TO COMPEL DISCOVERY.



Francis Hriadil
January 25, 2020

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Michele Hriadil and
Francis Hriadil,

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vs.

No: C-2016-2571726

DUQUESNE LIGHT COMPANY,

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**RESPONSE TO
RESPONDENT'S OBJECTIONS TO
COMPLAINANTS' DISCOVERY INTERROGATORIES FOR
RESPONDENT'S NEW EXHIBIT F-8
AND MOTION TO COMPEL DISCOVERY**

TO ALJ Jeffrey A. Watson:

1. Overview:

a. The process of Discovery exists and was created is to establish the facts - not just some of the facts, not just many of the facts, but all of the facts.

Pa Code, 52. Pa. Code § 5.321(c) Scope, clearly and emphatically states

"a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, ... , including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of a discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence."

There are only two (2) sources available for this information regarding this matter:

- the public domain
- the Respondent

Complainants have gathered what information is available in the public domain. There is much about the operation and operational capability of the Smart Meter in its Network Mesh that is and remains unclear, that has been and remains mischaracterized, and/or has been and remains unreported to the general public. As such, many relevant questions remain unanswered.

The Complainants did not create this situation and occurrence; but, we are required to deal with it. And, as the Respondent is insisting that the public has no choice in the matter, and as the public is being prevented from carrying out and exercising its own independent due diligence and discretion, it is an inescapable truth of the situation that the Respondent, and only the Respondent, can supply those facts.

b. In its November 18, 2019 last minute notification served to the Complainants and the court, the Respondent stated:

- Duquesne Light intends to introduce a new "supplemental exhibit (F-8)" into evidence
- "Duquesne Light is deploying new IPv6 routers in your neighborhood. I've been told that these routers may alter the duty cycle for the smart meters being deployed in your neighborhood. The attached supplemental exhibit contains information about the meter's duty cycle."
- the Respondent would be "following up with supplemental calculations from Dr. Cotts as soon as we receive them."

As such, the Respondent indicated that it is

- introducing new evidence,
- this new evidence pertains to a change in its equipment (its hardware, etc) in the Complainants' neighborhood and elsewhere,
- and that Dr Cotts would be carrying out new Exhibit F-8 calculations and analysis based on this new evidence, which would be provided to the Complainants as soon as possible.

c. As a result of this, on November 19, 2019, the court issued Second Interim Order Granting Complainants' Request for Continuance to provide the Complainants with sufficient time to properly review and assess this new material.

d. On December 26, 2019, the Interim Order Granting Complainants' Request for Extension of Time to File Status Report was issued in which it stated (on pages 4-5)

"1. That the Parties may engage in Discovery related to Respondent's proposed Respondent's Proposed Supplemental Exhibit F-8 provided to the undersigned Presiding Officer and Complainants on or about November 18, 2019, and any expert opinions or changes to expert opinions of either Party related to the substance of Respondent's Proposed Supplemental Exhibit F-8. The Discovery shall be completed on or before January 13, 2020."

e. The Complainants waited over a month and a half for this new information from the Respondent and Dr Cotts (consisting of the remainder of November, all of December, and the beginning of the new year in January), and received nothing from the Respondent. With Discovery closing on January 13 per your order, which the Respondent was well aware of, the Complainants submitted our Discovery Interrogatories for Respondent's New Exhibit F-8, with 10 relevant interrogatories pertaining to the Respondent's Exhibit F-8 and Dr Cotts' purported new Exhibit F-8 calculations. This was served on January 6, 2020. The court was notified of this submission.

f. On January 16, 2020, three (3) days after "Discovery shall be completed", the Complainants received notification from the Respondent that it had filed Respondent's Objections to Complainants' Discovery Interrogatories for Respondent's New Exhibit F-8.

In this document, the Respondent

- completely ignored and did not respond to Complainants Interrogatories 6, 7, and 10. 6., 7., and 10. are not complicated questions, and are simple and straightforward to answer.
- essentially filed its standard blanket objection to every other interrogatory that was asked, claiming its pat "undue burden" objection which the Complainants finds dubious and unconvincing considering the Respondent's vast resources.

