

**BEFORE THE
PA PUBLIC UTILITY COMMISSION**

DEBORAH A. REDMAN,	*	
	*	
Complainant	*	No. C-2019-3013582
	*	
V.	*	
	*	
FIRST ENERGY, PENELEC,	*	
and CHARLES E. JONES, JR.	*	
CEO, FirstEnergy Corp.	*	
76 Main St.	*	
Akron, OH 44308,	*	
	*	
Respondents	*	Wednesday, 24 June 2020 (e-mailed)
	*	

**EXCEPTIONS
OF
COMPLAINANT REDMAN
(with respect to 3 June Initial Decision, Judge Long)**

Comes now Complainant Dr. Deborah A. Redman and lists her exceptions/objections to Judge Long’s Initial Decision. Per 52 Pa Code §5.533, the exceptions/objections are numbered. For clarity, they have been divided into objections to points made in Judge Long’s Initial Decision (Exceptions 1-7) and objections to procedural aspects that cause prejudice (Exceptions 8-10). A small series of photos (7-12) is attached that updates the wisteria problem and shows new vegetation on the power lines.¹

¹ The photos in Complainant’s filings are numbered consecutively. Photos 1-6 are attached to Complainant’s Response to Respondent’s Answer. The First Supplement to Complaint contains photos 1-3 of Dr. Redman’s neighbor at 404 Park Avenue, which shares bordering trees and the “wisteria tree,” an old apple tree with the original wisteria vine on it.

Objections to Points Made in the Initial Decision

Exception 1: Judge Long mischaracterizes the Complaint.

Complainant's Objections:

(a) *Judge Long mislabels the caption of the Complaint*, which is *Redman v. FirstEnergy, Penelec, and Charles E. Jones, Jr.* Her version, like that of Attorney Morris for Penelec, is *Redman v Penelec*. Obviously, making fewer actors liable greatly limits any complainant's relief. Dr. Redman argued this in her Motion for Recusal (p. 7, par. 1), but Judge Long quickly dismissed her concerns about lacking neutrality, attributing Redman's displeasure to getting an "adverse ruling" on her Motion for Summary Judgment.² Initial Order Denying Motion for Disqualification, pp. 4-5.

(b) *Judge Long does not put this matter into perspective: A complaint should never have been filed because requests to cut back vegetation from the power lines are routine.* The power companies, FirstEnergy and Penelec, ask consumers to report vegetation on the lines as they want to minimize the damage it does to lines and interruption to service. If everyone reporting vegetation on power lines had to file a written complaint, the lines would be covered with vegetation because consumers would refuse as they cannot afford to throw away hundreds of hours on such nonsensical

² According to Judge Long, she received the motion for recusal on March 3 and denied it the next day. Initial Order, p. 2, last paragraph.

procedures.³ Other people are not required to jump through all these hoops. Nor was Redman when she first called in October 2018. FirstEnergy and Penelec came out promptly and started to cut down the wisteria and old apple tree the main vine is attached to until a hard rain set in. It was the new forester, Nick Brooks, who refused to cut vegetation off the power lines and continue removing the wisteria tree in spring 2019.⁴ Forester Brooks knows that vegetation on the lines can cause power interruptions and outages, that anyone touching vegetation on lines could be seriously injured or killed, that the vegetation can catch fire, and that vegetation on the power lines can damage the lines. His response forced this ongoing complaint process, which has grossly wasted state resources and created a public safety threat and is endangering Redman financially and physically and causing an ecological threat to the area in Meadville across the street from Allegheny College on Park Avenue.

(c) Judge Long mischaracterizes the Complaint in general. On page 1 of the Initial Decision, Administrative Law Judge Long states:

Specifically, the Complainant alleges that Penelec refuses to remove a Chinese wisteria which she claims, among other things, is life-threatening and a danger to the power lines. According to the Complainant, the wisteria vines and runners on the power lines cause daily interruptions to her electricity service. She also

³ To date, filing and managing this Complaint has eaten up at least 400 hours of Dr. Redman's time and cost her the associated loss of income (at a minimum rate of \$100/hour, \$400,000).

