

Larry R. & Ellen M. Kramer
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August 12, 2020

VIA EMAIL/EFILING

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

In Re: Larry R. Kramer & Ellen M. Kramer v. Metropolitan Edison Company
Docket No. C-2017-2630621

Dear Secretary Chiavetta:

Attached is our Objection and Reconsideration of the August 6, 2020, Ruling on ALJ Watson's Interim Order Which Was Made in Error regarding our above case.

This document has been served as shown in the Certificate of Service.

Please feel free to contact us with any questions.

Sincerely,



Larry R. Kramer



Ellen M. Kramer

cc as per Certificate of Service
Administrative Law Judge Jeffrey A. Watson
Chief ALJ Charles Rainey, Jr.
Respondent
Sen. David Arnold
Rep. Russ Diamond

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Larry R. Kramer and	:	
Ellen M. Kramer	:	
	:	
v.	:	Docket No. C-2017-2630621
	:	
Metropolitan Edison Company	:	

**OBJECTION AND RECONSIDERATION OF THE AUGUST 6, 2020, RULING OF
ALJ WATSON'S INTERIM ORDER WHICH WAS MADE IN ERROR**

TO ADMINISTRATIVE LAW JUDGE JEFFREY A. WATSON:

As the Complainants in the above-mentioned case, we are filing these objections in this case.

I. INTRODUCTION

A. A telephonic hearing was held in this case on June 29, 2020, despite.

1. Our requests since January of 2019 to submit a list of witnesses;¹
2. Due to the additional time involved in reviewing documents with our vision issues, our unaccommodated requests for more time to submit evidence; and,
3. Our requests and affidavits for recusal of the presiding officer.

The presiding officer denied us due process by not accommodating any of those requests.

B. At that telephonic hearing, the presiding officer stated that no additional rulings would be published. Therefore, all parties were to take careful notes.

¹ The presiding officer pressured us numerous times to list our desired witnesses. Met-Ed dishonestly stated that all of those witnesses have not been permitted at any hearings. However, some of them were not objected to at another hearing held shortly after our hearing.

However, they contradict this claim and note in #19 that “the Complainants’ responses were incomplete.” Their footnote stated that we have not submitted supplemental answers. Respondent should be aware of the legal difference between “never” and “incomplete.” Respondent should also be aware that supplementation is allowed to be included continuously and even in exhibits for a hearing.

5. Met-Ed neglects to mention that they objected to valid Interrogatories from us and their answers to our Interrogatories were unsatisfactory and intentionally written to deny us valid evidence for our hearing despite their legal obligation to respond.
6. Throughout their recent filing, Met-Ed stated that all of our “late filings” were due on July 20, 2020. Respondent was similarly instructed to take careful notes of the hearing. Apparently, Met-Ed did not even make note of all of the deadlines applicable to them. Here are the dates which we noted from the hearing:
 - a. July 20, 2020 – only our termination letters were due by that date.
 - b. August 14, 2020 –
 - i. We were to submit our objections to Met-Ed’s 258 pages of documents which we were unable to read beforehand due to their volume and our vision issues.
 - ii. We were to submit any other late filings since we were unable to do so earlier. As noted during the hearing, we had some of our evidence in binderS, and some was not in binders. Additionally, we were aware that we had links to websites that we had been accumulating for several years. This totals 22 pages of numbers of

C. ALJ Watson stated that we would be notified when a transcript of the hearing was ready and how we could get that. We have never been so notified. It appears, however, that Met-Ed was notified.

D. On July 31, 2020, Respondent submitted Objections of Metropolitan Edison Company to the Complainants' Late-Submitted Exhibits. This document was unprofessional, unnecessarily scolding in its tone, made factually inaccurate accusations against us, and rewrote the judge's orders to suit their client, and denying us our due process rights.