2. As an excuse, to apparently justify its dismissal of the Complainants' relevant Interrogatories, in its GENERAL OBJECTIONS AND COMMENTS Item 3. etc., the Respondent states

"Exhibit F-8 is simply an updated version of a White Paper that Itron previously published in October 2015 titled "RF Safety Compliance of OpenWay Smart Meters and the CG Mesh IPv6 Network" ("Original Itron White Paper")."

This is **irrelevant, immaterial, and justifies nothing** submitted in the Respondent's objections. The Exhibit F-8 was submitted as presenting new information, purporting to have a new bearing on this matter and our complaint, which is of sufficient consequence that Dr Cotts needed to become involved *to carry out new calculations, etc. As such, it is effectively a new report, and must be reviewed and evaluated as such.* And, per your Interim Order, Discovery was opened on this new material "on any issue relevant to the subject matter" per Pa Code, 52. Pa. Code § 5.321(c). It cannot be contested that all interrogatories submitted by the Complainants in this regard are relevant to the subject matter of the Respondent's new exhibit, Exhibit F-8, and Dr Cotts utilization thereof.

3. In its GENERAL OBJECTIONS AND COMMENTS Items 6.-9., the Respondent states that it supplied the Complainants with the "Original Itron White Paper" multiple times. Again, this **objection is irrelevant and immaterial** to the matter at hand, and is effectively illustrative of the Respondent's effort to overwhelm and potentially confuse the Complainants with excessive, cumulative, and repetitive submission of the same documents over and over again, in addition its numerous and frivolous motions. Each such submission had to be reviewed and assessed independently to make sure nothing had been changed, corrected, or amended.

4. In its GENERAL OBJECTIONS AND COMMENTS Item 11, the Respondent states

"On January 8, 2020, Duquesne Light served its Fourth Supplemental Responses to Complainants' Set #1 of Discovery Requests ("Fourth Supplemental Responses")"

The Complainants received this new material on January 11, a mere two (2) days before Discovery was set to close on Exhibit F-8, with little time to review its content. Upon review of this material, there is

nothing presented in the Respondent's "Fourth Supplemental Responses to Complainants' Set #1 of Discovery Requests" that answers the specific interrogatories submitted with regard to the Respondent's Exhibit F-8 or Dr Cotts' utilization thereof. So again, this objection is **irrelevant and immaterial** to the matter at hand.

5. In its GENERAL OBJECTIONS AND COMMENTS Item 14, the Respondent states

"Furthermore, Complainants have already served hundreds of discovery requests on Duquesne Light in this matter. In response to these requests, Duquesne Light produced numerous reports and publications by Itron. Until Duquesne Light served Complainants with Exhibit F-8 on November 18, 2019, Complainants never previously sought detailed information relating to the underlying methodology of Itron's studies, thus indicating that Complainants did not believe such information was relevant to their claims."

This statement is blatantly disingenuous and a complete mischaracterization of the truth of the matter.

- Considering the complex and technical nature of the matter at hand, the Complainants served an appropriate and proper number of relevant Discovery Interrogatories which were reasonable, specific, appropriate, relate directly to, and have a direct bearing on issues of health, safety, reliability, security, and privacy, at the present time and in the future, all of which have been raised in Complainants Formal Complaint and subsequent submissions. The Respondent objected and refused to provide suitable answers to most of the Complainants' Discovery Interrogatories, and the Complainants' effort to compel those answers did not resolve the Complainants' dissatisfaction with the Respondent's responses.

The Respondent expended much more time and resources in its effort to avoid providing full and complete answers to those interrogatories, than it would have taken to provide those answers. Nothing submitted by the Complainants was excessive or overly burdensome, contrary to the Respondent's claims.

