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September 2, 2020

VIA ELECTRONIC FILING

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

Re: Liza Mousios and Roy Cumming v. Metropolitan Edison Company
Docket Nos. C-2019-3007989, C-2019-3007995

Dear Secretary Chiavetta:

Enclosed please find the objections of Metropolitan Edison company to the discovery requests propounded By Liza Mousios and Roy Cumming with regard to the above-captioned matter.

Please contact me if you have any questions regarding this matter.

Very truly yours,



Tori L. Giesler

Enclosures

c: As Per Certificate of Service

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Liza Mousios and Roy Cumming,	:	
	:	
Complainants,	:	
	:	
v.	:	Docket Nos. C-2019-3007989
	:	C-2019-3007995
Metropolitan Edison Company,	:	
	:	
Respondent.	:	

**OBJECTIONS OF METROPOLITAN EDISON COMPANY TO THE
DISCOVERY REQUESTS PROPOUNDED
BY LIZA MOUSIOS AND ROY CUMMING**

TO ADMINISTRATIVE LAW JUDGE DARLENE D. HEEP:

Pursuant to 52 Pa. Code §§ 5.342 and 5.361, Metropolitan Edison Company (“Met-Ed” or the “Company”) and the August 31, 2020 directive of the Administrative Law Judge Darlene D. Heep (the “ALJ”) hereby files these Objections to the document titled “Motion to Compel Respondents to Give Complete And Not Mendacious Non-Dissembling Answer to Interrogatories Propounded by Complainants” (“Discovery Requests and Motion”),¹ which was submitted by Liza Mousios and Roy Cumming (“Complainants”). Importantly, the supposed “discovery requests” at issue have already either been objected to or answered by Met-Ed. A true and correct copy of Met-Ed’s Objections to the Complainants’ Set I Discovery Requests is attached hereto as **Appendix A** and a true and correct copy of Met-Ed’s Answers to the Complainants’ Set I Discovery Requests is attached hereto as **Appendix B**. The Complainants’ Discovery Requests and Motion are nothing more than an attempt to further harass Met-Ed and delay the resolution of this proceeding.

¹ Met-Ed was directed to provide any objections to Complainants’ discovery requests by no later than September 2, 2020, by the ALJ.

In support of its Objections, Met-Ed states as follows:

I. PROCEDURAL HISTORY

1. On February 11, 2019, each of the Complainants filed separate Formal Complaints with the Pennsylvania Public Utility Commission (“Commission”) regarding 68 Marienstein Road, Revere, Pennsylvania 18953, which were both electronically served on the Company on February 21, 2019.

2. On March 13, 2019, the Company filed its Answer and New Matter denying the material allegations of both Formal Complaints. On that same day, the Company also filed Preliminary Objections to both Formal Complaints.

3. On March 28, 2019, each Complainant filed an identical response to the Company’s Answer and New Matter to their respective Formal Complaint.

4. On April 20, 2019, the Complainants filed a joint pleading titled “Response and Preliminary Objections to Metropolitan Edison Company” in response to the Company’s Preliminary Objections and raised their own objections.

5. On April 23, 2019, a Motion Judge Assignment Notice was issued assigning Administrative Law Judge (“ALJ”) Emily I. DeVoe to both proceedings.

6. On May 14, 2019, ALJ DeVoe issued an Interim Order consolidating the Formal Complaints filed by each of the Complainants.

7. May 15, 2019, ALJ DeVoe issued a Corrected Interim Order granting in part and denying in part the Company’s Preliminary Objections

8. On May 16, 2019, ALJ DeVoe issued an Interim Order denying the Complainants’ Preliminary Objections.

9. On May 20, 2019, a Call-In Telephone Pre-Hearing Conference Notice was issued scheduling a prehearing conference for July 23, 2019 for the consolidated Formal Complaints.

10. On May 22, 2019, ALJ DeVoe issued an Interim Order Scheduling a Prehearing Conference for July 23, 2019.

11. On May 31, 2019, in accordance with 52 Pa. Code § 5.341, the Company forwarded to the Complainants interrogatories and document requests (“Company’s Set I Discovery Requests”) via first class mail. In its Discovery Requests, the Company sought information and documents related to the Complainants’ allegations regarding the Company’s smart meters.

12. On June 17, 2019, ALJ DeVoe received correspondence from the Complainants, which was not served upon the Company, wherein they request that the prehearing conference be cancelled and that the matter proceed to a hearing.

13. On June 20, 2019, ALJ DeVoe issued an Interim Order ordering the parties to appear for and participate in the prehearing conference scheduled for July 23, 2019.

14. On July 22, 2019, the Company filed a Motion to Compel.

15. On July 23, 2019, a prehearing conference was held and all parties participated.

16. On July 24, 2019, an Interim Order which extended the deadlines for the Complainants to submit witness information and file a response to the Company’s Motion to Compel.

17. On July 26, 2019, the Complainants re-served their discovery responses to the Company’s Set I Discovery Requests upon the Company along with proof of mailing from her original submission.

18. By letter dated August 23, 2019, which was received on August 30, 2019, the Complainants forwarded to the Company a set of interrogatories (“Complainants’ Set I Discovery Requests”).

19. On August 28, 2019, an Interim Order was entered which required the submission of a status report.

20. On September 3, 2019, in accordance with 52 Pa. Code § 5.341, the Company forwarded to the Complainants a second set of interrogatories and document requests (“Company’s Set II Discovery Requests”) via first class mail.

