

Christopher L. Macey
201 Highland Ave. S
Oakdale, PA 15071

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MAY 23 2020

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

May 23, 2020

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

**Re: Christopher L. Macey v. West Penn Power Co.
Docket no. C-2019-3012705**

Dear Secretary Chiavetta:

Enclosed are the Complainant's **Exceptions to the Initial Decision** in this case
and the **Certificate of Mailing**.

Very truly yours,



Christopher L. Macey

enc

cc: Lauren M. Lepkoski/Tori Giesler
FirstEnergy Service Company

The Honorable Conrad Johnson
Public Utility Commission

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

CHRISTOPHER L. MACEY :
 :
 :
 v. : **Docket No. C-2019-3012705**
 :
 :
WEST PENN POWER COMPANY :

EXCEPTIONS OF CHRISTOPHER MACEY, COMPLAINANT, TO INITIAL DECISION

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

AND NOW, Christopher L. Macey, pro se, submits his Exceptions to the Initial Decision:

Introduction

The initial complaint in 2017 sought the delay of the installation of the smart meter until 2022, The PUC had mandated the completion date for all smart meters in PA by 2023. The intent of the initial complaint was to delay installation of the residential smart meter until retirement in 2022, at which time the Complainant will move to a state that does not mandate electrical smart meters.

The Complainant agreed to settle the initial complaint in December 2018 because the ALJ advised that recent smart meter cases had all been decided against complainants. Additionally, discovery had been a difficult process with Respondent's attorneys in that they were not forthcoming on several occasions over the year and a half of litigation.

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The Complainant opted to settle the complaint and spend \$4,479.00 to have the smart meter pole erected away from his house to diminish the negative effects the smart meter's pulsing radiation has on the inhabitants at the residence. He did this in good faith and proceeded to fulfill his commitment. This was demonstrated at the hearing.

On October 18, 2019, the Complainant initiated an Amended Formal Complaint against the Respondent for **poor service and breach of settlement agreement**.

The Complainant clearly demonstrated to the court the following ways in which the Respondent had acted in poor faith, responded with dishonesty, and delivered poor service as follows:

1. The Respondent disregarded its obligations set forth in the Settlement Agreement.
2. All communications between the parties essentially was Complainant to Respondent. Respondent never acknowledged any communications and they failed to provide information needed to proceed. The construction/preparation was delayed by 3 months due to Respondents' unresponsiveness.
3. Complainant received notice of the smart meter installation on his dwelling less than 4 hours prior to its actual installation.
4. Respondent surreptitiously mounted the smart meter *on the Complainant's residence*, which was in violation of the settlement agreement. When the smart meter was installed, the new utility pole was in place in a location visible to the installer) and the contractor was in the process of completing the preparation work.

5. After the installation of the smart meter on Complainant's dwelling, the Complainant requested to have the electric power turned off until the new meter was removed from the residence, but the Respondent refused to turn the power off.

6. After the smart meter had been installed on the dwelling, the Respondent lied to the Complainant in an email stating, "You do not have a smart meter..."

Argument

The court erroneously dismissed the case based on a disputed claim of a physiological condition that was not argued in the course of the hearing.

Furthermore, it stated that the Complainant did not present any medical evidence concerning his claim that his wife has electromagnetic hypersensitivity.

The reasons stated for dismissing the case do not match the reasons the case was brought before the court.

The Amended Complaint was signed on October 18, 2019. The first page states the reason for the complaint:

"TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION AND NOW,
Pursuant to PA Code 52, Section 3,2,1, Christopher L Macey, *pro se*, hereby files this amended complaint due to poor service and breach of settlement agreement."

The Complainant did not ask his spouse to testify to the court regarding EHS symptoms because at this hearing he was asking the court to take punitive action

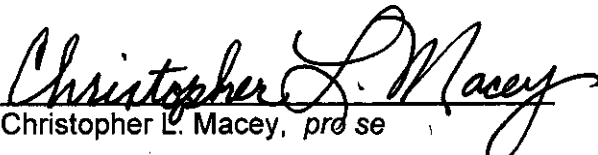
against the Respondent for poor service and breach of settlement agreement. In the Commonwealth state of Pennsylvania businesses are still required to offer reasonable service. The Complainant contends his right to fair, honest and reasonable service was not met by the Respondents actions.

Summary

It is appalling that the Commission has dismissed the case based on conclusions of matters not argued at the hearing and on events that were fabrications. West Penn's behavior was unresponsive, irresponsible, dishonest and with intent to harm. Simply put, West Penn provided poor service and breached the settlement agreement.

One is left to conclude that the Commission has no concern for the well-being, health, and quality of life of the utility ratepayers of Pennsylvania. Furthermore, the Commission, via this decision, has released the utility companies of their duty to provide fair, honest, and reasonable service to the consumer and act in a manner consistent with good business ethics. That is a horrible precedent.

Dated this 23rd day of May 2020


Christopher L. Macey, *pro se*

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SECRETARY'S BUREAU

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

CHRISTOPHER L. MACEY

:

:

v.

:

Docket No. C-2019-3012705

:

WEST PENN POWER COMPANY

:

CERTIFICATE OF MAILING

I hereby certify that I have this day mailed a correct and true copy of the Complainant's **Exceptions to the Initial Decision** and letter to Secretary Chiavetta dated May 23, 2020 upon the individuals listed below.

Service by First Class Mail, postage prepaid, as follows:

Lauren M. Lepkoski/Tori Giesler
First Energy Services Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001

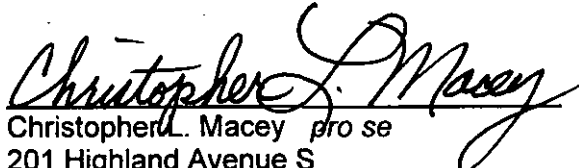
The Honorable Conrad Johnson
Piatt Place, Suite 200
301 5th Avenue
Pittsburgh, PA 15222

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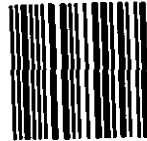
Dated: May 23, 2020


Christopher L. Macey pro se
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