⁴ When the disabled Complainant (who uses an electric scooter to get around) asked him to cut back the wisteria tree from the lines, he laughed and told her to climb the wisteria tree and cut it back herself.

complains that she has been improperly billed for interrupted service and that Penelec employees have mocked her. As relief, she requests that the Commission direct Penelec to kill the wisteria; notify the Complainant every month regarding the status of the wisteria; and compensation in the amount of \$600,000.

Although that whole passage distorts, two examples illuminate the distortion. Dr. Redman did not claim she was improperly billed. She said the electric companies should have decided not to have billed her under the circumstances. Monetary relief is compensation for lost income associated with filing and managing the complaint, which from September 2018 is \$50,000/month x 21 months or \$1,500,000. This is the distorting way the Judge approaches Redman's case in general.

(d) Judge Long purposefully ignores the point of Dr. Redman's Complaint, which clearly conveys an emergency situation for her, a public safety concern, and an ecological threat that impacts her property and neighboring homes and land. Very simply put, the Chinese wisteria that has infested the property Dr. Redman lives on is creating a life-threatening situation for Dr. Redman, for the Park Avenue area environment, and for the whole town of Meadville. Under the law (state and federal), wisteria is designated as an invasive species that has to be controlled, i.e., killed and removed. To do that, the power companies (FirstEnergy and Penelec) have to remove the main wisteria plant, as it is on the power lines, but they refuse – even though they are very aware of the life-threatening aspects for Complainant and the fact that the same wisteria plant destroyed the foundation on the south side of 404 Park Avenue, Complainant's neighbor up the street (north). The home and property at 404 Park Avenue, which shares

a tree border and the wisteria plant with 414 Park Avenue, is the focus of her First Supplement to Complaint, where the color photos show the damage to the foundation of 404 Park Avenue and a sample of the unearthed roots.

Besides the possibility of electrocution, the life-threatening conditions for Dr. Redman and anyone else on the property that are ignored by Judge Long are the subjection to sewage and heavy falling debris. That means more specifically:

(1) the need to unclog the toilet(s) on a daily basis due to wisteria roots in the sewer system, which *causes splash-back onto herself and her clothes and aerosolizes the toilet bowl water during flushes.*⁵ *In other words, Dr. Redman (who is mobility-impaired and chronically ill) is coated with sewage at least every day as she unclogs a toilet and is weakened and destabilized from standing and exerting herself.* Sewage is not just repugnant. It can be life-threatening, even for the healthy. Typical pathogenic microbes in toilet splashback include novovirus (commonly called stomach flu virus), streptococcus (which causes skin infections, sepsis, endocarditis, pharyngitis, pneumonia, and more), staph (food poisoning, cellulitis, impetigo), E. coli (diarrhea, UTIs, cholecystitis, among other things), Shigella (severe diarrhea), hepatitis A virus, common cold and flu viruses, sexually transmitted organisms. Dr. Redman, who is chronically ill and immune-compromised, is very lucky to be alive, but she will eventually succumb if action is not taken soon.

(2) *the daily danger of large, heavy falling debris on the driveway and property due to the wisteria plants' strangling effect on trees.* See photo 5 in Complainant's Response to Respondent's Answer (Attachment 6), which shows a branch so large that it would harm anyone it hit.⁶ That is one of 9 or 10 large

⁵ This entails using a flange plunger, which is known for its splashback. Flange plungers come with a warning not to use them after applying toxic cleaning chemicals (e.g., Drano) because of their strong splashback effect.

⁶ The same photo appears in Dr. Redman's 16 September 2019 Complaint (as photo 5).

branches to come down that could seriously harm anyone on the property.⁷

Although this was made very clear to Judge Long, she dismissed the Complaint in her Initial Decision, knowing the chances that Dr. Redman would succumb would be significantly raised. The Judge also knows that subjection of someone to toilet backslash – for years – is degrading and demeaning.

