

July 30, 2023

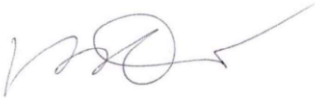
Rosemary Chiavetta, Esquire
Secretary
PA Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

**Re: Docket No. C-2021-3028302
Pingqi Dai v. Metropolitan Edison Company
Reply to the Respondents Reply to the Exception of Complainant Pingqi Dai
to the INITIAL DECISION**

Dear Secretary Chiavetta:

Attached for filing is the Reply to the Respondents Reply to the Exception of Complainant, Pingqi Dai, in the above referenced proceeding as well as the Certificate of Service.

Very Truly Yours,

A handwritten signature in black ink, appearing to be 'Pingqi Dai', with a stylized flourish extending to the right.

Pingqi Dai

Cc: The Hon. Mark A. Hoyer
The Hon. John Coogan
Tori Giesler, Esquire, FirstEnergy Service Company
Margaret Morris, Esquire, Representing MAIT and Metropolitan Edison Company
Complainants Parties of Record
Commission's Office of Special Assistants (OSA) at ra-OSA@pa.gov.

July 30, 2023

Via Electronic Filing

Rosemary Chiavetta, Esquire
Secretary
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Re Docket No. C-2021- 3028302
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Reply to the Respondents Reply to the Exception of Complainant Pingqi Dai to the
INITIAL DECISION

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following person(s), in the manner indicated, in accordance with the requirements.

Via Electronic Mail

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mhoyer@pa.gov

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If there are any questions, please contact me.

Thank you,



Pingqi Dai

E-Mail: pdai1211@yahoo.com

Phone: 717-571-1313

List of pertinent proceedings that have been consolidated noted below:

C-2021-3028186- DEBORA CONNELL v. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028464-TRACY AND JILL TROUTMAN V. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028278-REBECCA WALIZER V. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028416- NEAL WALMER v. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028211 - MICHAEL AND MARGARET MARINO v. METROPOLITAN EDISON & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028346- STANLEY & EILEEN KRASINSKI v. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028286-MICHAEL FLORIO v. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028283-SAMANTHA BRYANT v. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028314-MICHAEL KRAMER v. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028414-ANDREW S. FREIBERG v. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028418-KAREN AND MICHAEL FEDASH v. METROPOLITAN EDISON COMPANY & MID- ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3030530-GREGORY BAIR v. METROPOLITAN EDISON COMPANY & MID-ATLANTIC INTERSTATE TRANSMISSION, LLC

C-2021-3028302-PINGQI DAI v. METROPOLITAN EDISON COMPANY

C-2021-3028348-COREY & BETTY RIGBERG v. METROPOLITAN EDISON COMPANY

C-2021-3028627-PATRICIALANE V. METROPOLITAN EDISON COMPANY

Updated 06/01/22

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Pingqi Dai		:	
	Complainant	:	
		:	
v.		:	C-2021-3028302
		:	
Metropolitan Edison Company		:	
	Respondent	:	

Reply to the Respondents Reply to the Exception of Complainant Pingqi Dai to the
INITIAL DECISION

Dated: July 30, 2023

My counter arguments to Respondents Reply to my Exception:

Complainant's Exception #1. The pole site

“The Complainant’s Main Brief does not raise or in any manner address the issue of the proximity of the pole to her residence or Met-Ed’s communication with affected property owners”.

“The Complainant never raised the proximity of the pole to her residence or Met-Ed’s communication with affected property owners in her Main Brief...”

On the contrary, our neighborhood group concerns were similar and our case was allowed to be consolidated as such. My concerns about the placement of the pole in my yard was noted in MY Main Brief. It stated on page 1 the following: “Upon receipt of the notice to replace the transmission lines and poles, residents of the Meadows requested additional information, expressed concern, and inquired about adjustments to the proposed project plan. Meadows’ residents were met with non-responses and/or incomplete responses to their inquiries, thus filed formal Complaints with the PUC as early as September 2021”. The preceding statements were footnoted to reference MY entire Direct Written Testimony (DWT). Within my DWT on page 30 lines 716 and 717 the following was included:

Create a dreadful appeal as noted below with newly proposed site depicted in red:



Please know the “dreadful appeal” were my exact words and this is the pole position that is PLANNED for my yard. PLEASE note the change in distance from the current pole position and the proposed pole position. The concern regarding the proximity of the pole was clearly

stated in my efilng to PUC with confirmation # 2290727 (Reply to the New Matter_Jenny Dai). **If this case is dismissed, I request that the judges require the Respondents to reposition the pole to be placed in my yard to be placed at an acceptable position to me (for example, back to the original position I had in my yard). The proposed position is overwhelming me and will affect my everyday life.**

Complainant's Exception #2 Using the PCP treated wooden poles

“Neither the Complainant's Testimony nor Main Brief raise or address the issue of the proximity of the pole to the Complainant's well cap”

“...(3) no basis to find that already-treated poles cannot be used after February 28, 2027. ID 20-21”

I did not specifically address the proximity of the new poles to my well cap; however, on page 2 of the Main Brief it states “all homes in the meadows draw from individual wells for water supply.” It is well documented in my Direct Written Testimony (which was footnoted throughout my Main Brief) that I am concerned about the dangers of reintroducing the chemical, Pentachlorophenol (PCP) into the grounds feeding my well. This well is fed with the aquifer that lies below the entire neighborhood and would be in receipt of the chemical, PCP. The following information and sources were referenced and included in My Main Brief:

- <https://www.epa.gov/ingredients-used-pesticide-products/pentachlorophenol> This site states “Use of PCP is being phased out over five years beginning in 2022. Until February 29, 2024, registrants may continue to produce, sell, and distribute wood preservatives containing PCP while wood treatment facilities transition from PCP to alternatives. **After that time, wood treatment facilities will be allowed to use their existing stocks of PCP to produce treated wood until February 28, 2027.**”
- According to the article: Pentachlorophenol Contamination of Private Drinking Water 195 From Treated Utility Poles – PMC (nih.gov)
 - “Pentachlorophenol is still used as a wood preservative for utility poles and railroad ties. Children should avoid touching or playing near them.”
 - “Most pentachlorophenol that is breathed in, touched, eaten, or swallowed is absorbed into your body. Pentachlorophenol is broken down to form other chemicals. It is slowly excreted in urine; about half of what is in your body is removed after 10–20 days.”
 - “The Department of Health and Human Services classifies pentachlorophenol as reasonably anticipated to be a human carcinogen (cause cancer). The U.S.Environmental Protection Agency (EPA) considers pentachlorophenol likely to be carcinogenic to humans. The International Agency for Research on Cancer determined that pentachlorophenol is carcinogenic to humans.”

Also, as noted in the Direct Written Testimony the following information found at Pentachlorophenol | ToxFAQs™ | ATSDR (cdc.gov) was offered, “The Department of Health and Human Services classifies pentachlorophenol as reasonably anticipated to be a human carcinogen (cause cancer). The U.S. Environmental Protection Agency (EPA) considers pentachlorophenol likely to be carcinogenic to humans. The International Agency for Research on Cancer determined that pentachlorophenol is carcinogenic to humans.”

The fact that it is being phased out is obviously indicative that it should not be used now. I believe this is immoral and unethical to expose a human being to what has been determined to be a carcinogenic product. I believe, the financial well-being of these companies is outweighing the protection of public health.

Complainant's Exception #3. The Environmental Impact

"...raising issues outside the scope of the proceeding, i.e., alleged work being done outside of the Complainant's neighborhood, should not be considered by the Commission."

I understand no new information can be offered. The discussion of the environmental impact of undergrounding lines, however, is well documented within My Direct Written Testimony which was referenced (footnoted) in My Main Brief. Simply put, undergrounding these lines disturbs the land ONLY with installation. Whereas above ground lines require cutting and trimming and subsequent changes in animal habitats. As so noted, the pentachlorophenol is yet another environmental hazard that does NOT occur with undergrounding electrical lines. This is not new information to this case and is well documented within the submitted documents.

Please note the following information regarding environmental impacts found in My Direct Written Testimony (My entire DWT was footnoted on page 1 of the Main Brief):

- NIH.gov
Pentachlorophenol Contamination of Private Drinking Water from Treated Utility Poles-PMC
 - "Treated utility pole placement near private water sources can increase the likelihood of drinking water contamination. We recommend the following actions: Develop policies and procedures to restrict installation of treated utility poles in areas near wells."
- According to H525|Vermont 2011-2012| An act relating to the siting and regulation of utility poles treated with wood preservatives|TrackBill article, Vermont now has the following requirements:
 - New poles. New or replacement utility poles treated with any wood preservative shall not be sited within 200 feet of a source of drinking water
 - Existing utility poles sited within 200 feet of a source of drinking water shall not be treated with any wood preservative.
 - If the existing utility pole is in need of repair or treatment with a wood preservative, the person or corporation owning the utility pole shall replace or relocate the pole
 - Relocation. On the written request of a person whose source of drinking water is located within 200 feet of an existing utility pole treated at any time with any wood preservative, the person or corporation owning the utility pole shall, at its own expense: relocate the utility pole to a site greater than 200 feet away from the source

of drinking water; or replace the existing utility pole with a pole that does not require treatment with any wood preservative.

This information is from reliable sources not to be ignored.

It appears as though our concerns are outweighed by a company considering cost over environmental and human health and safety. Thus, my remarks included those referring to cost. This information was questioned in the initial stages within the discovery questions. It was again mentioned within the Main Brief. It has not been answered. Again, this is important as the cost to human health and safety should be prioritized to the cost savings of overhead versus underground transmission line installation. But this was never entered into the equation with that decision.

Complainant's Exception #4

“The evidentiary ruling and the admissibility of evidence were clearly based on the law and precedent.”

The Public Utility Commission play a crucial role in shaping energy infrastructure and policy. This would include accepting complaints, such as ours, to ensure electric companies follow the “rules” as noted in the Pa. Code. It also would include reviewing and reconsidering the current rules and codes and make changes as new information is discovered and creating a NEW precedent. These decisions have a significant impact on the health and safety of the residents to whom they serve. Hopefully, our efforts within this consolidated proceeding will encourage the PUC to incorporate current updated information on new technology that would ensure the best installation for the specific area affected by these future “transmission line replacement” projects. This would include treating a transmission replacement line project central to a neighborhood differently than one occurring within a mountainous or wooded area of little usage. Our complaint was accepted, but unfortunately is in favor of a “Respondent” and not a “Complainant”. The Rule of Law as it stands does not favor the well-being and safety of human lives.

Conclusion

As I mentioned above: If this case is dismissed, I request that the judges require the Respondents to reposition the pole to be placed in my yard to be placed at an acceptable position to me (for example, back to the original position I had in my yard). The proposed position is overwhelming me and will affect my everyday life.

The Consolidated Case has not been without merit. It was without the assistance of a legal representative. While we pursued this knowing we had an uphill battle, it has been a battle well fought. We can rest at night knowing we tried to make a difference in people's lives. I can only hope the “rules” will change with the advancement of technology and information and keep focus on what is in the best interest of the health and safety of each other.

WHEREFORE, in consideration of my responses as noted above, I respectfully request that the Commission reconsider their initial decision and if not able to do so, require the respondents to reconsider the placement of my pole and dismiss the case without prejudice.

Respectfully submitted,

Pingqi Dai

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