
Devin Ryan

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File #: 167945

August 12, 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: Craig Bowes v. PPL Electric Utilities Corporation
Docket No. C-2020-3020990

Dear Secretary Chiavetta:

Attached please find PPL Electric Utilities Corporation's Preliminary Objections to the Formal Complaint in the above-referenced proceeding. Copies will be provided per the attached Certificate of Service.

Respectfully submitted,



Devin Ryan

DR/kl
Attachment

cc: Honorable Elizabeth Barnes (w/enc.)
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 E-MAIL AND FIRST CLASS MAIL

Craig Bowes
1531 N. 19th Street
Allentown, PA 18104
craigabowes@aol.com

Date: August 12, 2020



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Craig Bowes,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2020-3020990
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

NOTICE TO PLEAD

YOU ARE HEREBY ADVISED THAT, PURSUANT TO 52 PA. CODE § 5.101, YOU MAY FILE AN ANSWER TO THE ENCLOSED PRELIMINARY OBJECTIONS WITHIN TEN (10) DAYS OF THE DATE OF SERVICE HEREOF. YOUR ANSWER TO THE PRELIMINARY OBJECTIONS MUST BE FILED WITH THE SECRETARY OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION, P.O. BOX 3265, HARRISBURG, PA 17105-3265. A COPY SHOULD ALSO BE SERVED ON THE UNDERSIGNED COUNSEL.



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Date: August 12, 2020

Attorneys for PPL Electric Utilities Corporation

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Craig Bowes,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2020-3020990
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

**PRELIMINARY OBJECTIONS OF
PPL ELECTRIC UTILITIES CORPORATION TO THE
COMPLAINT OF CRAIG BOWES**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

AND NOW, comes PPL Electric Utilities Corporation (“PPL Electric” or the “Company”) and hereby files Preliminary Objections, pursuant to the regulations of the Pennsylvania Public Utility Commission (“Commission”) at 52 Pa. Code § 5.101, and respectfully requests that the Formal Complaint (“Second Complaint”) filed by Craig Bowes (“Complainant”) be summarily dismissed in its entirety and with prejudice.

As explained below, the Second Complaint should be dismissed because it attempts to re-litigate issues and claims that were raised in a previous complaint proceeding and were fully and finally resolved. Specifically, the Complainant previously filed a Formal Complaint against PPL Electric at Docket No. C-2018-3000475 (“First Complaint”) challenging the planned installation of a new automated metering infrastructure (“AMI”) meter at his property. In that Complaint, the Complainant alleged that the AMI meter would cause, contribute to, or exacerbate adverse health effects. At the evidentiary hearing held on December 5, 2019, PPL Electric and the

Complainant agreement to a settlement, under which PPL Electric would not install the new AMI meter until June 30, 2020, in exchange for the Complainant withdrawing his Complaint with prejudice. These settlement terms were placed on the record by the parties. Administrative Law Judge Elizabeth H. Barnes (“ALJ Barnes”) then directed PPL Electric to file a Certificate of Satisfaction within seven days of the hearing. On December 6, 2019, PPL Electric filed a Certificate of Satisfaction. The Complainant never objected to the Certificate of Satisfaction.

Now, the Complainant has filed the Second Complaint seeking, once again, to challenge the planned installation of the new AMI meter, even though the moratorium period agreed to by the parties expired on June 30, 2020. However, Section 316 of the Public Utility Code bars a complainant from re-litigating issues that were raised in a prior formal complaint and were resolved by a Certificate of Satisfaction. *See* 66 Pa. C.S. § 316; *see, e.g., Raintree Farm Solar v. PPL Elec. Utils. Corp.*, Docket No. C-2017-2621826, pp. 1, 9-13 (Dec. 13, 2017) (Initial Decision), *adopted without modification*, (Order entered Jan. 16, 2018). Here, PPL Electric filed a Certificate of Satisfaction on December 6, 2019, and the Complainant never objected to that Certificate. Moreover, the Second Complaint challenges PPL Electric’s planned installation of a new AMI meter at the Complainant’s property due to alleged health issues. These are the same substantive issues that were raised in the First Complaint. Thus, the Second Complaint is barred by Section 316 of the Public Utility Code and should be summarily dismissed with prejudice.

