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March 6, 2020

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: Treasure Hoffman v. PPL Electric Utilities Corporation
Docket No. C-2019-3010414

Dear Secretary Chiavetta:

Enclosed for filing is the Motion of PPL Electric Utilities Corporation to Compel Responses to Discovery Propounded on Treasure Hoffman – Set I in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,

Devin Ryan

DTR/cls
Enclosures

cc: Honorable Elizabeth Barnes (*w/enclosures*)
Certificate of Service

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 (relating to service by a participant).

VIA OVERNIGHT DELIVERY

Treasure Hoffman
4 North Street
P.O. Box 204
Port Clinton, PA 19549

Date: March 6, 2020



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Treasure Hoffman,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2019-3010414
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.342(g)(1), YOU MAY FILE A REPLY TO THE ENCLOSED MOTION TO COMPEL WITHIN FIVE (5) DAYS AFTER THE DATE OF SERVICE. YOUR REPLY SHOULD BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY OF YOUR REPLY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.



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Date: March 6, 2020

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Treasure Hoffman,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2019-3010414
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**MOTION OF PPL ELECTRIC UTILITIES CORPORATION TO
COMPEL RESPONSES TO
DISCOVERY PROPOUNDED ON TREASURE HOFFMAN – SET I**

TO ADMINISTRATIVE LAW JUDGE ELIZABETH H. BARNES:

Pursuant to 52 Pa. Code §§ 5.342(g) and 5.349(d), PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) hereby files this Motion to Compel Responses to Discovery Propounded on Treasure Hoffman (“Complainant”) – Set I. In support of its Motion, PPL Electric states as follows:

I. INTRODUCTION

1. On December 19, 2019, PPL Electric served Interrogatories and Requests for Production of Documents on the Complainant – Set I, Questions 1 through 7 (“PPL to Complainant Set I”) via overnight delivery. A true and correct copy of PPL to Complainant Set I is attached hereto and marked as **Appendix A**.

2. Pursuant to the Commission’s regulations, objections to PPL to Complainant Set I were due on or before December 30, 2019, and responses were due on or before January 8, 2020.

3. The Complainant never served any objections to PPL to Complainant Set I by December 30, 2019.

4. On January 6, 2020, the Complainant served her answers to PPL to Complainant Set I via first class mail. The Complainant failed to answer PPL to Complainant Set I, Nos. 1 and 7 fully on the alleged grounds that they were premature. Further, the Complainant stated that the information about her fact witnesses and expert witnesses, which were requested in PPL to Complainant Set I, Nos. 5 and 6, respectively, were “[n]ot know at this time.” Lastly, for PPL to Complainant Set I, No. 4, the Complainant averred that “PPL will be given access to health records of affected members of the household upon proper execution of a stipulated protective agreement.” A true and correct copy of the Complainant’s responses is attached hereto and marked as **Appendix B**.¹

5. Also on January 6, 2020, the Complainant served her first set of interrogatories on PPL Electric (“Complainant to PPL Set I”) via first class mail. Complainant to PPL Set I consisted of 64 interrogatories, many of which contained several subparts.²

6. On January 21, 2020, PPL Electric timely served objections to Question Nos. 26(b)-(c), 27, 33-47, 49, and 62(e) of Complainant to PPL Set I.

7. On January 29, 2020, PPL Electric timely served its answers to the remainder of Complainant to PPL Set I.

8. On February 6, 2020, the Complainant served exhibits to be used at the hearing.

¹ PPL Electric notes that the copies of the Complainant’s cell phone bills, which were provided in her responses to discovery, are not included in the attached Appendix B.

² Because the interrogatories were only served via first class mail, three days were added to the prescribed response periods for objections and answers. *See* 52 Pa. Code § 1.56(b). Further, Monday, January 20, 2020, was Martin Luther King Day, which is a federal holiday. Accordingly, the due date for objections rolled over to Tuesday, January 21, 2020.

9. To date, the Complainant has not provided formal, complete responses to PPL to Complainant Set I, Nos. 1, 4, 5, 6, and 7.

II. MOTION TO COMPEL

10. PPL Electric respectfully requests that the Administrative Law Judge Elizabeth H. Barnes (the “ALJ”) compel responses to PPL to Complainant Set I, Nos. 1, 4, 5, 6, and 7.