- The Respondent did not produce "numerous reports and publications by Itron". It submitted, by its own admission, the same Itron reports multiple times. The Respondent only produced a total of three (3) reports from Itron, prior to its current submission.
- The Respondent also now presumes to "know" what the Complainants "believe" is or was relevant to our claims. This is ludicrous at its core. The Respondent is well aware of the Discovery interrogatories and the details that were requested and not provided, its vigorous effort to avoid providing the details that were requested, the timing in which documents and numerous motions were served, the time constraints that were imposed on Discovery, and the disability, limitations, and circumstances of the Complainants who are representing themselves. The Respondent cavalierly glosses over all of this as inconsequential. **Bottomline, this "objection" is irrelevant and immaterial to the matter at hand, as Discovery was opened with regard to its Exhibit F-8 in its entirety.**

6. In its GENERAL OBJECTIONS AND COMMENTS Item 15, the Respondent states

“Duquesne Light also objects to Complainants' Discovery Requests to the extent that they seek to impose additional obligations on Duquesne Light that are not required by the applicable rules and procedures.”

Complainants aver that we have adhered to the spirit and intent of 52. Pa. Code § 5.321(c). All of the Complainants Discovery Requests relate directly to health, safety, reliability, security, and privacy, all of which have been raised in Complainants Formal Complaint and subsequent submissions. Complainants have only submitted Discovery Requests that are reasonable, logical, germane, and relevant to our complaint, and our appeal for accommodation and relief, and impose no undue burden on the Respondent.

7. In its GENERAL OBJECTIONS AND COMMENTS Item 16, the Respondent states

“Duquesne Light objects to Complainants' Discovery Requests because they seek information that is not in Duquesne Light's possession, custody, or control and/or that may be confidential or proprietary information of another company such as Itron or BC Hydro.”

This “objection” is simply an evasion on the part of the Respondent. There is nothing submitted in the Complainants' interrogatories that seeks confidential or proprietary information. The interrogatories submitted by the Complainants, with regards to its Exhibit F-8 and Dr Cotts, request reasonable details that should be known by the Respondent, or its subcontractor Itron, in order to properly ascertain the validity and relevance of the new evidence being submitted, and how “representative” the data truly is. The Respondent is submitting this new information and is responsible for it and Dr Cotts. The Respondent has total access to Itron and Dr Cotts, the Complainants do not. The Respondent presents its Exhibit F-8 and Dr Cotts' purported new calculations in support of its claims yet attempts to plead ignorance and the inability to provide the basis that upon which the validity and relevance of its new evidence rests.

8. The Respondent's Exhibit F-8 fails to provide a number of significant and relevant details.

- the specific Itron OpenWay meters involved in the “sample population” of 2015, etc as compared with the specified meter currently being deployed by the Respondent,

- the statistical distribution of the meters with regards to the mesh router locations in the "sample population" of 2015, etc as compared with the distribution currently being deployed by the Respondent,
- and the mesh operation of the "sample population" of 2015, etc. as compared with the current and future mesh operation being employed by the Respondent.

The Complainants submitted reasonable interrogatories to obtain this important and relevant missing information. Itron's OpenWay meters come in various configurations and with various options. different utilities deploy routers differently, and different utilities operate their smart meshes differently. There is nothing in Exhibit F-8, or the material subsequently supplied by the Respondent, that verifies definitively and explicitly any relevant correlation to the Respondent's current meters, router distribution, and mesh operation.

9. The purported new Exhibit F-8 calculations from the Respondent's Dr Cotts was to be provided in a timely manner, as stated by the Respondent, "as soon as they receive them." It has been months and the Complainants have received nothing in this regard. Discovery was closed on January 13, depriving the Complainants of any opportunity to apply Discovery to this material.

COMPLAINANTS' DISCOVERY REQUESTS

10. Complainants' Interrogatory 1.

The Respondent is deploying the Itron/Centron SK9AMI7 Smart Meter in a Smart Mesh in the Complainants' area. The specific Smart Meter (s) and the Smart Mesh (es) comprising the 2015 sample population discussed in Exhibit F-8, utilized by BC Hydro of Canada, were not clearly and explicitly identified and described.

- a. What is the specific make up of Smart Meters that were assessed, by numbers, types, model numbers, features, operating parameters, etc. comprising this sample population?

The Respondent did not provide a definitive answer. Itron's OpenWay meters come in various configurations and with various options. The question is simple enough - to establish and verify how representative the meters of the "sample population" are with regard to the Respondent's meter it is currently deploying.

- b. What are the specific natures, and operating characteristics of the Smart Mesh or Meshes that these Smart Meters were used in, in the sample population assessed in the Itron whitepaper comprising Respondent's Exhibit F-8?