21. On September 5, 2019, the Company’s Motion to Compel was dismissed as moot per an Interim Order.

22. On September 9, 2019, the Company submitted objections to portions of Complainants’ Set I Discovery Requests.

23. On September 10, 2019, the Company re-submitted the Company’s Discovery Requests, Set I.

24. On September 4, 2019, the Company submitted a status report.

25. On September 20, 2019, the Company submitted an additional status report.

26. On September 23, 2019, the Company submitted responses to the Complainants’ Set I Discovery Requests.

27. On October 1, 2019, a Call In Evidentiary Hearing Telephonic Notice was issued.

28. On October 4, 2019, a Prehearing Order was issued.

29. On October 18, 2019, the Company served its proposed exhibits.

30. Also on October 18, 2019, the Complainants filed a “Motion Per our Second Request for Our Inexorable Right to Have an In-Person Hearing with Americans with Disabilities Act Accommodations Removing All Wireless from the Hearing Area.”

31. On October 22, 2019, a Hearing Cancellation/Reschedule and a Judge Change Notification was issued.

32. On November 20, 2019, the Complainants filed a “Motion to Delay Our Hearing Until the Outcome of the Pending Ten Appeals Against the Pernicious Smart Meters.”

33. On December 13, 2019, a Prehearing Order was issued which denied the Complainants’ request to delay the evidentiary hearing.

34. On January 3, 2020, the Complainants filed a “Motion to Stay the Hearing Given the Ensuing Facts for the Orderly Proceeding of Justice.”

35. On January 7, 2020, the Company submitted its proposed exhibits.

36. On January 9, 2020, an Order was entered which, *inter alia*, denied the Complainants’ Motion to Stay the Hearing, deeming the Complainants’ request for accommodation at hearing moot, cancelled the in-person hearing scheduled for January 14 and 15, 2020, and directed a modified procedural schedule with a modified discovery schedule. Further, a Call-In Telephone Hearing Notice was issued.

37. On January 14, 2020, a Cancellation Notice was issued which cancelled the evidentiary hearings scheduled for January 14 and 15, 2020.

38. On January 15, 2020, the Complainants filed a “Motion to Supplement Exhibits for Continuing In-Writing Hearing.”

39. On January 17, 2020, the Complainants filed what was labeled as a brief.

40. On January 28, 2020, in accordance with 52 Pa. Code § 5.341, the Company forwarded to the Complainants a third set of interrogatories and document requests (“Company’s Set III Discovery Requests”) via first class mail and UPS Overnight Delivery.

41. On January 29, 2020, the Complainants filed a “Motion for Judge Heep to Vacate Her Own Violation of Complainants’ Right to Due Process and Right to Preserve Their Issues on Appeal In Her Preventing Their Use of Their Expert Witness” and “Motion and Request to Deputy Chief Administrative Law Judge Christopher Pell for a Different Judge Such As Administrative Judge DeVoe Whom We Previously Had.”

42. On January 30, 2020, the Company filed a response to the Complainants’ Motions.

43. On January 31, 2020, ALJ Heep issued an Order which, *inter alia*, denied the Complainants’ motion to disqualify a presiding officer and grant the Complainants’ motion for additional time to submit testimony and exhibits of their expert witness, William Bathgate.

44. On February 10, 2020, Met-Ed filed a Motion to Compel responses to the Company’s Set III Discovery Requests. At the time it was filed, the Complainants had neither objected nor responded to any of the Company’s Set III Discovery Requests.

45. On February 14, 2020, Met-Ed received a document entitled “Answers to Interrogatories Set III” from the Complainants. Also on February 14, 2020, the Complainants filed an Answer to Motion to Compel

46. On February 19, 2020, Met-Ed filed an Amended Motion to Compel.

47. On February 21, 2020, the Complainants filed an Amended Motion to Quash Met-Ed’s Motion to Compel.

48. On February 25, 2020, ALJ Heep issued an Order which granted in part Met-Ed's Motion to Compel.

49. On March 2, 2020, the Complainants filed a Further Motion to Amend Motion to Compel.

50. On March 12, 2020, the Complainants filed a document entitled "Responses Pursuant to Motion to Compel of Interrogatories."

51. On March 17, 2020, the Commission issued a Hearing Cancellation Notice, which cancelled the Call-In Telephonic Hearing Scheduled for March 30, 2020.

52. On March 19, 2020, Met-Ed filed a letter indicating that, because the Complainants had not yet served direct testimony in accordance with the well-established litigation schedule established in this proceeding, it would not be serving rebuttal testimony at this time.

53. On April 14, 2020, ALJ Heep issued an Order Extending Time which modified the discovery and testimony deadlines in this proceeding in light of the various stay-at-home orders related to COVID-19. Importantly, the Complainants were provided until July 9, 2020 to submit written testimony and exhibits on behalf of their identified expert witness, Mr. Bathgate.

54. On June 1, 2020, the Complainants emailed the instant Motion to Stay to Deputy Chief Administrative Law Judge Christopher Pell, and forwarded the Motion to Stay separate to ALJ Heep and Met-Ed.

55. On June 4, 2020, the Complainants emailed a Motion to Recuse to Deputy Chief Administrative Law Judge Christopher Pell, and forwarded the Motion to Recuse separate to ALJ Heep and Met-Ed.

56. The Motion to Stay and Motion to Recuse were denied on June 15, 2020.

57. The Complainants filed an Amended Motion to Recuse and an Amended Motion to Stay on June 24, 2020.

58. Met-Ed filed a Letter Answer to the Amended Motions on July 1, 2020.

59. On July 22, 2020, the ALJ issued an Order Denying the Amended Motions on July 2, 2020.

60. Also on July 22, 2020, Met-Ed filed a letter indicating it was not serving rebuttal testimony because the Complainants failed to present direct testimony in accordance with the litigation schedule established in this proceeding.