11. Under 52 Pa. Code § 5.321(c), a party is entitled to obtain discovery of any matter not privileged that is relevant to the pending proceeding, or any matter that is reasonably calculated to lead to the discovery of admissible evidence. Discovery is permitted regardless of whether the information sought “relates to the claim or defense of the party seeking discovery or to the claim or defense of another party.” *Id.*

12. Objections to interrogatories are due within 10 days of the service date. 52 Pa. Code § 5.342(e).

13. Here, PPL Electric served its first set of interrogatories on December 19, 2019, via overnight delivery. Consequently, any objections to PPL to Complainant Set I were due on or before December 30, 2019.

14. The Complainant did not object to any question in PPL to Complainant Set I on or before December 30, 2019.

15. Therefore, the Complainant has waived the right to object to these interrogatories and must provide answers to them. *See* 52 Pa. Code §§ 5.342(a)(4) (stating that a party must “[a]nswer each interrogatory fully and completely unless an objection is made”).

16. In addition, the interrogatories propounded by PPL Electric are highly relevant to the issues to be decided in this case, including the Complainant’s claim that the new automated

meter infrastructure (“AMI”) meter will cause, contribute to, or exacerbate adverse health effects.

A. PPL TO COMPLAINANT-I-1

17. PPL to Complainant-I-1 requests the following:

RE: FORMAL COMPLAINT.

- (a) Please explain in detail the reasons why you are challenging the Company’s installation of the new smart meter.
- (b) Please describe in detail all health concerns, if any, raised by the Company’s new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (c) Please describe in detail all safety concerns, if any, raised by the Company’s new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (d) Please describe in detail all privacy concerns, if any, raised by the Company’s new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (e) Please describe in detail all reasons you believe the Company’s new smart meter violates the law.

18. The Complainant’s response to Complainant-I-1 states:

a-e) In response to this section, I would reiterate the responses from my Exceptions and add that all the reasons in their entirety and the supporting documents will be provided before the hearing. It is premature to provide the entirety at this point, I am working on this.

19. Question 1 simply asks the Complainant to detail the reasons why she is challenging the AMI meter’s installation and to identify, among other things, all health, safety, and privacy concerns she has with the new AMI meter. To the extent Complainant is making claims that installation of the AMI meter will cause or contribute to a medical condition, the medical records are important information for the Company’s medical expert witness to review.

20. These basic, foundational questions are critical to knowing what issues the Complainant will be raising at the evidentiary hearing. Without an answer, PPL Electric and its

witnesses would not be fully prepared to respond to all of the Complainant's issues at the hearing.

21. Moreover, despite the Complainant's statement that she would provide this information at a later time, it is now approximately three months later, and the Complainant still has not provided a complete response to this interrogatory.

22. The evidentiary hearing is three weeks away, *i.e.*, March 27, 2020, and PPL Electric's direct testimony and exhibits are due to be served on March 12, 2020.

23. PPL Electric must receive a full and complete response to this interrogatory in sufficient time before the evidentiary hearing so that the Company can prepare and respond to the Complainant's allegations.

24. Further, the Complainant has an ongoing duty under the Commission's regulations to update her responses to discovery. *See* 52 Pa. Code § 5.332.

25. By failing to supplement this response in a timely fashion, particularly after the due date for the Complainant to serve her exhibits and expert testimony passed on February 26, 2020, the Complainant has failed to comport with that responsibility.

26. Therefore, the Complainant should be compelled to provide a formal, complete response that provides all of the requested information.

B. PPL TO COMPLAINANT-I-4

27. PPL to Complainant-I-4 requests the following:

- (a) Please state every health condition you claim was caused by a smart meter or will be caused or worsened by the installation of PPL Electric's new smart meter.
- (b) Please provide the date that every health condition identified in subpart (a) began.
- (c) Please provide copies of all your medical records of every health condition identified in subpart (a).

- (d) For each alleged health condition that you do not have medical records for in response to subpart (c), please state whether such condition was diagnosed by a medical professional. If so, please provide the name, address, and telephone number of the medical professional and the date of the diagnosis.
- (e) For each of the alleged health conditions identified in subpart (a), please state whether you have been prescribed any therapy or treatment for the condition by a medical professional. If so, please identify the therapy or treatment, provide the name, address, and telephone number of the prescribing medical professional, and provide the date the therapy or treatment was prescribed.