1. Respondent incorrectly stated in their #9 that "The Company returned the message but had to leave a voicemail." As we have stated continuously since the summer of 2018, Respondent never responded to our voicemail. They never contacted us which is evident by their inability to produce a record or date of such a call.
2. Due to delays by Respondent and the presiding officer, which were earlier documented by us, this case has dragged on longer than necessary. Yet Respondent projected responsibility for such delays onto us.
3. Due to Respondent making the sole determination not to have a resolution conference as ordered, which was documented numerous times earlier by us, this case has dragged on longer than necessary. Yet Respondent projected responsibility for such delays onto us.
4. In #15, Met-Ed states that we "never served [our] responses in compliance with the August 30, 2018 Interim Order by September 14, 2018." They fail to mention that we filed a document asking for a clarification from the presiding officer.

links per page which are considerable to review. It is impossible “to identify” such a large volume of potential exhibits spontaneously during a telephonic hearing. Not realizing the volume of documents that we needed to review for submission but realizing the vision issues of both Complainants, ALJ Watson gave additional time until August 14, 2020 to determine the appropriateness and submit these documents. On July 24, we requested an extension of time to submit these documents because we were already visually overwhelmed trying to review this much information.

- c. August 30, 2020 – the date by which Met-Ed could respond to our late filings.
 - d. September 30, 2020 – the date by which Briefs should be submitted.
7. It is the Respondent’s attorneys’ job to competently represent their client, but it is not their job to inaccurately, unprofessionally, and deliberately be dishonest. It is disrespecting the Court to submit a document to the Commission changing the instructions or the law which Met-Ed seems to have a habit of doing. Their recent filing is so factually incorrect that it is a corruption of the judge’s orders, the process, purposely depriving us of due process, and an attempt to unjustly influence the Court and the process that is verifiable in the court records.

- E. Numbers of times throughout their recent filing, the Respondent noted “Tr. 122-123, 286”² and “Tr. 386”³ and “Tr. 119”⁴. This appears to indicate access to a transcript which we have never been notified was ready. We were told that we would be so notified. Therefore, this appears to indicate another *ex parte* communication between the Respondent and the Commission. If a transcript is available, all parties should be notified and notified at the same time in the same manner, not only one party. If the transcript does not state the dates that I referenced above, then there is a bigger problem with transcription.
- F. The terminations letters were unable to be located until July 24, 2020. This was due to the vision issues that we both have. We had paged through things numbers of times but were unable to recognize them until that date. They were submitted with a request that they be accepted late. Met-Ed objected to that late filing on July 31, 2020. That request for acceptance was granted, however, on August 6, 2020.
- G. While we were still preparing a response to Met-Ed’s Objections, ALJ Watson entered an Interim Order Addressing Late Filed Exhibits. In this Order, ALJ Watson restated and referenced the same quotes from the same transcript which we were not aware was available. The Presiding Officer appears to have trusted the inaccurate accountings of the hearing and their selective references from a supposed transcript.
1. Met-Ed should not be referencing a document that has not be submitted to us for review for accuracy.

² On page 7, paragraph 47.

³ On page 8, paragraph 49 and on page 9, paragraph 53.

⁴ On page 9, paragraph 54.

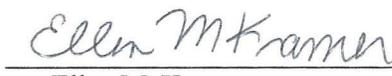
2. Just because Met-Ed is represented by attorneys, they should not be trusted over us as Complainants.
3. The dates as referenced in the telephonic hearing should not be eliminated just because Met-Ed wants them to be or didn't make note of them.
4. No matter what Met-Ed stated in their erroneous document, their objections are not valid.

II. CONCLUSION

THEREFORE, we, the Complainants, move that the Court make the following motions:

1. We move the Court to have a copy of the transcript forwarded to us so we too can reference it by page number in the future,
2. We move the Court to reconsider and reissue the Interim Order which was made in error based upon the false accounting of the record and transcript by Met-Ed.
3. We move the Court to extend the dates of August 14, 2020 and following based upon the evident and serious need to review all of our volumes of documents for submission as originally stated. Due to the work involved in preparing this filing, we are unable to meet the August 14 deadline of submitting the previously acknowledged and allowed late-filed exhibits.
4. We hereby request that submission of late filing exhibits be extended to September 14, 2020; Met-Ed's objections be extended to September 30, 2020; and, the filing of briefs as per ALJ Watson's Interim Order Setting Briefing Schedule be extended to October 30, 2020.


Larry R. Kramer


Ellen M. Kramer

August 12, 2020

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Larry R. Kramer and :
Ellen M. Kramer :
 :
v. : Docket No. C-2017-2630621
 :
Metropolitan Edison Company :

Certificate of Service

We hereby certify that we have this day served a true copy of the enclosed Objection and Reconsideration of the August 6, 2020, Ruling on ALJ Watson's Interim Order Which Was Made in Error upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54.

Service by efile and email as follows:

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Dated: August 12, 2020



Larry R. Kramer



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