(e) Judge Long also mischaracterizes FirstEnergy and Penelec’s position, but in euphemizing manner, so no mention of the fact that they have created life-threatening conditions for Complainant and an “ecological threat” for area properties and the town of Meadville. The Judge sums up the power companies’ position this way in her Initial Decision (p. 2, par. 1): “Penelec’s Answer denied the material allegations of the Complaint.” But actually Attorney Morris in her Answer (p. 2, par. 2) states that Dr. Redman made comments that are “scandalous and impertinent which should be summarily dismissed” and explains in a footnote that Redman complained that “the Company has the intent of ‘harming, even killing [her]’” and that the Company and Commission ‘are not the least bit neutral, honest, or good-willed’.” Attorney Morris had the duty to show how FirstEnergy and Penelec are not endangering Complainant and are acting in good faith, but she does not do that.

⁷ Because they are too large for Dr. Redman to break down and dispose of, the largest branches have been collected in a corner of the lawn. If a Commission official wishes to view them, he or she is free to do so. The wisteria tree can also be viewed although it has been reduced in size by winds, which downed a large trunk, and by construction crews that have clipped back damaged areas.

The Judge also fails to note that the two power companies will not be harmed if they cut away the wisteria vines and runners and other vegetation from the power lines and destroy the wisteria tree. Quite to the contrary, they will benefit. The power companies ask people to report vegetation on the lines so it can be removed because it damages the lines. These ridiculous arguments thrown to the wind by the Judge underscore her bias against Redman.

Exception 2: Judge Long ignores the law involving invasive species and therefore breaks the law. The law on invasive species is not mentioned in her Initial Decision although Complainant's Response to Respondent's Answer plainly and clearly laid it out. Despite the fact that both state and federal law dictate that invasive species must be destroyed, the Judge refuses to note it and adhere to the law.

(a) The power companies' actions violate state law on invasive species. Dr. Redman has repeatedly referenced the Pennsylvania Department of Conservation and National Resources (DCNR) fact sheet "Invasive Species in Pennsylvania: Chinese and Japanese Wisteria," available in flier form from the state and as a PDF on the DCNR website and attached to Complainant's Response to Respondent's Answer. It describes the "twining nature" of the plant, the "ecological threat," and the methods for killing wisteria vines. But dismissing the Complaint (forever, since the Judge noted she will be providing no relief to Complainant because she cannot participate) ensures the violation

of law will continue.

(b) The power companies' actions violate federal law on invasive species. The federal government has great concerns about invasive species and strongly encourages citizens and governments to eradicate them. Executive Order 13112, signed into law on 3 February 1999 by President Clinton, established the U.S. Department of Interior Invasive Species Council. The U.S. Forest Service, through the Cooperative Forestry Assistance Act, 41 U.S.C. §2104, created an Invasive Plant Program. On the U.S. Department of Agriculture website, the National Invasive Species Information Center, under Economic and Social Impacts, one learns:

The economic and social impacts of invasive species include both direct effects of a species on property values, agricultural productivity, public utility operations, native fisheries, tourism, and outdoor recreation, as well as costs associated with invasive species control efforts. A 2005 study estimated that the economic damages associated with invasive species in the United States reached approximately \$120 billion/year (FWS 2012).⁸

Again, dismissing Dr. Redman's Complaint (forever, since the Judge noted she will be providing no relief to Complainant because she cannot participate) ensures the violation of law will continue.

(c) Because the law is clear on invasive species, no other course of action is possible.⁹ Leaving the wisteria on 414 Park Avenue and neighboring properties is not an

⁸ <https://www.invasivespeciesinfo.gov/subject/economic-and-social-impacts>.

⁹ That is an overarching theme in Redman's Complaint. The invasiveness of wisteria on 404-414 Park Avenue is described in detail in Complainant's Response to Respondent's Answer, pp. 1-6, and her First Supplement to Complaint and is documented with photographs.

option. The fact that the electric companies and the Commission have not acted on this since October 2018, when FirstEnergy/Penelec started to cut down the main wisteria vine, has allowed the invasive species to proliferate and grow exponentially, for those years were warm and very wet, perfect conditions for wisteria. A lot of people involved with this Complaint took an oath to uphold the Constitution. Advancing arguments to circumvent the invasive species law and common sense¹⁰ is anti-American. America's heritage derives from the Enlightenment and is rooted in rational thought and action. *Of all of the objections to the Interim Decision, this irrational aspect of the Judge's rulings brings the most shame to the Commission.*¹¹

Exception 3: The Judge wrongly dismisses the Complaint “because the Complainant failed to appear for the hearing without good cause.” Initial Decision at 1, par. 1.