In support thereof, PPL Electric states as follows:

I. BACKGROUND

1. PPL Electric is a “public utility,” an “electric distribution company,” and a “default service provider” as defined in Sections 102 and 2803 of the Pennsylvania Public Utility Code, 66 Pa.C.S. §§ 102, 2803. PPL Electric furnishes electric distribution, transmission, and

default supply services to approximately 1.4 million customers throughout its certificated service territory, which includes all or portions of 29 counties and encompasses approximately 10,000 square miles in eastern and central Pennsylvania.

2. On July 23, 2020, PPL Electric was served with the above-captioned Second Complaint. In the Second Complaint, the Complainant alleges that the installation of a new AMI meter at his property would cause, contribute to, or exacerbate adverse health effects. (Second Complaint ¶ 4.) Specifically, he contends that “those with medical conditions,” such as his wife, “are severely impacted by the new metering technologies.” (Second Complaint ¶ 4.) The Complainant requests that the installation of the new AMI meter be prohibited for an indefinite period of time. (Second Complaint ¶ 4.)

3. Previously, on November 20, 2018, PPL Electric was served with the First Complaint filed by the Complainant at Docket No. C-2018-3006101 raising the same substantive issues.¹ Therein, the Complainant asserted that his “wife is extremely sensitive and sickened by exposure to smart meters technology” and that “the new radio transmitting or digital smart meters on [their] property would have serious, negative consequences to her health.” (First Complaint ¶ 5.) As relief, the Complainant requested that PPL Electric be barred from installing the new AMI meter. (First Complaint ¶ 5.)

4. On December 5, 2019, the evidentiary hearing in the First Complaint proceeding was held as scheduled. However, at the beginning of the hearing, the parties were able to reach a settlement that fully and finally resolved the dispute. The terms of that settlement were placed on the record at the hearing as follows:

The parties have agreed that PPL Electric will delay the installation of the new automated metering infrastructure meter at Mr. Bowes’

¹ A true and correct copy of the First Complaint is attached hereto as **Appendix A**. The account number has been redacted to protect against unwarranted public disclosure.

property until the end of June, so June 30, 2020. If an opt-out is added to Act 129 of 2008 between today and June 30, 2020, the company has committed that it will adhere to whatever processes are outlined in that amended statute. In exchange for this agreement, Mr. Bowes is withdrawing his complaint which is the subject of this proceeding here today with prejudice.

(Hearing Transcript, Docket No. C-2018-3006101, p. 9.)

5. ALJ Barnes also instructed the Company to send the Complainant an email summarizing the terms of the agreement. (*Id.*, p. 11.) Later that day, PPL Electric's counsel sent the Complainant the required summary,² which stated explicitly:

In exchange for the withdrawal of your Complaint at Docket No. C-2018-3006101 with prejudice, PPL Electric Utilities Corporation ("PPL Electric" or the "Company") has agreed to delay the installation of the new automated metering infrastructure ("AMI") meter for your account until June 30, 2020. PPL Electric's installation of the new AMI meter after June 30, 2020, shall not be interfered with. However, if an "opt-out" of the AMI meter installation is added to the Public Utility Code, PPL Electric will follow the "opt-out" processes established under that new law for your account. Further, before the AMI meter installation takes place, the Company will send letters consistent with its communications policy advising you of the forthcoming AMI meter installation. Those letters may be sent before June 30, 2020.

(Appendix B, p. 1.)

6. Further, ALJ Barnes directed the Company to file a Certificate of Satisfaction within seven days. (Hearing Transcript, Docket No. C-2018-3006101, p. 10.) After the filing of the Certificate of Satisfaction, the Complainant would have the required 10 days to object. (*Id.*) ALJ Barnes explained that if no objection was filed within that 10-day period, the First Complaint would be withdrawn by operation of law. (*Id.*, pp. 10-11.)

7. On December 6, 2019, PPL Electric filed a Certificate of Satisfaction in the First Complaint proceeding.³

² A true and correct copy of the December 5, 2019 email summarizing the settlement terms is attached hereto as **Appendix B**.

8. The Complainant never objected to the Certificate of Satisfaction. *See* Docket No. C-2018-3006101.

9. PPL Electric herein files these Preliminary Objections to the Complaint. For the reasons explained below, the Company respectfully requests that the Complaint be dismissed in its entirety pursuant to Section 5.101(a)(4) because the Complainant's issues and claims were fully and finally resolved in the First Complaint proceeding by the filing of the Certificate of Satisfaction, to which the Complainant never objected.