61. On August 10, 2020, the ALJ issued a Briefing Order.

62. The instant Discovery Requests and Motion were submitted after the issuance of the Briefing Order.

II. OBJECTIONS

A. GENERAL OBJECTIONS

63. The Complainants' Discovery Requests and Motion identify the following interrogatories from the Complainants' Set I Discovery as not having been fully answered by Met-Ed: 20-25, 34, 35, 37, 38, 41, 42.

64. However, Met-Ed has already objected to and/or fully responded to these requests. *See* **Appendices A** and **B**. Met-Ed fully incorporates its prior objections and responses to these requests herein.

65. Nevertheless, Met-Ed further objects to the Complainants' Discovery Requests and Motion as follows.

66. At the outset, Met-Ed notes that the Complainants are renewing prior discovery requests after the issuance of a Briefing Order and the closing of the record in this proceeding. Complainants' requests are procedurally improper as, at this time, the record in this proceeding

has been established and no further evidence may be received. *See* 52 Pa. Code § 5.431. Met-Ed further submits that the Complainants have not shown good cause to re-open the record at this time, in particular where the Complainants have already been provided the information they seek. As such, Met-Ed generally objects to the Complainants' attempt to re-ask Numbers 20-25, 34, 35, 37, 38, 41, 42 of the Complainants' Set I Discovery requests in the instant Discovery Requests and Motion.

67. In addition, Met-Ed further generally objects to the Discovery Requests and Motion as untimely. To the extent that the instant filing is construed as a Motion to Compel responses to Complainants' Set I Discovery Requests, Met-Ed notes that those requests were received by the Company on August 30, 2019; the Company served its objections to the Complainants' Set I Discovery Requests on September 9, and its responses to the Complainants' Set I Discovery Requests on September 23, 2019. Any motion to compel was due no later than September 19, 2019. *See* 52 Pa. Code § 5.324(g) ("If a motion to compel is not filed within 10 days of service of the objection, the objected to interrogatory will be deemed withdrawn."). As such, the deadline for any Motion to Compel has long since passed² and Met-Ed objects to the instant Discovery Requests and Motion to the extent they assert that Met-Ed did not provide full and complete responses to the Complainants' Set I Discovery.

68. Met-Ed further notes the following specific objections to the Complainants' renewed attempts to challenge its prior answers to Numbers 20-25, 34, 35, 37, 38, 41, 42 of Complainants' Set I Discovery.

² Met-Ed further notes that the Complainants have repeatedly asserted that they filed a Motion to Compel on March 25, 2020. However, no such filing appears on the Commission's docket and Met-Ed was never served with such a Motion.

B. OBJECTIONS TO NUMBERS 20-23

69. Complainants state: “Respondents’ boilerplate blanket response does not cover interrogatories #20, #21, #22 and #23.” Discovery Requests and Motion at 2.

70. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Complainants’ renewed request is not reasonably calculated to lead to the discovery of admissible evidence, as the Complainants have already received full and complete responses to these requests. Complainants’ renewed request is not a question and seeks no information; rather, it is a statement of disagreement with Met-Ed’s prior response. And, importantly, Met-Ed cross referenced prior discovery responses in responding to Numbers 20-23 of Complainants’ Set I Discovery. *See Appendix B.* Met-Ed has fully and completely answered these requests and, therefore, the Complainants’ renewed requests are not reasonably calculated to lead to the discovery of admissible evidence.

C. OBJECTIONS TO NUMBER 24

71. Complainants state: “Respondents did not answer the interrogatory, giving no financial figure as requested...Met-Ed contends Israel has not been paid ‘in this matter,’ which is duplicitous given the fact this matter has not yet been adjudicated.” Discovery Requests at Motion at 2-3.

72. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Here, the Complainants’ renewed request number 24 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. The record is closed in this proceeding. Met-Ed called no witnesses and did not have any witnesses provide rebuttal testimony, due to the Complainants’ failure to submit

written direct testimony. As such, the precise figure paid by Met-Ed to a witness it did not call is not relevant, and is not reasonably calculated to lead to the discovery of admissible evidence.

D. OBJECTIONS TO NUMBER 25

73. Complainants state: “In Interrogatory #25, Responded bastardized the question and did not respond at all.” Discovery Requests at Motion at 2-3.

74. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Here, the Complainants’ renewed request number 25 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Met-Ed has already fully and completely responded to interrogatory number 25. *See Appendix B*. Therefore, the Complainants’ renewed request is not reasonably calculated to lead to the discovery of admissible evidence.

E. OBJECTIONS TO NUMBER 34

75. Complainants state: “Concomitant with Met-Ed’s refusal to answer Interrogatory #1 as ‘IRRELEVANT,’ despite the cause of Ms. Mousios’ homelessness due to the adjacent smart meter, in #34 Respondents write “...('Met-Ed') does not agree with Ms. Mousios’ assertion that she has ‘state and Met-Ed homeless.’ Respondents have no evidence to refute this Interrogatory.” Discovery Requests at Motion at 5.

76. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Here, the Complainants’ renewed request number 34 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Importantly, the Complainants have posed no question to Met-Ed; rather, they have stated an assertion of fact (both in the Discovery Requests and Motion and in the

Complainants' Set I Discovery) which Met-Ed disagreed with. As the Complainants seek no information in request number 34, it is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

F. OBJECTIONS TO NUMBER 35

77. Complainants state: “#35. Bad spelling and duplicitous answer.” Discovery Requests at Motion at 5.

78. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Here, the Complainants' renewed request number 35 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Complainants' renewed request is not a question and seeks no information; rather, it is a statement of disagreement with Met-Ed's prior response. Moreover, Met-Ed fully and completely responded to number 35. *See Appendix B*. As the Complainants seek no information in request number 34, it is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

G. OBJECTIONS TO NUMBERS 37-38

79. Complainants state: “Response #37 is fallacious, felonious and mendacious. Met Ed fails to answer #38 completely.” Discovery Requests at Motion at 2.

80. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Here, the Complainants' renewed request numbers 37-38 are irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Met-Ed fully and completely responded to numbers 37-38. *See Appendix B*. Complainants' renewed request is not a question and seeks no information; rather, it is a

statement of disagreement with Met-Ed's prior response. Therefore, the Complainants' renewed request is not reasonably calculated to lead to the discovery of admissible evidence.

H. OBJECTIONS TO NUMBER 41

81. Complainants state: "#41 Is not answered." Discovery Requests at Motion at 5.

82. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Here, the Complainants' renewed request number 41 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Met-Ed fully and completely responded to number 41. *See Appendix B.* Complainants' renewed request is not a question and seeks no information; rather, it is a statement of disagreement with Met-Ed's prior response. Therefore, the Complainants' renewed request is not reasonably calculated to lead to the discovery of admissible evidence.

I. OBJECTIONS TO NUMBER 42

83. Complainants state: "In No 42, Respondents make it clear that despite copious scientific and medical documentation providing the medical harm of smart meters Met-Ed will make no exceptions to BAD LAW, with the health of customers simply human collateral damage." Discovery Requests at Motion at 4.

84. Pursuant to Section 5.321(c), a party may obtain discovery of any matter not privileged that is relevant to a pending proceeding and that is reasonably calculated to lead to the discovery of admissible evidence. 52 Pa. Code § 5.321(c). Here, the Complainants' renewed request number 42 is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence. Met-Ed fully and completely responded to number 42. *See Appendix B.* Complainants' renewed request is not a question and seeks no information; rather, it is a

statement of disagreement with Met-Ed's prior response. Therefore, the Complainants' renewed request is not reasonably calculated to lead to the discovery of admissible evidence.

III. CONCLUSION

For the reasons set forth above, Metropolitan Edison Company hereby objects to the Discovery Requests and Motion of Liza Mousios and Roy Cumming, and submit that the Discovery Requests and Motion should be denied.

Respectfully submitted,



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Date: September 2, 2020

Attorneys for Metropolitan Edison Company



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September 9, 2019

VIA UPS OVERNIGHT DELIEVRY

Liza Mousios and Roy Cumming
68 Marienstein Road
Revere, Pennsylvania 18953

Re: Liza Mousios & Roy Cumming v. Metropolitan Edison Company
Docket Nos. C-2019-3007989, C-2019-3007995

Dear Ms. Mousios and Mr. Cumming:

Attached please find the Objections of Metropolitan Edison Company to the Interrogatories and Requests for Production of Liza Mousios and Roy Cumming to Metropolitan Edison Company, Set I, Interrogatory Nos. 1, 3, 6b, 7, 10, 11, 13, 14, 26, 30, and 36, in the above-referenced matter. This document has been served as shown in the Certificate of Service.

Please contact me if you have any questions.

Very truly yours,


Tori L. Giesler

Enclosures

cc: As Per Certificate of Service
Administrative Law Judge Emily I. DeVoe (Cover Letter and Certificate)
Rosemary Chiavetta, Esq., Public Utility Commission (Cover Letter and Certificate)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

LIZA MOUSIOS AND ROY CUMMING :
:
v. : Docket No. C-2019-3007989
: C-2019-3007995
METROPOLITAN EDISON COMPANY :

**OBJECTIONS TO THE INTERROGATORIES AND REQUESTS FOR PRODUCTION
OF LIZA MOUSIOS AND ROY CUMMING TO METROPOLITAN EDISON
COMPANY, SET I**

TO THE PENNSYLVANIA PUBLIC UTILITY COMMISSION:

Pursuant to 52 Pa. Code § 5.342(c), Metropolitan Edison Company (“Met-Ed” or the “Company”) objects to the First Set of Interrogatories and Requests for Production propounded by Liza Mousios and Roy Cumming (“Complainants”) dated August 23, 2019¹ (“Complainants’ Discovery Requests, Set I”). The Company avers as follows:

I. Background

1. On February 11, 2019, each of the Complainants filed separate Formal Complaints with the Pennsylvania Public Utility Commission (“Commission”) regarding 68 Marienstein Road, Revere, Pennsylvania 18953, which were both electronically served on the Company on February 21, 2019.

2. On March 13, 2019, the Company filed its Answer and New Matter denying the material allegations of both Formal Complaints. On that same day, the Company also filed Preliminary Objections to both Formal Complaints.

3. On March 28, 2019, each Complainant filed an identical response to the Company’s Answer and New Matter to their respective Formal Complaint.

¹ The discovery requests were dated August 23, 2019, but they were not postmarked until August 26, 2019.

4. On April 20, 2019, the Complainants filed a joint pleading titled “Response and Preliminary Objections to Metropolitan Edison Company” in response to the Company’s Preliminary Objections and raised their own objections.

5. On April 23, 2019, a Motion Judge Assignment Notice was issued assigning Administrative Law Judge (“ALJ”) Emily I. DeVoe to both proceedings.

6. On May 14, 2019, ALJ DeVoe issued an Interim Order consolidating the Formal Complaints filed by each of the Complainants.

7. May 15, 2019, ALJ DeVoe issued a Corrected Interim Order granting in part and denying in part the Company’s Preliminary Objections

8. On May 16, 2019, ALJ DeVoe issued an Interim Order denying the Complainants’ Preliminary Objections.

9. On May 20, 2019, a Call-In Telephone Pre-Hearing Conference Notice was issued scheduling a prehearing conference for July 23, 2019 for the consolidated Formal Complaints.

10. On May 22, 2019, ALJ DeVoe issued an Interim Order Scheduling a Prehearing Conference for July 23, 2019.

11. Also on May 22, 2019, ALJ DeVoe issued an Interim Order Establishing Initial Litigation Schedule was issued which set forth the schedule for discovery, the identification of witnesses, and filing of motions in this proceeding.