Complainant's objection: That statement is false. In her Initial Decision, Judge Long clearly states in the last paragraph of page 3 that she received from counsel for the power companies three documents, one of which was Complainant's Notice of Inability to

¹⁰ Because the wisteria has not been destroyed, Redman's landlord has an ecological threat on his property and he is being forced to perpetuate a terrible housing code violation – clogging toilets that create such unsanitary conditions (constant unclogging and splashback) that in a worst case scenario the situation could end in death.

¹¹ Dr. Redman, who is a scholar noted in *Who's Who in the World*, is an expert on American values.

Attend May 2020 Hearing and Repeat Request to Transfer Matter to a Neutral Group. Initial Decision, pp. 3-4. Being ill is a valid reason for not being able to attend a conference call or hearing. But in this case Complainant was ill because the power companies and their counsel created conditions that caused Dr. Redman to be covered in aerosolized sewage and sewage splashback every day. These are life-threatening circumstances that will at some point guarantee the death of the immunocompromized Complainant. On the day of the hearing, May 21, Complainant was so ill that to participate, she would have had to lie down during the hearing and would have been forced to soil herself and her sofa, as she had severe diarrhea which was likely caused by norovirus splashed on her while unclogging toilets.

Exception 4: The Commission and Judge flagrantly violated the Americans with Disabilities Act (ADA). Judge Long writes: “Complainant was directed to provide specific information and documentation substantiating her disability, as well as the specific accommodation which she was seeking with as much specificity as possible, along with any documentation supporting such request, to counsel for Penelec and to me, on or before Friday, March 13, 2020. No documentation supporting the Complainant’s request was received.” Initial Decision, pp. 2-3.

Complainant’s Objections: There are multiple serious violations by the both Judge and the Commission.

(a) Failure to have an ADA Officer at PUC is a violation of the anti-discrimination law. Redman complained that the Commission has no ADA Officer to the Chief Judge Rainey and Secretary Chiavetta in her letter dated 2-3-2020. The Commission is not exempt from the ADA, yet she did not receive a response back.

(b) Judge Long acting as ADA Officer is a violation of the discrimination law. The ADA Officer is to be independent of the case and presiding officers and is to be trained.¹² The fact that Judge Long is overtly biased and discriminatory makes it even more reprehensible. Under the ADA, specific information about a disability is not provided to the ADA Officer, but the accommodation must be specific. Private information about a disability is never given to a judge or opposing party. But in this case there is no ADA Officer so everyone received Redman's information, some private, about her condition.

(c) If there were an ADA officer, he or she should have appointed Dr. Redman counsel, for she was too ill from the conditions caused by Respondents to adequately represent herself.¹³

(d) The Commission should have granted Dr. Redman's request for

¹² Generally, ADA Officers are persons who work in the administration.

¹³ Brodoff, L. McClellan, S., and Anderson, E. "The ADA: One Avenue to Appointed Counsel Before a Full Civil Gideon," 2 *Seattle Journal for Social Justice* 609 (Spring/Summer 2004) (arguing that the ADA requires that courts provides lawyers or legal representation as a reasonable accommodation to disabled litigants who lack the mental or physical capabilities to adequately represent themselves).

accommodation and transferred the case to a neutral group and should have ensured her they were working to comply with the ADA. Under the Americans with Disabilities Act (ADA), and specifically, the Department of Justice title II regulations, public entities are required to accommodate disabled individuals. 28 C.F.R. §35.130(a). A public entity does not have to accommodate if it can demonstrate that accommodation “would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens” (28 C.F.R. §35.164). There is no alteration of the service and no burden on the Commission to grant the request to transfer to a neutral group. When “determining what type of auxiliary aid and service is necessary, a public entity shall give primary consideration to the requests of the individual with disabilities.” 28 C.F.R. §35.164. PUC should have transferred the case, but did not. If a request to accommodate an individual’s disability is denied, the decision to do so “must be made by the head of the public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity and must be accompanied by a written statement of the reasons for reaching that conclusion.” *Id.* This also was not done.