II. STANDARD OF REVIEW

10. Pursuant to the Commission's regulations, preliminary objections in response to a pleading may be filed on several grounds, including:

- (1) Lack of Commission jurisdiction or improper service of the pleading initiating the proceeding.
- (2) Failure of a pleading to conform to this chapter or the inclusion of scandalous or impertinent matter.
- (3) Insufficient specificity of a pleading.
- (4) Legal insufficiency of a pleading.
- (5) Lack of capacity to sue, nonjoinder of a necessary party or misjoinder of a cause of action.
- (6) Pendency of a prior proceeding or agreement for alternative dispute resolution.
- (7) Standing of a party to participate in the proceeding.

52 Pa. Code § 5.101(a) (emphasis added).

11. In ruling on preliminary objections, the Presiding Officer must accept as true all well-pled allegations of material facts as well as all inferences reasonably deducible therefrom.

³ A true and correct copy of the Certificate of Satisfaction is attached hereto as **Appendix C**.

Stilp v. Commonwealth., 910 A.2d 775, 781 (Pa. Cmwlth. 2006) (“*Stilp*”) (citing *Dep’t of Gen. Servs. v. Bd. of Claims*, 881 A.2d 14 (Pa. Cmwlth. 2005)), *affirmed* 974 A.2d 491 (Pa. 2009). However, the Presiding Officer need not accept as true conclusions of law, unwarranted inferences from facts, argumentative allegations, or expressions of opinion. *Stanton-Negley Drug Co. v. Dep’t of Pub. Welfare*, 927 A.2d 671, 673 (Pa. Cmwlth. 2007), *affirmed*, 962 A.2d 670 (Pa. 2009). Notwithstanding, any doubt must be resolved in favor of the non-moving party. *Stilp* at 781.

12. In addition, the Presiding Officer must determine whether, based on the factual pleadings, if recovery is possible. *See Rok v. Flaherty*, 527 A.2d 211, 214 (Pa. Cmwlth. 1987) (citation omitted). Indeed, for preliminary objections to be sustained, it must appear with certainty that the law will permit no recovery. *See Stilp* at 781; *Milliner v. Enck*, 709 A.2d 417, 418 (Pa. Super. 1998) (quoting *Santiago v. Pa. Nat. Mut. Cas. Ins. Co.*, 613 A.2d 1235, 1238 (Pa. Super. 1992)).⁴

III. PRELIMINARY OBJECTIONS

A. PRELIMINARY OBJECTION NO. 1 – THE SECOND COMPLAINT IS BARRED BY 66 PA. C.S. § 316 AND SHOULD BE DISMISSED BECAUSE IT RE-RAISES ISSUES AND CLAIMS THAT WERE FULLY AND FINALLY RESOLVED BY THE FILING OF A CERTIFICATE OF SATISFACTION

13. PPL Electric incorporates by reference Paragraphs 1 through 12 as if fully set forth herein.

⁴ To the extent that the presiding administrative law judge finds that PPL Electric’s request to dismiss the Second Complaint on the grounds that it is barred by 66 Pa. C.S. § 316 is more appropriately set forth in a motion for judgment on the pleadings, PPL Electric respectfully requests that its Preliminary Objections be treated as a motion for judgment on the pleadings because the material facts are not in dispute and such treatment would “secure a just, speedy and inexpensive determination of this proceeding.” *See Raintree*, pp. 7-8 (treating the preliminary objections as a motion for judgment on the pleadings and dismissing the complaint on the grounds that it was barred by 66 Pa. C.S. § 316).

14. The Complaint should be dismissed in its entirety because it attempts to re-raise issues and claims that were previously raised and fully resolved in the First Complaint proceeding by the filing of a Certificate of Satisfaction.

15. In the First Complaint, the Complainant alleged that his “wife is extremely sensitive and sickened by exposure to smart meters technology” and that “the new radio transmitting or digital smart meters on [their] property would have serious, negative consequences to her health.” (First Complaint ¶ 5.) As relief, the Complainant requested that PPL Electric be barred from installing the new AMI meter. (First Complaint ¶ 5.)

16. Now, the Complainant has filed a Second Complaint raising the same substantive issues and requesting, effectively, the same relief—that PPL Electric be prohibited from installing the new AMI meter because it allegedly may cause, contribute to, or exacerbate adverse health effects. (*Compare* Second Complaint ¶ 4, *with* First Complaint ¶ 5.)