12. On May 31, 2019, in accordance with 52 Pa. Code § 5.341, the Company forwarded to the Complainants interrogatories and document requests (“Company’s Discovery Requests, Set I”) via first class mail. In its Discovery Requests, the Company sought information and documents related to the Complainants’ allegations regarding the Company’s smart meters.

13. On June 17, 2019, ALJ DeVoe received correspondence from the Complainants, which was not served upon the Company, wherein they request that the prehearing conference be cancelled and that the matter proceed to a hearing.

14. On June 20, 2019, ALJ DeVoe issued an Interim Order ordering the parties to appear for and participate in the prehearing conference scheduled for July 23, 2019.

15. On June 28, 2019, in accordance with the Interim Order Establishing Litigation Schedule, the Company submitted its proposed expert and factual witnesses.

16. On July 22, 2019, due to lack of response from the Complainants' to the Company's Discovery Requests, Set I, a Motion to Compel was filed.

17. On July 23, 2019, the prehearing conference was held. All parties appeared and participated.

18. On July 24, 2019, ALJ DeVoe issued an Interim Order which extended the deadlines for the Complainants to submit witness information and file a response to the Company's Motion to Compel.

19. By letter dated July 26, 2019, the Complainants provided responses to the Company's Discovery Requests, Set I as well as proof of delivery evidencing that the responses were previously sent generically to the Company but not directed to counsel for the Company.

20. On July 29, 2019, as agreed during the prehearing conference, the Company re-submitted its proposed expert and factual witnesses to the Complainants.

21. On August 2, 2019, the Complainants submitted a witness list in accordance with the Interim Order entered July 24, 2019.

22. By letter dated August 23, 2019, which was postmarked August 26, 2019, the Complainants propounded Complainants' Discovery Requests, Set I upon the Company via first class mail.

23. On August 28, 2019, ALJ DeVoe issued an Interim Order which required the Company to submit a status report, amended motion to compel, a request to withdraw the motion to compel, or other correspondence by September 4, 2019, regarding discovery issues raised in the Motion to Compel.

24. On August 30, 2019, in accordance with 52 Pa. Code § 5.341, the Company propounded on the Complainants a second set of interrogatories and document requests via first class mail.

25. On September 4, 2019, the Company submitted a Status Report which withdrew the Motion to Compel due to the receipt of the Complainants' responses to the Company's Discovery Requests, Set I.

26. On September 5, 2019, ALJ DeVoe issued an Interim Order which dismissed the Company's Motion to Compel as moot.

II. Objections

27. In responding to the Complainants' Discovery Requests, Set I, the Company does not waive any objections to the admissibility, relevancy, materiality, confidentiality, or privilege attached to any document, communication, or information.

28. Several of the Complainants' Discovery Requests seeks information or documents that are wholly objectionable, and the Company objects to those items in their entirety. Specifically, the Company objects to Mousious/Cumming Interrogatory Set I, Nos. 1, 3, 6b, 7, 10, 11, 13, 14, 26, 30, and 36 as follows:

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 1

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 1

What is the make and model of the smart meter deployed at Jason Lear residence, 66 Marienstein Road, Revere PA? (18953 or 18942).

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 3

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 3

What are the power density levels of the smart meter deployed at 66 Marienstein Road, Revere PA 18953 or 18942 at 2 (two) meters from that meter, at 8 (eight) meters from that meter, at 10 (ten) meters from that meter, at 20 (twenty) meters from that meter? Calculate each separately.

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 6b

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 6b

Has Met Ed measured the secondary antennae effect for 66 Marienstein Rd, Revere PA?

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 7

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 1

Is the Lear's smart meter at 66 Marienstein Road, Revere PA, a "standard" residential meter or does it function as a different type of meter, such as a collector meter?

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 10

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 10

Has Met Ed ever measured the RF emissions from Lear's smart meter 66 Marienstein Road since the multiple times I complained to Met Ed that it made me sick and killed my dog and sickened others?

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 11

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 11

Has Met-Ed ever confirmed that the meter at 66 Marienstein Road is performing as the manufacturers claim it should?

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 13

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 13

Has Met Ed ever measured the emducted emissions/dirty electricals emanating from 66 Marienstein Road?

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 14

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 14

Has Met Ed ever measured secondary antennae effects from 66 Marienstein Road?

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 26

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 26

Does Met Ed dispute the temporal association that very shortly after 66 Marienstein Road's smart meter was installed and with Mousios physician's knowledge, Ms. Mousios was forced to live in her car, due to the pernicious RF's and Emission?

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 30

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 30

Does Met Ed have any moral compunction that expert device readings at Ms. Mousios' home and the 66 Marienstein Road Smart meter showed radiation levels at nearly twice the level of radiation from a cell tower?

OBJECTION:

This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

Metropolitan Edison Company's Objections to
Mousios/Cumming Interrogatories Set I, No. 36

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket Nos. C-2019-3007989, C-2019-3007995

Mousios/Cumming Interrogatory Set I, No. 36

Does Met Ed exhort its employees to lie summarily about the smart meter at 66 Marienstein Road?

OBJECTION:

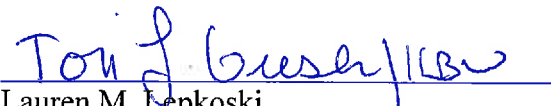
This Discovery Request is irrelevant, outside the scope of this proceeding, and not reasonably calculated to lead to the discovery of admissible evidence. Information related to other customers' equipment or communications with the Company is wholly irrelevant to the Complainants and the issues raised within the Formal Complaint. Further, the question contemplates the potential disclosure of individual customer information which is prohibited under Pennsylvania Public Utility Commission regulations. For all of these reasons, the information requested is not discoverable.