The Respondent did not provide a definitive answer. Different utilities operate their meshes differently. There is nothing provided that establishes the mesh operation of the “sample population” is representative of the Respondent and its Smart Meter deployment and operation.

- c. In what specific way or ways is the sample population and smart mesh operation, assessed therein, technically, functionally, and operationally (i.e. how it actually operates and is operated in the field), similar and different from the current Smart Meter and Smart Mesh being deployed and operated by the Respondent in its service area?

As in b., the Respondent did not provide a definitive answer. Different utilities operate their meshes differently. There is nothing provided that establishes the mesh operation of the “sample population” is representative of the Respondent and its Smart Meter deployment and operation.

11. Complainants' Interrogatory 2.

What specifically does the Respondent claim that its new Exhibit F-8 demonstrates or signifies?

The Respondent did not answer. Only stated that Exhibit F-8 speaks for itself. Nothing presented in the Respondent's “Fourth Supplemental Responses to Complainants' Set #1 of Discovery Requests” answers this question.

12. Complainants' Interrogatory 3.

What is the Respondent's evidence that supports this assertion/conclusion purported in its answer to Question 2, submitted herein?

The Respondent did not answer. Only stated that Exhibit F-8 speaks for itself. Nothing presented in the Respondent's “Fourth Supplemental Responses to Complainants' Set #1 of Discovery Requests” answers this question.

13. Complainants' Interrogatory 4.

In Exhibit F-8, Itron admits that Smart Meter proximity to the utility's Smart Mesh routers has a definitive impact on Duty Cycle, yet fails to identify what the proximity distribution of the assessed sample population is. What is the distribution of the Smart Meters in terms of proximity to the utility's mesh routers, assessed in the sample population?

The Respondent did not answer. Only stated that Exhibit F-8 speaks for itself. Nothing presented in the Respondent's “Fourth Supplemental Responses to Complainants' Set #1 of Discovery Requests” answers this question. There is nothing provided that establishes the mesh operation of the “sample population” is representative of the Respondent and its Smart Meter deployment and operation.

14. Complainants' Interrogatory 5.

What evidence does the Respondent have that any conclusion derived from Exhibit F-8 is representative of, and applies or is relevant to, the Respondent's Itron SK9AMI7 Smart Meters currently being deployed in its Smart Mesh here in its service area?

The Respondent did not answer. Only stated that Exhibit F-8 speaks for itself. Nothing presented in the Respondent's "Fourth Supplemental Responses to Complainants' Set #1 of Discovery Requests" answers this question. There is nothing provided that establishes the mesh operation of the "sample population" is representative of the Respondent and its Smart Meter deployment and operation.

15. Complainants' Interrogatory 6.

Has Exhibit F-8, (i.e. this Itron "paper") been accepted by and published in any recognized and independent scientific journal or publication? If so, please specify where it was accepted and published?

The Respondent did not answer, and completely ignored this interrogatory concerning the nature and publication of Itron's paper.

16. Complainants' Interrogatory 7.

Has Exhibit F-8, (i.e. this Itron "paper") been peer-reviewed? If so, where and by whom, and produce that peer-review?

The Respondent did not answer, and completely ignored this interrogatory concerning the nature and publication of Itron's paper.

17. Complainants' Interrogatory 8.

The Respondent has informed the Complainants that its expert witness, Benjamin Cotts PhD, PE of Exponent, would be following up its new exhibit, Exhibit 8, with supplemental calculations based on the content of Exhibit F-8. As of this date, the Complainants have not yet been served with these supplemental calculations, and any explanation of their purported significance and relevance.

a. When will the Complainants be served these supplemental calculations?

The Complainants were informed by the Respondent that these new Exhibit F-8 calculations would be carried out by Dr Cotts and that we would be supplied with them. As such, the Respondent cannot now claim they are in any way privileged. Further, the Complainants were informed that we would be supplied with these calculations in a timely manner, not after Discovery had closed and not as part of any revised Expert Report. So, the Respondent has changed its story regarding these new Exhibit F-8 calculations and their delivery to the

Complainants. Discovery has now closed depriving the Complainants of any Discovery on this matter.