17. All of these issues and claims cannot be raised again because they are barred by Section 316 of the Public Utility Code.

18. Under Section 316 of the Public Utility Code:

Whenever the [c]ommission shall make any rule, regulation, finding, determination or order, the same shall be prima facie evidence of the facts found and shall remain conclusive upon all parties affected thereby, unless set aside, annulled or modified on judicial review.

66 Pa. C.S. § 316.

19. The Commission has regularly held that Section 316 prevents a complainant from re-litigating the same issues that were resolved by the filing of a Certificate of Satisfaction. *See Reynolds v. PPL Elec. Utils. Corp.*, Docket No. C-2011-2255268, pp. 5-6 (Order entered Jan. 5, 2012); *Creehan v. Duquesne Light Co.*, Docket No. C-2012-2297124, pp. 9-11 (Order entered

May 23, 2013); *Wright v. Phila. Gas Works*, Docket No. C-2013-2368462, p. 12 (Order entered Oct. 23, 2014).

20. As summarized in *Raintree*, Section 316 of the Public Utility Code “precludes the Complainant from pursuing the same claims it raised in the prior complaint.” *Raintree*, p. 9. “[A] certificate of satisfaction, which was not objected to, and resulted in the closing of the case, conclusively determined that the issues had been resolved to the satisfaction of the complainant.” *Id.* Therefore, “a complainant could not file another complaint raising the same issues because the issues had already been resolved through the certificate of satisfaction.” *Id.*

21. Here, the Complainant readily admits that he previously reached a settlement with the Company, under which PPL Electric agreed not to install the new AMI meter until June 30, 2020. (Second Complaint ¶ 4.) In exchange for the Company stalling its installation of the new AMI meter, the Complainant agreed to withdraw his Complaint with prejudice. (Hearing Transcript, Docket No. C-2018-3006101, p. 9; Appendix B, p. 1.)

22. Pursuant to this settlement and ALJ Barnes’s instructions at the hearing, PPL Electric filed a Certificate of Satisfaction on December 6, 2019, to which the Complainant never objected. (*See* Appendix C.)

23. Therefore, when the 10-day period to object to the Certificate of Satisfaction expired, the First Complaint was deemed withdrawn with prejudice.

24. PPL Electric held up its end of the bargain and has not installed the new AMI meter to date.

25. Yet, the Complainant, now evidently dissatisfied with the agreement he reached with PPL Electric, wants to rewrite the terms of that settlement and delay the AMI meter’s installation indefinitely. (Second Complaint ¶ 4.) As alleged support, he once again contends

that the new AMI meter may cause, contribute to, or exacerbate adverse health effects. (Second Complaint ¶ 4.)

26. However, the Complainant is bound by the terms of the settlement he reached with the Company in the First Complaint proceeding.

27. Moreover, the Complainant never objected to the Certificate of Satisfaction filed in the First Complaint proceeding, so he is barred from re-litigating whether the new AMI meter may cause, contribute to, or exacerbate adverse health effects and requesting that the new AMI meter's installation be delayed.

28. Thus, Section 316 of the Public Utility Code bars the Complainant from pursuing the Second Complaint because: (1) it re-raises the same issues that were resolved in the First Complaint proceeding by the Certificate of Satisfaction; and (2) the Complainant never filed an objection to the Certificate of Satisfaction. *See* 66 Pa. C.S. § 316; *Reynolds*, pp. 5-6; *Creehan*, pp. 9-11; *Wright*, p. 12.

WHEREFORE, PPL Electric respectfully requests that the above-captioned Second Complaint be summarily dismissed in its entirety and with prejudice pursuant to 52 Pa. Code § 5.101(a)(4).

IV. CONCLUSION

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Complaint filed by Craig Bowes be dismissed in its entirety and with prejudice for the reasons set forth above.

Respectfully submitted,



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Date: August 12, 2020

Attorneys for PPL Electric Utilities Corporation

Appendix A

First Complaint Filed by Craig Bowes at Docket No. C-2018-3006101

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Formal Complaint

*Filing this form begins a legal proceeding and you will be a party to the case.
If you do not wish to be a party to the case, consider filing an informal complaint.*

To complete this form, please type or print legibly in ink.

1. Customer (Complainant) Information


Provide your name, mailing address, county, telephone number(s), e-mail address and utility account number. It is your responsibility to update the Commission with any changes to your address and to where you want documents mailed to you.