28. The Complainant's response to Complainant-I-4 states:

a-e) PPL will be given access to health records of affected members of the household upon proper execution of a stipulated protective agreement.

29. On January 27, 2020, the ALJ entered a Protective Order, which governs the treatment and protection of confidential information, including the Complainant's medical records.

30. On February 24, 2020, in accordance with that Protective Order, PPL Electric sent the signed non-disclosure certificates for its attorneys and witnesses to the Complainant.

31. Under Section 5.332 of the Commission's regulations, a party has a continuing duty to supplement discovery responses. 52 Pa. Code § 5.332.

32. Now that confidentiality protections are in place, the Complainant must fully and completely answer this interrogatory.

33. Further, the Complainant alleges that the new AMI meter has caused, contributed to, or exacerbated adverse health effects and that it will cause, contribute to, or exacerbate adverse health effects.

34. Therefore, the Complainant's medical records and conditions are highly relevant to this case.

35. Yet, the Complainant still has not supplemented this response to provide the requested information and documents.

36. Without a complete answer to this interrogatory, PPL Electric's medical expert cannot review the medical records and fully respond to the Complainant's allegations.

37. As a result, the Complainant should be compelled to provide a full and complete response to this interrogatory.

C. PPL TO COMPLAINANT-I-5 THROUGH 7

38. PPL to Complainant-I-5, 6, and 7 request the following:

PPL to Complainant-I-5

Please identify each person you plan to call as a fact witness in this proceeding. For each person, please:

- (a) Provide the person's name, home and business address, background, and qualifications;
- (b) Explain in detail the subject matter(s) on which the witness is expected to testify; and
- (c) Provide the source(s) of information relied upon or referenced by the witness.

PPL to Complainant-I-6

Please identify each person you plan to call as an expert witness in this proceeding. For each person, please:

- (a) Provide the person's name, home and business address, background, and qualifications;
- (b) Explain in detail the subject matter(s) on which the witness is expected to testify;
- (c) Provide the source(s) of information relied upon or referenced by the witness; and
- (d) Provide a copy of the expert witness's current curriculum vitae.

PPL to Complainant-I-7

Please provide copies of all exhibits you intend to present or utilize at the evidentiary hearing in this proceeding. For each exhibit to be used as part of your direct case, please identify the witness who will be sponsoring the exhibit.

39. The Complainant's responses to Complainant-I-5, 6, and 7 state:

1-5

a-c) Not known at this time

1-6

a-d) Not known at this time

1-7

Premature, I am working on this

40. In Questions 5 through 7, PPL Electric has asked for basic information about the Complainant's case, including that she identify any fact witnesses and expert witnesses she plans to call to testify and that she provide copies of her proposed exhibits.

41. PPL Electric must know in advance of the hearing who will be testifying on behalf of the Complainant, if anyone, and the subject areas of their testimony.

42. Otherwise, PPL Electric would be denied due process. *See Schneider v. Pa. PUC*, 479 A.2d 10, 15 (Pa. Cmwlth. 1984) (citation omitted) (stating that due process is satisfied when a party is "afforded notice and the opportunity to appear and be heard"); 66 Pa. C.S. § 332(c) (providing that "[e]very party is entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence and to conduct such cross-examination as may be required for a full and true disclosure of the facts").

43. To date, the Complainant has not identified any witness(es) or served any or expert testimony.

44. In addition, although the Complainant served her purported hearing exhibits on February 6, 2020, she has never provided a complete response to Question 7 affirming that those will be her only hearing exhibits.

45. Moreover, she failed to identify the witness who would be sponsoring each of her exhibits, as requested in Question 7.

46. Therefore, with the evidentiary hearing soon approaching on March 27, 2020, PPL Electric has severely limited information about the evidence and witnesses, if any, the Complainant plans on presenting at the hearing.

47. Thus, the Company is entitled to discovery of such basic and relevant information and documents, and the Complainant should be compelled to respond.

D. RESERVATION OF RIGHT TO SUPPLEMENT TESTIMONY AND EXHIBITS

48. The evidentiary hearing is currently scheduled for March 27, 2020, and all exhibits and testimony must be received by the ALJ no later than March 20, 2020.