III. Conclusion

WHEREFORE, for the foregoing reasons, Metropolitan Edison Company objects to Complainant's Discovery Requests, Set I, Interrogatory Nos. 1, 3, 6b, 7, 10, 11, 13, 14, 26, 30, and 36.

Respectfully submitted,

Dated: September 9, 2019


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Counsel for Metropolitan Edison Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIZA MOUSIOS AND ROY CUMMING :
: **Docket No. C-2019-3007989**
v. : **C-2019-3007995**
: **METROPOLITAN EDISON COMPANY** :

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the Objections of Metropolitan Edison Company to the Interrogatories and Requests for Production of Liza Mousios and Roy Cumming to Metropolitan Edison Company, Set I, upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).


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

Liza Mousios
P.O. Box 116
Revere, PA 18953

Administrative Law Judge Emily I. DeVoe
Pennsylvania Public Utility Commission
Piatt Place, Suite 220
301 5th Avenue
Pittsburgh, PA 15222

Roy Cumming
P.O. Box 396
Revere, PA 18953

Dated: September 9, 2019


Lauren M. Lepkoski
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September 23, 2019

VIA FIRST CLASS MAIL

Liza Mousios
P.O. Box 116
Revere, PA 18953

Roy Cumming
P.O. Box 396
Revere, PA 18953

Re: Liza Mousios & Roy Cumming v. Metropolitan Edison Company
Docket Nos. C-2019-3007989, C-2019-3007995

Dear Mr. Cumming and Ms. Mousios:

Enclosed please find a copy of the Responses of Metropolitan Edison Company to the Interrogatories, Set I, propounded by Liza Mousios and Roy Cumming with regard to the above-referenced proceeding.

Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Lauren M. Lepkoski

cc: Rosemary Chiavetta, Secretary (Cover Letter and Certificate of Service only, via e-filing)
The Honorable Jeffrey A. Watson (Cover Letter and Certificate of Service only, via first class mail)

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 2

What is the make and model of all “smart meters” Met Ed uses in their territory or allowed to deploy on residential homes?

RESPONSE:

Metropolitan Edison Company is installing the Itron OpenWay Centron Meter, Model C2S0D.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 4

How often does the zigbee radio (if any) transmit RF?

RESPONSE:

The number of transmissions from the ZigBee radio is dependent on the customer's qualified energy monitoring device and how the customer may have that device configured. However, the duration of the ZigBee transmissions is normally around 4 - 6 milliseconds.

Deployment of smart meters in the Metropolitan Edison Company service territory is completed with the ZigBee radio turned off. At the request of a customer who wishes to connect their qualified energy monitoring device to a smart meter, the ZigBee radio is turned on for the connection to be established.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 5

How often to the other RF transmissions occur?

RESPONSE:

The number of transmissions per day from the 900 megahertz radio in the meter will be based on the utility's business process, which will determine how it sets up its read schedules. Typically, there are three scheduled reads from each meter in a 24-hour period.

With a hierarchical network cell structure, meters will relay upstream and downstream traffic within the radio frequency ("RF") mesh. The total number of transmissions will include the scheduled reads, on-demand reads, alarms/alerts along with the network traffic needed for security, command and control (synchronization, security, data integrity and dynamic network resiliency). Based on data gathered from a large, representative OpenWay network deployment (two load profile reads + one register read + one event read per day), the total transmissions are:

- a. The average number of transmissions in a 24-hour period is ~1,268 (less than one time/minute).
- b. The maximum number of transmissions in a 24-hour period is ~25,916 (18 times/minute or approximately once every 3.3 seconds).
- c. The total transmissions add up to, on average, about three minutes of total transmission time per meter, per day or an average duty cycle of 0.21 percent.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 6a

Explain how the secondary antennae effect from smart meters, manifests on a separate property from the smart meter in question

RESPONSE:

The secondary antennae effects to properties adjacent to the meter will be negligible. The radio frequency energy from the meters drops very rapidly as it propagates away from the antenna.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 8

Provide all evidence the smart meters that Met Ed/First Energy has deployed or plans to deploy have passed FCC class B specifications, according to 44 CFR Ch.1-15.103(b) and, or 107 of the deferral code. Address these separately.

RESPONSE:

The meters are not considered an FCC Class B device but meet the FCC regulations under CFR 47, Part 15, Subpart C, Intentional Radiators.

In assessing the safety of the radio frequency (“RF”) fields from its meters, Metropolitan Edison Company has relied on the Federal Communications Commission (“FCC”) requirement that AMI meters comply with FCC limits for maximum permissible exposure to RF fields. The FCC’s exposure standards are based on reviews conducted by expert scientific organizations of the scientific research on RF fields. Information about the FCC RF exposure limits and the process by which they were developed is available on the FCC website at www.FCC.gov.

See Met-Ed’s Response to Mousios/Cumming Interrogatory Set I, No. 8, Attachment A.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 9

Provide evidence of all FCC licenses for RF broadcasts for any transmission from all smart meters the utility has deployed or plans to deploy.

RESPONSE:

See Met-Ed's Response to Mousios/Cumming Interrogatory Set I, No. 8.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 12

- a. Does Met Ed have the capability of altering the RF emissions either in power density or frequency of emissions from individual smart meters?
- b. Under What circumstance dose this happen

RESPONSE:

- a. No.
- b. N/A

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 15

Does Met Ed's smart grid operate in a licensed or unlicensed frequency band?

RESPONSE:

The network utilized by Metropolitan Edison Company's smart meter system is an unlicensed 900 MHz radio frequency mesh network operating in the industrial, scientific and medical ("ISM") band.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 16

What are the specific frequency or frequency range of all RF emissions from Met Ed's smart meters?