(e) Communications with Dr. Redman broke down, a violation of the ADA.

The regulations state that public entities “shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.” 28 C.F.R. §35.160(a). But Dr. Redman

has not received scheduling notices and orders (because her computer occasionally has glitches). She does not know if she has received all filings or if all of her submissions were filed.

Exception 5: Judge Long makes the Commission completely inaccessible to

Complainant. In the Initial Decision, Judge Long writes: “Additionally, the Complainant states in her May 14, 2020, Notice of Inability to Attend Hearing and Repeat Request to Transfer matter to a Neutral Group that she ‘will never be able to participate in a hearing of any kind given that she is living in sewage’. She goes on to explain the hardship caused by the blockage of her sewer system, which she attributes to the wisteria. She repeats her request for an ‘accommodation’ by having this matter ‘transferred to a neutral body’.” Initial Order, p. 6, par. 2. She concludes that because Dr. Redman cannot participate (due to the conditions caused by the power companies), “the Commission cannot consider her request for relief.” Initial Decision, p. 6, par. 4.

Complainant’s Objection: With this, Judge Long has locked Redman out of access to the Commission complaint process – even though she had gotten as much information from Dr. Redman as she would have had she ordered briefs.

Exception 6: The Judge wrongly finds that “Complainant did not contact the Commission to explain her failure to appear for the hearing.” Initial Decision,

Findings of Fact, p. 4.

Complainant's Objection: The finding is false. In her Initial Decision, Judge Long clearly states in the last paragraph of page 3 that she received from counsel for the power companies three documents, one of which was Complainant's Notice of Inability to Attend May 2020 Hearing and Repeat Request to Transfer Matter to a New Group. Initial Decision, pp. 3-4. Judge Long had read the document as she also recognizes that Dr. Redman will never be able to participate because of the conditions that the power companies and their attorneys have put her in – aerosolized toilet bowl water, backsplash from at least daily use of a flange plunger, and standing and exerting herself when using the plunger until she nearly passes out. Initial Order at 6, par. 2. That is contact, made at a time when Complainant was very ill and was just barely able to respond, and she did explain she could not keep up.

Exception 7: Judge Long's June 3 Initial Decision is predicated upon her Interim Oder Denying Motion for Disqualification (4 March 2020), which wrongly faults Redman for failing to base her arguments on facts: "My impartiality has not been reasonably questioned because the Complainant has failed to provide any factual support for her assertion that she cannot receive a fair hearing without bias, hostility, or prejudgment." Interim Order Denying Motion for Disqualification, p. 5. That view is particularly pertinent here because the arguments presented here

are essentially the same as those in her motion for recusal.

Complainant's Objection: The Judge's point that Redman does not deal in facts is false. And they are not just facts; they are statements that Redman swears are accurate, as all of her filings contain verification clauses. Moreover, those facts have been collected in this list of exceptions so it is easy for anyone to see for him- or herself that they are true. Although repetitive, they are reproduced below in abridged form.

(1a) It is a fact that the Judge mischaracterizes the Complaint. There is no doubt that she changed the caption of the Complaint so it excludes FirstEnergy and its CEO, Charles E. Jones, Jr. (See Exception 1 above.)

(b) It is a fact that the Judge does not put this matter into perspective, for instance, that a request to cut back vegetation on the power lines does not require written complaints from consumers or a lengthy process often more limiting than courts.

(c) It is a fact that the Judge so mischaracterizes the Complaint that some of her points are untrue.

(d) It is a fact that the Judge ignores the thrust of Redman's Complaint, that this is an emergency situation for Complainant, a public safety concern, an ecological threat that impacts the property Redman lives on and neighboring homes and property.

(e) It is a fact that the Judge euphemizes the position of the power companies. She does not mention that Redman can die from toilet bowl backsplash or aerosolized toilet bowl microbes. In her orders there is not a word about the law governing this: the invasive species law. And she does not take to task the lawyer for the power companies, who insists Redman's Complaint should be dismissed because Redman's comments that the power companies are harming her and have the potential to kill are "scandalous and impertinent" and some PUC employees are not neutral, honest, or good-willed. Respondents' Answer, p. 2, par. 2.