49. Therefore, PPL Electric is filing this Motion to Compel to try to receive answers to the discovery in sufficient time before the evidentiary hearing.

50. In addition, on March 12, 2020, PPL Electric will be serving the statements, reports, written testimony, and exhibits it intends to present at the hearing.

51. PPL Electric reserves the right to supplement or revise any of its exhibits, reports, and statements, to the extent that the Complainant serves any of these discovery responses.

52. For these reasons, PPL Electric respectfully requests that the ALJ grant its Motion to Compel Responses to Discovery.

III. SANCTIONS

53. Upon the motion of a party, the presiding officer may make an appropriate order for sanctions if a party fails to answer or otherwise respond to a discovery request or refuses to obey an order of the presiding officer respecting discovery. *See* 52 Pa. Code § 5.371(a).

54. In ruling upon a motion for sanctions, the presiding officer may, among other things, issue: (1) “[a]n order that the matters regarding which the questions were asked, the character or description of the thing or land, the contents of the paper, or other designated fact shall be taken to be established for the purposes of the action in accordance with the claim of the party obtaining the order”; (2) [a]n order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting the party from introducing in evidence designated documents, things or testimony”; and (3) “[a]n order striking out pleadings or parts thereof, staying further proceedings until the order is obeyed, or entering a judgment against the disobedient party or individual advising the disobedience.” *Id.* § 5.372(a)(1)-(3).

55. If the Complainant fails to provide full and complete responses to PPL Electric’s discovery requests in sufficient time before the March 27, 2020 hearing, PPL Electric will be deprived of a reasonable opportunity to prepare for the hearing and respond to the Complainant’s claims.

56. Accordingly, the Company respectfully requests that if the Complainant fails to produce the information and documents responsive to PPL to Complainant Set I, Nos. 1, 4, 5, 6, and 7 on or before March 20, 2020, then the Complainant should be barred from litigating the corresponding claim(s).

57. For example, if the Complainant fails to produce the medical records to verify the existence of any claimed medical conditions or issues, then the Complainant would be precluded

from litigating claims that the installation of PPL Electric's AMI meter would cause, contribute to, or exacerbate adverse health effects.

58. Finally, to the extent that this Motion is granted and the Complainant fails to answer fully PPL to Complainant Set I, or otherwise comply with the ALJ's order, PPL Electric intends to file an appropriate motion pursuant to 52 Pa. Code §§ 5.371(a) and 5.372(a) to dismiss the Complaint with prejudice.

59. The Commission has regularly dismissed AMI meter complaints with prejudice due to the complainant's failure to answer discovery in compliance with the presiding administrative law judge's orders granting motions to compel.³

³ See, e.g., *Carol Sojda & Carol Lutzkanin v. Metropolitan Edison Co.*, Docket No. C-2017-2638350, pp. 7-8 (Jan. 9, 2019), *adopted*, Docket No. C-2017-2638350 (Order entered Mar. 28, 2019); *Kimberly Beckmann v. Metropolitan Edison Co.*, Docket No. C-2017-2613702, pp. 7-10 (Jan. 31, 2019), *adopted*, Docket No. C-2017-2613702 (Order entered Apr. 11, 2019); *Darlene Stanton v. Pennsylvania Electric Co.*, Docket No. C-2018-3001144, pp. 6-11 (May 10, 2019), *adopted*, Docket No. C-2018-3001144 (Order entered July 11, 2019); *Diana Cook v. West Penn Power Co.*, Docket No. C-2018-3003051, pp. 6-10 (May 1, 2019), *adopted*, Docket No. C-2018-3003051 (Order entered July 11, 2019); *Kyle M. Denlinger v. PPL Electric Utilities Corp.*, Docket No. C-2018-3005721, pp. 4-11 (Aug. 16, 2019), *adopted*, Docket No. C-2018-3005721 (Order entered Sept. 26, 2019); *Robert B. Poole v. PPL Electric Utilities Corp.*, Docket No. C-2018-3005848, pp. 5-11 (Sept. 12, 2019) (Initial Decision), *adopted*, Docket No. C-2018-3005848 (Order entered Oct. 23, 2019); *Mary Toleno v. PPL Electric Utilities Corp.*, Docket No. C-2019-3007821, pp. 4-10 (Sept. 23, 2019) (Initial Decision), *adopted*, Docket No. C-2019-3007821 (Order entered Nov. 7, 2019); *Kyle A. Toffey v. PPL Electric Utilities Corp.*, Docket No. C-2019-3006931, pp. 4-11 (Oct. 7, 2019) (Initial Decision), *adopted*, Docket No. C-2019-3006931 (Order entered Nov. 21, 2019); *Patrick & Sharon Malcolm v. PPL Electric Utilities Corp.*, Docket No. C-2018-3005902, pp. 5-11 (Nov. 6, 2019) (Initial Decision), *adopted*, Docket No. C-2018-3005902 (Order entered Dec. 27, 2019); *Frances Demianczyk v. PPL Electric Utilities Corp.*, Docket No. F-2019-3008596, pp. 5-11 (Oct. 22, 2019), *adopted*, Docket No. F-2019-3008596 (Order entered Dec. 13, 2019); *Janet Fitz v. PPL Electric Utilities Corp.*, Docket No. C-2018-3006048, pp. 5-11 (Nov. 19, 2019) (Initial Decision), *adopted*, Docket No. C-2018-3006048 (Order entered Dec. 30, 2019); *Mark Pauli Kleeman v. PPL Electric Utilities Corp.*, Docket No. C-2019-3010235, pp. 5-9 (Nov. 20, 2019) (Initial Decision), *adopted*, Docket No. C-2019-3010235 (Order entered Dec. 31, 2019).