Pa Code, 52. Pa. Code § 5.321(c) Scope, clearly and emphatically states

“a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, ... , including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of a discoverable matter.”

- b. What does the Respondent claim is their significance and/or relevance to our circumstances, complaint, and request for relief?

The Complainants were informed by the Respondent that these new Exhibit F-8 calculations would be carried out by Dr Cotts and that we would be supplied with them. As such, the Respondent cannot now claim they are in any way privileged. Further, the Complainants were informed that we would be supplied with these calculations in a timely manner, not after Discovery had closed and not as part of any revised Expert Report. So, the Respondent has changed its story regarding these new Exhibit F-8 calculations and their delivery to the Complainants. Discovery has now closed depriving the Complainants of any Discovery on this matter.

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- c. The Complainants have been waiting for this new material from the Respondent's expert witness, Benjamin Cotts. Why have the Complainants not been provided with this purported new evidence in a timely manner, so that we can have sufficient time to review and assess it, and possibly follow-up, while Discovery is still open with regards to Exhibit F-8?

The Complainants were informed by the Respondent that these new Exhibit F-8 calculations would be carried out by Dr Cotts and that we would be supplied with them. As such, the Respondent cannot now claim they are in any way privileged. Further, the Complainants were informed that we would be supplied with these calculations in a timely manner, not after Discovery had closed and not as part of any revised Expert Report. So, the Respondent has changed its story regarding these new Exhibit F-8 calculations and their delivery to the Complainants. Discovery has now closed depriving the Complainants of any Discovery on this matter.

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18. Complainants' Interrogatory 9.

The Complainants were specifically informed by the Respondent that its expert witness, Benjamin Cotts, would be utilized in providing supplemental calculations regarding the data provided in its new exhibit, Exhibit F-8. This brings into question the relationship of Benjamin Cotts with the Respondent, and his potential bias, and lack of independence and fairness, in carrying out any such assessment.

- a. Has Benjamin Cotts ever published any report or provided any testimony critical of any aspect of Smart Meter Technology operating in a Smart Mesh? If so, produce those reports or that testimony?

The Respondent refused to answer.

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“a party may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the pending action, ... , including the existence, description, nature, content, custody, condition and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of a discoverable matter. It is not ground for objection that the information sought will be inadmissible at hearing if the information sought appears reasonably calculated to lead to the discovery of admissible evidence.”

Dr Cotts' prior writings and testimonies, and his objectivity, are relevant to this matter. The Respondent raised Dr Cotts' participation with regard to Exhibit F-8. As the Complainants had no prior opportunity to pursue this in Discovery as Discovery was closed when the Complainants were informed of Dr Cotts and his participation, the Complainants now exercise our right to pursue it now.

- b. How many smart meter cases/complaints has Benjamin Cotts participated in, as an expert for the utilities and the industry, in support of smart meter technology? List those specific cases/complaints?

The Respondent refused to answer.

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- c. **What compensation is Benjamin Cotts receiving from the Respondent to carry out his assessments, and represent the Respondent as an expert witness in support of its position, with regards to our complaint and request for relief?**

The Respondent refused to answer.

Pa Code, 52. Pa. Code § 5.321(c) Scope, clearly and emphatically states

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Dr Cotts' prior writings and testimonies, and his objectivity, are relevant to this matter. The Respondent raised Dr Cotts' participation with regard to Exhibit F-8. As the Complainants had no prior opportunity to pursue this in Discovery as Discovery was closed when the Complainants were informed of Dr Cotts and his participation, the Complainants now exercise our right to pursue it now.

19. Complainants' Interrogatory 10.

Produce all supportive documents, including but not limited to studies, that relate to your answers to these Discovery Interrogatories concerning your new exhibit, Exhibit F-8, and your expert witness', Benjamin Cotts', involvement with and utilization of your new Exhibit F-8.

The Respondent did not answer, and completely ignored this interrogatory.

20. The Respondent has provided responses that are insufficient, incomplete, or otherwise objectionable. The Complainants have provided the specific issue(s) with the Respondent's responses (why and how each is insufficient, incomplete, and/or objectionable). This information still needs to be provided to remedy the inadequacy of the Respondent's responses, and to uphold the integrity of the Discovery process and due process for the Complainants.