Name CRAIG BOWES
Street/P.O. Box 1531 N 19TH ST. Apt # _____
City ALLENTOWN State PA Zip 18104
County LEHIGH

Telephone Number(s) Where We Can Contact You During the Day:

(610) 437-0151 (home) (516) 250-3581 (mobile)

E-mail Address (optional): _____

Utility Account Number (from your bill)  _____

If your complaint involves utility service provided to a different address or in a different name than your mailing address, please list this information below.

Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

RECEIVED

NOV 15 2018

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

2. Name of Utility or Company (Respondent)

Provide the full name of the utility or company about which you are complaining. The name of your utility or company is on your bill.

PPL ELECTRIC UTILITIES

3. **Type of Utility Service**

Check the box listing the type of utility service that is the subject of your complaint (check only one):

- | | |
|--|---|
| <input checked="" type="checkbox"/> ELECTRIC | <input type="checkbox"/> WASTEWATER/SEWER |
| <input type="checkbox"/> GAS | <input type="checkbox"/> TELEPHONE/TELECOMMUNICATIONS (local, long distance) |
| <input type="checkbox"/> WATER | <input type="checkbox"/> MOTOR CARRIER (e.g. taxi, moving company, limousine) |
| <input type="checkbox"/> STEAM HEAT | |

4. **Reason for Complaint**

What kind of problem are you having with the utility or company? Check all boxes below that apply and state the reason for your complaint. Explain specifically what you believe the utility or company has done wrong. Provide relevant details including dates, times and places and any other information that may be important. If the complaint is about billing, tell us the amount you believe is not correct. Use additional paper if you need more space. **Your complaint may be dismissed without a hearing if you do not provide specific information.**

The utility is threatening to shut off my service or has already shut off my service.
DUE TO TURNING DOWN A SMART METER INSTALLATION

- I would like a payment agreement.
- Incorrect charges are on my bill. Provide dates that are important and an explanation about any amounts or charges that you believe are not correct. Attach a copy of the bill(s) in question if you have it/them.
- I am having a reliability, safety or quality problem with my utility service. Explain the problem, including dates, times or places and any other relevant details that may be important.
- Other (explain).

Note: If your complaint is only about removing or modifying a municipal lien filed by the City of Philadelphia, the Public Utility Commission (PUC) cannot address it. Only local courts in Philadelphia County can address this type of complaint. The PUC can address a complaint about service or incorrect billing even if that amount is subject to a lien.

In addition, the PUC generally does not handle complaints about cell phone or Internet service, but may be able to resolve a dispute regarding voice communications over the Internet (including the inability to make voice 911/E911 emergency calls) or concerns about high-speed access to Internet service.

5. Requested Relief

How do you want your complaint to be resolved? Explain what you want the PUC to order the utility or company to do. Use additional paper if you need more space.

MY DISABLED WIFE IS EXTREMELY SENSITIVE TO AND SICKENED BY EXPOSURE TO SMART METERS-TECHNOLOGY. HER DOCTORS HAVE ADVISED US AND INFORMED PPL ELECTRIC UTILITIES THRU PHONE CONTACT THAT THE PLACEMENT OF THE NEW RADIO TRANSMITTING OR DIGITAL SMART METERS ON OUR PROPERTY WOULD HAVE SERIOUS, NEGATIVE CONSEQUENCES TO HER HEALTH. WE THEREFORE ARE REQUESTING THAT PPL ELECTRIC UTILITIES NOT PLACE ~~THE~~ NEW RADIO TRANSMITTING OR DIGITAL ELECTRIC SMART METERS ON OUR PROPERTY/HOME, AND ALLOW US TO KEEP OUR PRESENT NON ~~RADIO TRANSMITTING~~ ^{NON} DIGITAL METER — AND WE ALSO REQUEST THAT PPL ELECTRIC UTILITIES NOT TERMINATE OUR SERVICE EXPOSING MY WIFE AND I TO THE POTENTIALLY FATAL EFFECTS OF HYPOTHERMIA, THIS WINTER + HEAT STROKE + DEHYDRATION IN THE SUMMER MONTHS AS A RESULT OF OUR TURNING DOWN THE METER INSTALLATION.

Note: The PUC can decide that a customer was not billed correctly and can order billing refunds. The PUC can also fine a utility or company for not following rules and can order a utility or company to correct a problem with your service. Under state law, the PUC cannot decide whether a utility or company should pay customers for loss or damages. Damage claims may be sought in an appropriate civil court.