IV. CONCLUSION

For the reasons set forth above, PPL Electric Utilities Corporation respectfully requests that Administrative Law Judge Elizabeth H. Barnes grant this Motion to Compel Responses to Discovery and direct Treasure Hoffman to answer fully PPL to Complainant Set I, as described above within three (3) days from the date of the order.

Respectfully submitted,



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Michael J. Shafer (ID # 205681)
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Date: March 6, 2020

Attorneys for PPL Electric Utilities Corporation

APPENDIX A

Interrogatories and Requests for Production of Documents Propounded by PPL Electric Utilities Corporation on Treasure Hoffman – Set I



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File #: 167945

December 19, 2019

VIA OVERNIGHT DELIVERY

Treasure Hoffman
4 North Street
P.O. Box 204
Port Clinton, PA 19549

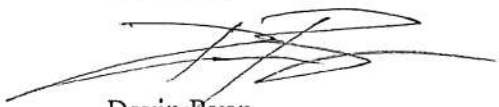
Re: Treasure Hoffman v. PPL Utilities Corporation
Docket No. C-2019-3010414

Dear Ms. Hoffman:

Enclosed are the Interrogatories and Requests for Production of Documents Propounded by PPL Electric Utilities Corporation on Treasure Hoffman – Set I in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Please provide answers to the enclosed discovery within twenty (20) days of the date of service, pursuant to 52 Pa. Code § 5.342.

Sincerely,



Devin Ryan

DTR/dmc
Enclosures

cc: Rosemary Chiavetta, Secretary (*Cover Letter and COS only*)
Certificate of Service


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 (relating to service by a participant).

VIA OVERNIGHT DELIVERY

Treasure Hoffman
4 North Street
P.O. Box 204
Port Clinton, PA 19549

Date: December 19, 2019


Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Treasure Hoffman,	:	
	:	
Complainant	:	
	:	
v.	:	Docket No. C-2019-3010414
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent	:	

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED BY
PPL ELECTRIC UTILITIES CORPORATION ON
TREASURE HOFFMAN – SET I**

Pursuant to 66 Pa.C.S. § 333 and 52 Pa. Code §§ 5.341 *et seq.*, PPL Electric Utilities Corporation (“PPL Electric”) propounds the following Interrogatories and Requests for Production of Documents (hereinafter, “discovery requests”) on Treasure Hoffman (“Complainant”) – Set I.

INSTRUCTIONS AND DEFINITIONS

1. The “Responding Party,” “you,” or “your” means the party to which these discovery requests are propounded and/or all attorneys, agents, affiliates, subsidiaries, employees, consultants, members, constituents, and representatives acting on behalf of the Responding Party.
2. “Commission” means the Pennsylvania Public Utility Commission.
3. To “identify” a natural person means to state that person’s full name, title or position, employer, last known address, and last known telephone number.

4. To “identify” a business entity means to state the full name of such business, the form of the business, and its location or address.