RESPONSE:

Metropolitan Edison Company's smart meters emit signals in the frequency band from 902 megahertz ("MHz") to 928MHz (900 MHz industrial, Scientific and medical ("ISM") band) and 2.400 to 2.4835 gigahertz ("GHz") (2.4 GHz ISM Band).

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 17

Is Met Ed smart grid a mesh system?

RESPONSE:

See Met-Ed's Response to Mousios/Cumming Interrogatory Set I, No. 15.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 18

How dose Met Ed justify, breaking Public Law 90-602.Section 354? As Act 129 was an opt in measure and not a mandate, do not invoke Act 129 in your answer.

RESPONSE:

Metropolitan Edison Company (“Met-Ed”) does not agree with the underlying premise of the question that presupposes that Met-Ed has broken a law.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 19

Dr. John Ospechuk Ph.D physics, Harvard University has collated 20,000 medical and scientific studies proving the dangers of EMFs and RFs including smart meters. List Thirty Scientific or medical studies from the 20,000 that confirm the dangers from smart meters. DO NOT PRESARICATE.

RESPONSE:

Metropolitan Edison Company does not agree with the Complainant's position that there are 20,000 scientific/medical studies providing clear and convincing evidence that smart meters are dangerous.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 20

How does Met Ed justify breaking the law of the Americans with disabilities Act? Do not invoke Act 129, an opt-in measure, in your answer.

RESPONSE:

See Met-Ed's response to Mousios/Cumming Interrogatory Set I, No. 18.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 21

How does Met Ed justify breaking the law via title 66 1501/1502. Do not use Act 129 in your answer.

RESPONSE:

See Met-Ed's response to Mousios/Cumming Interrogatory Set I, No. 18.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 22

How does Met Ed justify breaking the law of the Energy Policy Act of 2005 1252?

RESPONSE:

See Met-Ed's response to Mousios/Cumming Interrogatory Set I, No. 18.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 23

How does Met Ed justify its misinterpretation of Act 129, which was intended as an opt in measure.

RESPONSE:

See Met-Ed's response to Mousios/Cumming Interrogatory Set I, No. 18.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 24

- a. How much is profligate Dr. Israel paid per case as an unctuous “expert witness?”
- b. How much has Israel been paid to date? Relish the idea of Ms. Mousios as collateral Damage in Met Eds Salvation greed?

RESPONSE:

- a. Compensation for an expert witness varies greatly from one case to the next and is not on a per-case basis.
- b. Dr. Israel has not been paid for work in this matter to date.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 25

Ms. Mousios lived for the most part since 1996, at 68 Marienstein Road comfortable and without physical distress from any toxic Agent.

RESPONSE:

There is no question posed here which requires response.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 27

Does Met Ed dispute the fact that Ms. Mousios' had never lived in her car or a tent prior to the installation of the adjacent smart meter?

RESPONSE:

Metropolitan Edison Company has no knowledge of the particulars of Ms. Mousios's living arrangements.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 28

Is Met Ed aware that Ms. Mousios is still homeless due to the sickening smart meter.

RESPONSE:

See Met-Ed's Response to Mousios/Cumming Interrogatory Set I, No. 27.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 29

Is Met Ed aware that Ms. Mousios has experienced health problems she never before experienced prior to the installation of the adjacent smart meter, and with her physician's documentation?

RESPONSE:

Metropolitan Edison Company has no knowledge of the particulars of Ms. Mousios's health status.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 31

Since Met Ed wishes to resettle and move smart meters, explain why they refuse to move and resettle Ms. Mousios, so she does not continue to suffer Met Ed and state mandated homelessness.

RESPONSE:

Metropolitan Edison Company (“Met-Ed”) is required by Act 129 to deploy smart meter technology throughout its service territory. An option for customers who continue to refuse the installation of a smart meter is for them to relocate the meter and service, at their expense, to another mutually agreeable location on their property. This is a cost that is solely the responsibility of the customer who is requesting the meter relocation. Met-Ed does not know what is meant by “resettle” in the question. Met-Ed’s position in all other respects as it relates to Ms. Mousios’s request for settlement is in alignment with its Pennsylvania Public Utility Commission (“Commission”)-approved tariff, the Pennsylvania Public Utility Code, Commission regulations, and its treatment of all other customers.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 32

Does anyone at Met Ed live in their car, including in terrible weather?

RESPONSE:

Metropolitan Edison Company has no knowledge of the particulars of the living arrangements of its customers or employees.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 33

Does anyone at Met Ed live in a tent, including in terrible weather?

RESPONSE:

See Met-Ed's Response to Mousios/Cumming Interrogatory Set I, No. 32.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 34

Does Met Ed delight in Ms. Mousios' state and Met Ed mandated homelessness?

- a. If not, what is their solution?
- b. Would they implement any of Ms. Mousios' suggestions of analog choice?

RESPONSE:

Metropolitan Edison Company ("Met-Ed") does not agree with Ms. Mousios's assertion that she has "state and Met-Ed homelessness."

- a. N/A
- b. No. Met-Ed is required by Act 129 to deploy smart meter technology throughout its service territory.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 35

Is Met Ed cognizant of the huge trajectory of RFs in excess of 750 feet from mesh smart meters?

RESPONSE:

No. Metropolitan Edison Company does not agree with the inference that there is a “huge trajectory of RFs in excess of 750 feet from mesh smart meters.”

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 37

Has anyone at Met Ed or its legal team taken ethics classes? Who does?

- a. If yes, how is it that Met Ed cover is up the physical harm from smart meters?
- b. How is it that Met Ed lies to customers?
- b. If #37 answer is yes, explain Met Ed's indifference and amorality regarding the
 1. Dangers of smart meters,
 2. The 20,000 studies showing deleterious health effects of smart meters, 3.
Ms. Mousios' forced homelessness.