(2) It is a fact that the Judge ignores the law on invasive species and therefore breaks the law, as both state and federal law requires prompt destruction of the plant. (See Exception 2 above.)

(3) It is a fact that the Judge dismissed Redman's Complaint on grounds she "failed to appear for the hearing without good cause," and that Judge Long had at that time Redman's filing Notice of Inability to Attend May Hearing and Repeat Request to Transfer Matter to a Neutral Group. It is a fact that illness is a valid reason not to attend a hearing. What kind of participation would that have been if Redman called in and then had to lay down on the couch because she was so dizzy and would have soiled herself and the couch due to severe diarrhea (most likely caused by norovirus from toilet backsplash). (See Exception 3 above.)

(4) It is a fact that the Judge and the Commission flagrantly violated the ADA. The fact that the Commission has no ADA Officer is a huge violation. For the rest, see Exception 4 above.

(5) It is a fact that the Judge makes the Commission inaccessible to her and the Complaint process a vicious circle, for the Judge will dismiss any complaints brought by Redman because she cannot participate due to the actions of Respondents. (See Exception 5 above.)

From this, anyone must conclude that the Complainant does deal with facts and her concerns about the Judge's neutrality are well founded.

Objections to Procedural Aspects That Cause Prejudice

Exception 8: The Initial Decision sketches a very long procedure, which to date has lasted more than a year, and a very demanding one for Complainant. To file and manage the Complaint, Complainant had to forego work and the associated income, so the practical effect of complaining has been to gut the Complainant financially.

Complainant's Objection: Dr. Redman has lost an entire year's worth of income because she filed the Complaint and responded to the power companies, documented the wisteria problem, controlled its debris, and dealt at times with 404 Park Avenue.

Obviously, she cannot keep this up; she stands to become destitute within the next 6-12 months and will die as she is dependent on food and medicine. How many people can forego a year or more's income to complain? It is reasonable to expect none. And she has been through all this process even though no consumer should have to file a complaint to get vegetation cut from around the power lines.

Exception 9: The Judge requires complainants to have unfailingly reliable Internet service.

Complainant's Objection: Complainant's computer is set up to ensure it is secure, as she often worked on highly confidential documents. And several bugs were left in the system when her computer was upgraded this year. The result is her computer rejects a number of programs, will likely not allow Redman to register for e-filing service, and may break if she tries to register. But any complainant should be able to file and manage a PUC complaint by mailing in filings – even someone who has no computer and thus sends in a handwritten complaint. Note that the Commonwealth Court has never stopped taking paper filings and has had no problems whatsoever with COVID-19 infections. Telephone conversation between Redman and the clerk of the court, 9 June 2020.

Exception 10: Complainant has no way to attach photos to this filing.

Complainant's Objection: Complainant uses a 35-mm camera because the images are

better than those of a digital camera and harder to manipulate. Since the coronavirus pandemic, she has been getting negatives with them, not a CD, so she unfortunately has no means to attach them to this document. Since this filing includes photos 7-12 as an attachment, Complainant is sending a paper copy to Attorney Morris (along with an e-mailed copy without photos, the same thing she is sending to PUC) with the hope that her assistants will scan them in and send them to the PUC Secretary and Dr. Redman.

WHEREFORE, the Secretary of the Public Utility Commission should find that requests to PUC to cut vegetation off the power lines and remove trees is routine and do not require a written complaint and that the Complainant is entitled to her relief as soon as possible. In addition, the Secretary should order that all PUC employees be sprayed/misted with toilet bowl water at least three times daily at their workplace for a year so they get a small taste of what Complainant has been going through since fall of 2017 when she moved into 414 Park Avenue.

Yours respectfully,

Deborah A. Redman
414 Park Ave.
Meadville, PA 16335
Tel: 814-853-3770

Wednesday, 24 June 2020

Verification: I, Deborah A. Redman, hereby state that the facts set forth above are true and correct to the best of my knowledge, information, and belief. I understand that the statements

herein are made subject to the penalties of 18 Pa C.S. §4904 (relating to unsworn falsification to authorities).