5. To “identify” a “document” means to provide all of the following information irrespective of whether the document is deemed privileged or subject to any claim of privilege:

- a. The title or other means of identification of each such document;
- b. The date of each such document;
- c. The author, preparer or signer of each such document; and
- d. A description of the subject matter of such document sufficient to permit an understanding of its contents and importance to the testimony or position being examined and the present or last known location of the document. The specific nature of the document should also be stated (*e.g.*, letter, business record, memorandum, computer print-out, etc.).

In lieu of “identifying” any document, it shall be deemed a sufficient compliance with these discovery requests to attach a copy of each such document to the answers hereto and reference said document in the particular interrogatory to which the document is responsive.

6. “Document” means the original and all drafts of all written and graphic matter, however produced or reproduced, of any kind or description, whether or not sent or received, and all copies thereof which are different in any way from the original (whether by interlineation, date-stamp, notarization, indication of copies sent or received, or otherwise), including without limitation, any paper, book, account, photograph, blueprint, drawing, sketch, schematic, agreement, contract, memorandum, press release, circular, advertising material, correspondence, letter, telegram, telex, object, report, opinion, investigation, record, transcript, hearing, meeting, study, notation, working paper, summary, intra-office communication, diary, chart, minutes, index sheet, computer software, computer-generated records or files, however stored, check, check stub, delivery ticket, bill of lading, invoice, record or recording or summary of any telephone or other conversation, or of any interview or of any conference, or

any other written, recorded, transcribed, punched, taped, filmed, or graphic matter of which the Responding Party has or has had possession, custody or control, or of which the Responding Party has knowledge.

7. "Communication" means any manner or form of information or message transmission, however produced or reproduced, whether as a document as herein defined, or orally or otherwise, which is made, distributed, or circulated between or among persons, or data storage or processing units.

8. "Date" means the exact day, month, and year, if ascertainable, or if not, the best approximation thereof.

9. Items referred to in the singular include those in the plural, and items referred to in the plural include those in the singular.

10. Items referred to in the masculine include those in the feminine, and items referred to in the feminine include those in the masculine.

11. The answers provided to these discovery requests should first restate the question asked and identify the person(s) supplying the information.

12. In answering these discovery requests, the Responding Party is requested to furnish all information that is available to the Responding Party, including information in the possession of the Responding Party's attorneys, agents, consultants, or investigators, and not merely such information of the Responding Party's own knowledge. If any of the discovery requests cannot be answered in full after exercising due diligence to secure the requested information, please so state and answer to the extent possible, specifying the Responding Party's inability to answer the remainder, and stating whatever information the Responding

Party has concerning the unanswered portions. If the Responding Party's answer is qualified in any particular, please set forth the details of such qualification.

13. If the Responding Party objects to providing any document requested on any ground, identify such document by describing it as set forth in Instruction 5 and state the basis of the objection.

14. If the Responding Party objects to part of a discovery request and refuses to answer that part, state the Responding Party's objection and answer the remaining portion of that discovery request. If the Responding Party objects to the scope or time period of a discovery request and refuses to answer for that scope or time period, state the Responding Party's objection and answer the discovery request for the scope or time period that the Responding Party believes is appropriate.

15. If, in connection with a discovery request, the Responding Party contends that any information, otherwise subject to discovery, is covered by either the attorney-client privilege, the so-called "attorneys' work product doctrine," or any other privilege or doctrine, then specify the general subject matter of the information and the basis to support each such objection.

16. If any information is withheld on grounds of privilege or other protection from disclosure, provide the following information: (a) every person to whom such information has been communicated and from whom such information was learned; (b) the nature and subject matter of the information; and (c) the basis on which the privilege or other protection from disclosure is claimed.

17. As set forth in 52 Pa. Code § 5.342(g), these discovery requests are continuing, and the Responding Party is obliged to change, supplement, and correct all answers given to conform to new or changing information.

18. "Formal Complaint" means the Formal Complaint filed by the Complainant at Docket No. C-2019-3010414.

**INTERROGATORIES AND REQUESTS FOR
PRODUCTION OF DOCUMENTS PROPOUNDED ON
TREASURE HOFFMAN – SET I**

PPL to Complainant-I-1

Re: Formal Complaint.