RESPONSE:

Yes.

- a. Metropolitan Edison Company ("Met-Ed") does not "cover up" harm from smart meters.
- b. Met-Ed does not lie to its customers.
- c. Met-Ed does not agree with the underlying presumption to the question and therefore cannot respond.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 38

If no one at Met Ed or its legal team has taken ethics classes, explain why, given the deployment of Dangerous meters, there is not ethical or moral compass of same.

RESPONSE:

N/A.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 39

- a. Articulate in detail the Solipsistic reciprocity, among Met Ed, the PUC, and Administrative law judges, the legislators, the Consumer Affairs Committee and any other morally compromised entities.
- b. Again, state Met Ed's role in suppressing the opt-out bill form leaving the Consumer Affairs Committee

RESPONSE:

Metropolitan Edison Company is unaware of any such activity.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 40

Why are the formal complaints constricted as tort actions with expert witnesses instead of the format for formal complaints which would not require expert witnesses?

RESPONSE:

Most of the formal complaints that Metropolitan Edison Company has participated in related to smart meter disputes have not included the presentation of expert witness testimony. The decision to present or not present an expert witness is the right of every party in all litigated proceedings before the Pennsylvania Public Utility Commission, including all formal complaints (smart meter or otherwise).

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 41

Itemize the names and business addresses and telephone numbers of all persons or entities who have been “bought” and corrupted by Met Ed’s venal and scurrilous greedy agenda at the risk to humans and animals.

RESPONSE:

N/A.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 42

In light of the copious scientific and medical documentation proving the harm of smart meters, many plaintiffs have brought as many as 3 doctors, as well as attorneys and engineers and scientists to their hearings yet their cases are all dismissed. Explain Met ed's position as to how all these thousands of cases are dismissed despite overarching plaintiffs evidence.

RESPONSE:

Metropolitan Edison Company's position is that the law makes it clear that there are no exceptions to the installation of a smart meter, notwithstanding any other argument that a party may make.

LIZA MOUSIOS AND ROY CUMMING
v.
METROPOLITAN EDISON COMPANY
Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 43

It is illegal to place a communications device on the property of a homeowner without express owner consent, elocute how Met Ed places the smart meters on properties and breaks this law.

RESPONSE:

Metropolitan Edison Company is required by law to install a smart meter. It has no other communication capability but for transferring usage data. Note that meters which communicate data have been in use throughout the utility industry for many years prior to the passage of Act 129.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 44

Explain the mechanism of violation of privacy in Met Ed's dissemination of personal data from the customer to other operatives and data collectors.

RESPONSE:

No such dissemination of information happens.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 45

Given the nimety of evidence of fires, even fatalities from smart meters replete with whistle blowers, would Met Ed prefer fires and deaths for smart meter flawed technology over fire chiefs' assessed safer analog meters?

RESPONSE:

This question assumes positions that Metropolitan Edison Company does not agree with.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 46

Does Met Ed have any involvement in why the Consumer Affairs committee will not allow the opt-out bill out of committee? Is this a financial involvement, bribery and threatening involvement, quid pro quo involvement?

RESPONSE:

Metropolitan Edison Company is not in possession of this information. The Complainant is encouraged to contact her state representatives and senators to discuss her concerns in that regards.

LIZA MOUSIOS AND ROY CUMMING

v.

METROPOLITAN EDISON COMPANY

Docket No. C-2019-3007568

Mousios and Cumming Interrogatory Set I, No. 47

Why does almost every state allow opt-out but not Pennsylvania?

RESPONSE:

Metropolitan Edison Company is not in a position to know the proceedings or decision process of other states as to how they formulated their response to the question of opting out of a smart meter installation.



POCZ.E470764
Meters, Electric Utility

[Page Bottom](#)

Meters, Electric Utility

[See General Information for Meters, Electric Utility](#)

ITRON INC
313 N HIGHWAY 11
WEST UNION, SC 29696-2706 USA

E470764

Type S plug-in meters, "Centron II" Series, Models C, may be followed by N, followed by 2, followed by S, followed by L, O, or R, may be followed by D, may be followed by S or SSN.

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**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

LIZA MOUSIOS AND ROY CUMMING :
: :
v. : **Docket No. C-2019-3007989**
: **C-2019-3007995**
METROPOLITAN EDISON COMPANY :

CERTIFICATE OF SERVICE


I hereby certify that I have this day served a true copy of the Responses of Metropolitan Edison Company to the Interrogatories, Set I, propounded by Liza Mousios and Roy Cumming upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by First Class Mail as follows:

Liza Mousios
P.O. Box 116
Revere, PA 18953

Roy Cumming
P.O. Box 396
Revere, PA 18953

Dated: September 23, 2019



Lauren M. Lepkoski
Tori L. Giesler
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, Pennsylvania 19612-6001
(610) 921-6203
(610) 921-6658
llepkoski@firstenergycorp.com
tgiesler@firstenergycorp.com

Counsel for Metropolitan Edison Company

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Liza Mousios and Roy Cumming,	:	
	:	
Complainants,	:	
	:	
v.	:	Docket Nos. C-2019-3007989
	:	C-2019-3007995
Metropolitan Edison Company,	:	
	:	
Respondent.	:	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true copy of the objections of Metropolitan Edison company to the discovery requests propounded By Liza Mousios and Roy Cumming upon the individuals listed below, in accordance with the requirements of 52 Pa. Code § 1.54 (relating to service by a participant).

Service by electronic mail, as follows:

Liza Mousios and Roy Cumming
cumming@epix.net

Administrative Law Judge Darlene Heep
dheep@pagov.com

Dated: September 2, 2020



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