6. Protection From Abuse (PFA)

Has a court granted a "Protection From Abuse" order that is currently in effect for your personal safety or welfare? The PUC needs this information to properly process your complaint so that your identity is not made public.

Note: You must answer this question if your complaint is against a natural gas distribution utility, an electric distribution utility or a water distribution utility AND your complaint is about a problem involving billing, a request to receive service, a security deposit request, termination of service or a request for a payment agreement.

Has a court granted a "Protection From Abuse" order for your personal safety or welfare?

YES

NO

If your answer to the above question is "yes," attach a copy of the current Protection From Abuse order to this Formal Complaint form.

7. Prior Utility Contact

a. Is this an appeal from a decision of the PUC's Bureau of Consumer Services (BCS)?

YES

NO

Note: If you answered yes, move to Section 8. No further contact with the utility or company is required. If you answered no, answer the question in Section 7 b. and answer the question in Section 7 c. if relevant.

b. If this is not an appeal from a BCS decision, have you spoken to a utility or company representative about this complaint?

YES

NO

Note: You must contact the utility first if (1) you are a residential customer, (2) your complaint is against a natural gas distribution utility, an electric distribution utility or a water utility AND (3) your complaint is about a billing problem, a service problem, a termination of service problem, or a request for a payment agreement.

- c. If you tried to speak to a utility company representative about your complaint but were not able to do so, please explain why.

Note: Even if you are not required to contact the utility or company, you should always try to speak to a utility or company representative about your problem before you file a Formal Complaint with the PUC.

8. Legal Representation

If you are filing a Formal Complaint as an individual on your own behalf, you are not required to have a lawyer. You may represent yourself at the hearing.

If you are already represented by a lawyer in this matter, provide your lawyer's name, address, telephone number, and e-mail address, if known. Please make sure your lawyer is aware of your complaint. If represented by a lawyer, both you and your lawyer must be present at your hearing.

Lawyer's Name _____

Street/P.O. Box _____

City _____ State _____ Zip _____

Area Code/Phone Number _____

E-mail Address (if known) _____


Note: Corporations, associations, partnerships, limited liability companies and political subdivisions are required to have a lawyer represent them at a hearing and to file any motions, answers, briefs or other legal pleadings.

9. **Verification and Signature**

You must sign your complaint. Individuals filing a Formal Complaint **must** print or type their name on the line provided in the verification paragraph below and **must** sign and date this form in **ink**. If you do not sign the Formal Complaint, the PUC **will not accept it**.

Verification:

I CRAIG BOWEN, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).


(Signature of Complainant) 11/14/2018 (Date)

Title of authorized employee or officer (only applicable to corporations, associations, partnerships, limited liability companies or political subdivisions)

Note: If the Complainant is a corporation, association, partnership, limited liability company or political subdivision, the verification **must** be signed by an authorized officer or authorized employee. If the Formal Complaint is **not signed** by one of these individuals, the PUC **will not accept it**.

10. **Two Ways to File Your Formal Complaint**

Electronically. You must create an account on the PUC's eFiling system, which may be accessed at <http://www.puc.pa.gov/efiling/default.aspx>.

Note: If you are appealing your Bureau of Consumer Services (BCS) decision, you must file your formal complaint by mail.

Mail. Mail the completed form with your original signature and any attachments, by certified mail, first class mail, or overnight delivery to this address:

Secretary
Pennsylvania Public Utility Commission
400 North Street
Harrisburg, Pennsylvania 17120

Note: Formal Complaints sent by fax or e-mail will **not** be accepted.

If you have any questions about filling out this form, please contact the Secretary's Bureau at 717-772-7777.

Keep a copy of your Formal Complaint for your records.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

CERTIFIED MAIL



7016 1830 0000 1753 6699

★ MAIL ★

11/19/2018 9:15:16 AM

CMPC

To: PUC
Agency: PUC
Floor:
External Carrier: EXPRESS



EL327250946US

PRESS FIRMLY TO SEAL

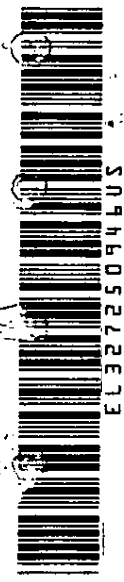


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18052
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PHONE: 610 432-0151
CRAIG BOWES
1531 N. 19TH ST
ALLENTOWN PA 18104

PAYMENT BY ACCOUNT (if applicable)

DELIVERY OPTIONS (Customer Use Only)

SIGNATURE REQUIRED Note: The mailer must check the "Signature Required" box if the mailer: 1) Requires the addressee's signature; OR 2) Purchases additional insurance; OR 3) Purchases COD service; OR 4) Purchases Return Receipt service. If the box is not checked, the Postal Service will leave the item in the addressee's mail receptacle or other secure location without attempting to obtain the addressee's signature on delivery.