Deborah A. Redman

CERTIFICATE OF SERVICE

I certify that I have this day served a true copy of the foregoing document upon the parties, listed below, in accordance with the requirements of 1.54 (relating to service by a party) by e-mailing it to the following at the indicated e-mail addresses:

Rosemary Chiavetta, Secretary
PA Public Utility Commission
400 North St.
Keystone Bldg.
Harrisburg, PA 17120

e-mail: rchiavetta@pa.gov

Attorney Margaret A. Morris
Reger Rizzo Darnall
Cira Centre, 13th Fl.
2929 Arch St.
Philadelphia, PA 19104

e-mail: mmorris@regerlaw.com
and sent via U.S. mail (with photo
attachments)

Dated this 24th day of June 2020

Dr. Deborah A. Redman

ATTACHMENT

7 photos of the wisteria problem on Park Avenue

taken around 1 June 2020

that provide update on the wisteria problem

on and around 414 Park Avenue (Meadville, PA)

PHOTO 7

404 Park Avenue renovations in progress (taken ca. 6-1-2020)

PHOTO 7 shows outside renovations of 404 Park Avenue, Complainant Redman's neighbor to the north, after the foundation that had been eaten away by the wisteria roots and vines was replaced: new slate gray paint on the old white vinyl siding, new windows, a new porch/entrance, and a new concrete pathway to the public sidewalk along Park Avenue. Not shown in the photo is the new black metal roof that was put on the house in the first part of June 2020 and the grass that was planted (over roots that could not be pulled by the excavator or mini bulldozer so the wisteria will be back).

PHOTO 8 (taken 6-2-2020)

Wisteria taking over the shed on 414 Park Avenue

Wisteria plants cover the ground on the north side of the shed on the property that Complainant lives on, 414 Park Avenue. No amount of cutting back or pulling the wisteria keeps it under control. Although in October 2019 Dr. Redman pulled the wisteria growing on the ground and the wisteria crawling up the shed before winter set in, this is how quickly the wisteria has taken the shed in spring 2020.

PHOTO 9 (taken around 6-1-2020)

**The current status of the wisteria tree and
vegetation on the power lines**

This photo shows the “wisteria tree” – the old apple tree with the main wisteria vine on and around it – around 1 June 2020. In a heavy storm on June 11, the branch on the right side of the photo came down, leaving only the trunk leaning towards the power lines – its current status. According to the Crawford County Forester, what remains of the old apple tree and the large wisteria vines

around it need to be poisoned with Roundup (via the “hack and squirt method) as many times as necessary until they are destroyed. Then the remaining wisteria vines, runners, and roots must be systematically destroyed through the same method. Small plants should be pulled manually, getting the entire root, and then incinerated.

The current status of vegetation on the power lines: As one can see in the photo, trees and shrubs farther down the lines and thus closer to 414 Park Avenue are on the power lines, having grown exponentially after the wet spring this year (2020). They must be cut back from the lines by the power companies FirstEnergy and Penelec. Because the entire hedge along the public sidewalk is completely infested with wisteria, it needs to be cut down and the large roots pulled by an excavator as in PHOTO 10 below and destroyed, preferably by incineration.

PHOTO 10 (taken on 5-8-2020)

Excavator clearing soil of wisteria roots

This photos shows an excavator working up the lawn for 404 Park Avenue by clearing the soil of wisteria roots in the border area of 404 and 414 Park Avenue. There is a huge pile of wisteria roots that have been dug up and collected on 414 Park Avenue on the edge of 404 Park Avenue. Currently there is a smaller pile of roots in approximately the same place.

PHOTO 11 (taken end of May 2020)

Wisteria roots protruding from soil after excavator tried to pull them

This photos shows roots protruding from the soil after an excavator had worked up the ground and attempted to remove the roots. The crew that the developer of 404 Park Avenue sent finally gave up and seeded the lawn in the first part of June 2020.

PHOTO 12 (taken 5-8-2020)

**Wisteria vines strangling the chokecherry tree
shared by 404 and 414 Park Avenue**

This photo shows wisteria vines strangling the chokecherry tree that is on the border to 404 and 414 Park Avenue and thus shared by both properties. Those vines, which run from the ground to the very top of the tree, could not be removed by a bulldozer gripping them and pulling them. According to the crew working on the exterior of the property, they will have to be cut off the tree.