- (a) Please explain in detail the reasons why you are challenging the Company's installation of the new smart meter.
- (b) Please describe in detail all health concerns, if any, raised by the Company's new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (c) Please describe in detail all safety concerns, if any, raised by the Company's new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (d) Please describe in detail all privacy concerns, if any, raised by the Company's new smart meter, state the bases for such claims, and provide all documents relied upon by you in your response.
- (e) Please describe in detail all reasons you believe the Company's new smart meter violates the law.

PPL to Complainant-I-2

Please identify all wireless phones, cellphones, microwaves, wireless routers, wifi networks, tablets, computers, Bluetooth speakers, wireless security systems, smart speakers (e.g., Amazon Echo), garage door openers, baby monitors, and walkie talkies that are contained in or used in the house.

PPL to Complainant-I-3

Please state whether you or any member of your household uses a cell phone. If so, please provide the make and model of each cell phone and, for each phone identified, provide 12 months of phone bills or other records of actual cell phone usage.

PPL to Complainant-I-4

- (a) Please state every health condition you claim was caused by a smart meter or will be caused or worsened by the installation of PPL Electric's new smart meter.
- (b) Please provide the date that every health condition identified in subpart (a) began.

- (c) Please provide copies of all your medical records of every health condition identified in subpart (a).
- (d) For each alleged health condition that you do not have medical records for in response to subpart (c), please state whether such condition was diagnosed by a medical professional. If so, please provide the name, address, and telephone number of the medical professional and the date of the diagnosis.
- (e) For each of the alleged health conditions identified in subpart (a), please state whether you have been prescribed any therapy or treatment for the condition by a medical professional. If so, please identify the therapy or treatment, provide the name, address, and telephone number of the prescribing medical professional, and provide the date the therapy or treatment was prescribed.

PPL to Complainant-I-5

Please identify each person you plan to call as a fact witness in this proceeding. For each person, please:

- (a) Provide the person's name, home and business address, background, and qualifications;
- (b) Explain in detail the subject matter(s) on which the witness is expected to testify; and
- (c) Provide the source(s) of information relied upon or referenced by the witness.

PPL to Complainant-I-6

Please identify each person you plan to call as an expert witness in this proceeding. For each person, please:

- (a) Provide the person's name, home and business address, background, and qualifications;
- (b) Explain in detail the subject matter(s) on which the witness is expected to testify;
- (c) Provide the source(s) of information relied upon or referenced by the witness; and
- (d) Provide a copy of the expert witness's current curriculum vitae.

PPL to Complainant-I-7

Please provide copies of all exhibits you intend to present or utilize at the evidentiary hearing in this proceeding. For each exhibit to be used as part of your direct case, please identify the witness who will be sponsoring the exhibit.

APPENDIX B

Treasure Hoffman's January 6, 2020 Responses to PPL to Complainant Set I

JAN 08 2020

January 6, 2020

Devin Ryan
Post and Schell
17 North 2nd Street
12th Floor
Harrisburg, PA 17101-1601

Re: Treasure Hoffman v. PPL Utilities Corporation
Docket No. C-2019-3010414

Dear Mr. Ryan:

Attached please find my answers to your interrogatories and requests (set 1).
Please feel free to contact me with any questions.

Sincerely,



Treasure Hoffman

Cc: Secretary Rosemary Chiavetta (cover letter and COS only)
Certificate of Service

Answer to Interrogatories and Requests

1-1

a-e) In response to this section, I would reiterate the responses from my Exceptions and add that all the reasons in their entirety and the supporting documents will be provided before the hearing. It is premature to provide the entirety at this point, I am working on this.

1-2

one cellular phone (not a smart phone), wireless internet

1-3

I personally use a cell phone. Records attached for data usage for 6 months, which is all that is available to me.

1-4

a-e) PPL will be given access to health records of affected members of the household upon proper execution of a stipulated protective agreement

1-5

a-c) Not known at this time

1-6

a-d) Not known at this time

1-7

Premature, I am working on this.

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 (relating to service by a participant).

Devin Ryan
Post and Schell
17 North 2nd Street
12th Floor
Harrisburg, PA 17101-1601

Secretary Rosemary Chiavetta
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor North
P.O. Box 3265
Harrisburg, PA 17105-3265

Date: January 6, 2020



Treasure Hoffman