No Saturday Delivery (delivered next business day)
 Sunday/holiday Delivery Required (additional fee, where available)
 10:30 AM Delivery Required (additional fee, where available)
*Refer to USPS.com or local Post Office for availability.

TO: (PLEASE PRINT)
PHONE: 717 772-7777
SECRETARY
PENNSYLVANIA PUBLIC UTILITY COM
400 N. 7TH ST
HARRISBURG, PA
17120

For pickup or USPS Tracking™, visit USPS.com or call 800-222-1811.
\$100.00 Insurance Included.

ORIGIN (POSTAL SERVICE USE ONLY)		DELIVERY (POSTAL SERVICE USE ONLY)	
<input checked="" type="checkbox"/> 1-Day	<input type="checkbox"/> 2-Day	<input type="checkbox"/> AM	<input type="checkbox"/> PM
PO ZIP Code	Scheduled Delivery Date (MM/DD/YYYY)	Delivery Attempt (MM/DD/YYYY)	Time
18052	11/16/18	11/17/18	9
Date Accepted (MM/DD/YYYY)	Scheduled Delivery Time	Delivery Absent (MM/DD/YYYY)	Time
11/15/18	<input type="checkbox"/> 10:30 AM <input type="checkbox"/> 3:00 PM <input checked="" type="checkbox"/> 12 NOON		
Time Accepted	10:30 AM Delivery Fee	Employee Signature	Employee Signature
2:45 PM	\$		
Weight	Sunday/Holiday Premium Fee		
4 oz.	\$		
Flat Rate	Acceptance Employee Initials		
	bx. 4		
Postage	Return Receipt Fee		
\$22.45	\$		
Insurance Fee	Live Animal Transportation Fee		
\$24.70	\$		
COD Fee	Total Postage & Fees		
\$	\$22.45		

LABEL 11-B SEPTEMBER 2015 PSN7890-02-000-9999 3-ADDRESSEE COPY

EP13F July 2013 OD: 12.5 x 9.5



Appendix B

**December 5, 2019 Email Summarizing
the Settlement Terms in the First
Complaint Proceeding at Docket No.
C-2018-3006101**

Ryan, Devin

From: Ryan, Devin <DRyan@PostSchell.com>
Sent: Thursday, December 5, 2019 5:34 PM
To: 'craigabowes@aol.com'
Cc: Honorable Elizabeth Barnes (ebarnes@pa.gov); Michael J. Shafer (mjshafer@pplweb.com); Curt Renner (crenner@w-r.com)
Subject: Bowes v. PPL Electric, Dkt. C-2018-3006101

Mr. Bowes,

Per Judge Barnes's direction at today's evidentiary hearing, I am sending you a summary of the settlement terms agreed to by the parties.

In exchange for the withdrawal of your Complaint at Docket No. C-2018-3006101 with prejudice, PPL Electric Utilities Corporation ("PPL Electric" or the "Company") has agreed to delay the installation of the new automated metering infrastructure ("AMI") meter for your account until June 30, 2020. PPL Electric's installation of the new AMI meter after June 30, 2020, shall not be interfered with. However, if an "opt-out" of the AMI meter installation is added to the Public Utility Code, PPL Electric will follow the "opt-out" processes established under that new law for your account. Further, before the AMI meter installation takes place, the Company will send letters consistent with its communications policy advising you of the forthcoming AMI meter installation. Those letters may be sent before June 30, 2020.