Every effort was made to be as concise as possible, yet also remain specific, accurate, and complete. Everything is explained in as clear a manner as possible so that there can be no misunderstanding as to what is lacking, and how and why the inadequacies can and must be remedied. Many require simple answers or clarifications. This is no undue burden.

It is not, nor has it ever been, the intent of the Complainants to unduly, unjustly, or unfairly burden the Respondent. Complainants have adhered to the spirit and intent of 52. Pa. Code § 5.321(c). All of the Complainants Discovery Requests relate directly to the matter at hand. Complainants have only submitted Discovery Requests that are germane to our complaint, and our appeal for accommodation and relief.

21. If the answers to the Complainants reasonable and relevant Discovery Interrogatories are not forthcoming, the answers will remain unprovided by the only source that can provide those answers, and that is the Respondent. In a matter where the Complainants bear the burden of proof and must provide a preponderance of evidence, this occurrence, if allowed to happen, will severely compromise the Complainants' right to due process.

If a Respondent can be permitted to

- ignore whatever interrogatories that it wants
- ignore whatever aspects of interrogatories that it wants
- leave out any pertinent data or information that it chooses
- provide responses that don't answer the interrogatory being posed
- answer only those interrogatories that it wants, and only in the way that it wants
- decide when an interrogatory has been fully answered, irrespective of the satisfaction of the submitter

then the purpose and intent of Discovery will have been circumvented.

22. Again, Complainants refer to 52. Pa. Code § 5.321(c) Scope,

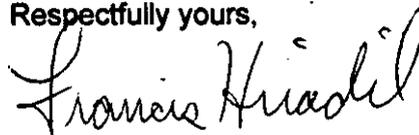
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The Complainants again aver that we have adhered to the spirit and intent of 52. Pa. Code § 5.321(c), and have only submitted Discovery Requests that are reasonable and germane to our complaint, and our appeal for accommodation and relief.

23. In closing, in our effort to substantiate that, at a minimum, aspects of the Respondent's Smart Meter program are in violation of relevant codes, including but not limited to PA Utility Code §1501, and that our concerns, our complaint, and our request for accommodation and relief are all valid, Complainants are tasked with having to produce a preponderance of evidence to meet our burden of proof. Complainants ability to do this will be harmed if the answers to our outstanding Discovery Requests are not forthcoming and are subject to the discretion of the Respondent.

WHEREFORE, in light of these circumstances, Complainants Michele Hriadil and Francis Hriadil respectfully request that Your Honor overrule the Respondent's objections, and rule to compel the Respondent to fully and completely answer the Complainants' Discovery Interrogatories for Respondent's New Exhibit F-8.

Respectfully yours,



Francis Hriadil
(412) 779-3314
331 Shady Ridge Drive
Monroeville, Pennsylvania
January 25, 2020

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Michele Hriadil and
Francis Hriadil,

Complainant,

vs.

No: C-2016-2571726

DUQUESNE LIGHT COMPANY,

Respondent.

CERTIFICATE OF SERVICE

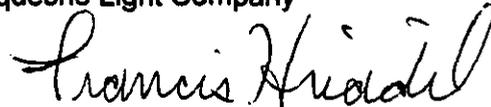
I hereby certify that I have this day served a true copy of Complainants' Response to Repondent's Objections to Complainants' Discovery Interrogatories for Respondent's New Exhibit F-8 and Motion to Compel Discovery upon the participants listed below in accordance with the requirements of 52 PA. Code § 1.54 (relating to service by a participant):

Via Paper Filing
Judge Jeffrey Watson
PA PUC Pittsburgh Administrative Law Judge Office
301 Fifth Ave, Suite 220
Piatt Place
Pittsburgh, PA 15222

Via Paper Filing
Jeremy V Farrell, Esquire
Paul S Miller, Esquire
One PPG Place - 1500
Pittsburgh, PA 15222
(412) 594-5619 (Fax)

Counsel for Respondent, Duquesne Light Company

Dated this 25th day of January, 2020



Michele and Francis Hriadil
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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

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