As stated at today's hearing, PPL Electric will proceed with filing a Certificate of Satisfaction to close out the docket in this case.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Devin Ryan
Associate
Post & Schell, P.C.
17 North Second Street
12th Floor
Harrisburg, PA 17101

717-612-6052 (Phone)
717-731-1981 (Fax)
DRyan@PostSchell.com
www.postschell.com

This message is from the law firm Post & Schell, P.C. . This message and any attachments may contain legally privileged or confidential information, and are intended only for the individual or entity identified above as the addressee. If you are not the addressee, or if this message has been addressed to you in error, you are not authorized to read, copy, or distribute this message and any attachments, and we ask that you please delete this message and attachments (including all copies) and notify the sender by return e-mail or by phone at 215-587-1000. Delivery of this message and any attachments to any person other than the intended recipient(s) is not intended in any way to waive confidentiality or a privilege. All personal messages express views only of the sender, which are not to be attributed to Post & Schell, P.C., and may not be copied or distributed without this statement.

Appendix C

Certificate of Satisfaction Filed by PPL Electric in the First Complaint Proceeding at Docket No. C-2018- 3006101



17 North Second Street
12th Floor
Harrisburg, PA 17101-1601
717-731-1970 Main
717-731-1985 Main Fax
www.postschell.com

Devin Ryan

dryan@postschell.com
717-612-6052 Direct
717-731-1981 Direct Fax
File #: 167945

December 6, 2019

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: Craig Bowes v. PPL Electric Utilities Corporation
Docket No. C-2018-3006101

Dear Secretary Chiavetta:

Enclosed for filing is the Certificate of Satisfaction in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully submitted,



Devin Ryan

DTR/dmc
Enclosures

cc: Honorable Elizabeth Barnes
Certificate of Service

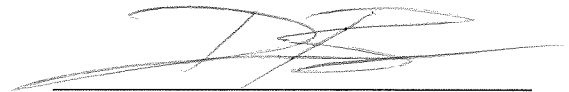
CERTIFICATE OF SERVICE

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 E-MAIL AND FIRST CLASS MAIL

Craig Bowes
1531 N. 19th Street
Allentown, PA 18104
craigabowes@aol.com

Date: December 6, 2019



Devin T. Ryan

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Craig Bowes,	:	
	:	
Complainant,	:	
	:	
v.	:	Docket No. C-2018-3006101
	:	
PPL Electric Utilities Corporation,	:	
	:	
Respondent.	:	

CERTIFICATE OF SATISFACTION

Pursuant to Section 5.24(b)(1) of Title 52 of the Pennsylvania Code, 52 Pa. Code § 5.24(b)(1), PPL Electric Utilities Corporation (“PPL Electric”), Respondent in the above-captioned matter, hereby submits this Certificate of Satisfaction. PPL Electric hereby certifies that it has satisfied the above-captioned Complaint filed by Craig Bowes (“Complainant”) and that the Complainant has acknowledged his satisfaction to PPL Electric.

PPL Electric has served this Certificate of Satisfaction upon the Complainant as evidenced by the attached Certificate of Service. Unless the Complainant objects within 10 days of the filing of this Certificate of Satisfaction, the Pennsylvania Public Utility Commission (“Commission”) shall withdraw the Complaint and mark the case closed.

The Complainant may object to this Certificate of Satisfaction by writing a letter to the Secretary of the Commission at P.O. Box 3265, Harrisburg, PA 17105-3265 with a copy to the Respondent.

WHEREFORE, PPL Electric Utilities Corporation respectfully requests that the Complaint of Craig Bowes be withdrawn and marked closed.

Respectfully submitted,



Kimberly A. Klock (ID # 89716)
Michael J. Shafer (ID # 205681)
PPL Services Corporation
Two North Ninth Street
Allentown, PA 18101
Phone: 610-774-2599
Fax: 610-774-4102
E-mail: kklock@pplweb.com
mjshafer@pplweb.com

Devin T. Ryan (ID # 316602)
Garrett P. Lent (ID # 321566)
Post & Schell, P.C.
17 North Second Street, 12th Floor
Harrisburg, PA 17101-1601
Phone: 717-731-1970
Fax: 717-731-1985
E-mail: dryan@postschell.com
glent@postschell.com

Curtis S. Renner (ID # 326488)
Watson & Renner
1901 Pennsylvania Avenue, NW
Suite 1005 - ENS
Washington, DC 20006
Phone: 202-737-6302
E-mail: crenner@w-r.com

Date: December 6, 2019

Attorneys for PPL Electric Utilities Corporation

VERIFICATION

I, DAVID QUADE, being the Manager – Regional Metering at PPL Electric Utilities Corporation, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect PPL Electric Utilities Corporation to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: August 11, 2020



David Quade