

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Judith D. Hendin,	:	
	:	
Complainant	:	
	:	
v.	:	Docket No. C-2018-3003324
	:	
Metropolitan Edison Company,	:	
	:	
Respondent.	:	

**PETITION TO REOPEN THE PROCEEDING
FOR THE PURPOSE OF SUBMITTING ADDITIONAL EVIDENCE**

Dated: January 21, 2024

1. Complainant respectfully files this petition to reopen the above proceeding for the purpose of submitting additional evidence.

2. 52 Pa. Code says:

§ 5.571. Reopening prior to a final decision.

(a) At any time after the record is closed but before a final decision is issued, a party may file a petition to reopen the proceeding for the purpose of taking additional evidence.

3. Here is the reason for submitting this additional evidence: One of the main issues in this case is the type of meter that previously caused Complainant to experience severe physical symptoms. A letter by Complainant's physician, which is already entered as evidence, named the general type of meter as a smart meter.

4. Complainant would like to enter as evidence, as Exhibit A1, an email she has found that she wrote on August 27, 2012, which names the specific brand of meter, a Sensus Flexnet, which is a smart meter.

5. This is **relevant** information in this case.

225 Pa. Code § 401 – Test for Relevant Evidence says:

Evidence is relevant if: (a) it has any tendency to make a fact more or less probable than it would be without the evidence; and (b) **the fact is of consequence in determining the action.**

6. This email is of consequence. Met-Ed's Reply to Exceptions speaks about the type of meter in two places:

The Complainant argues that she carried her burden because "she presented her treating physician's medical records which demonstrated that a smart meter caused serious symptoms after exposure, and that these symptoms healed when the meter was removed." Exceptions at 16. However, **Complainant's argument that any symptoms she has suffered are attributable to a smart meter hinges on her unsubstantiated belief that the meter used for her gas utility service, is an RF-emitting smart meter.** Met-Ed MB at 23; Met-Ed RB at 18-19 (citing the Highly Confidential testimony of Dr. Kracht, the Complainant's treating

position). As explained by Met-Ed, the **Complainant's assertions that she suffered any symptoms from a gas utility smart meter, and that these symptoms retreated due to its removal, are not based on substantial evidence and should be denied.** Met-Ed RB at 18-19. [emphases added]

Met-Ed Reply to Exceptions at 8.

Regarding the second category of Exceptions regarding the I.D.'s evaluation of evidence, the ALJ appropriately and correctly considered and attributed little weight to the Complainant's evidence. In Exception No. 4, the Complainant asserts that "Dr. Kracht's medical records showed that Ms. Hendin got sick when a smart meter was placed on her residence previously." Exceptions at 3. However, as explained above and in Met-Ed's RB, the **Complainant's argument that any symptoms she has suffered are attributable to a smart meter hinges on her unsubstantiated belief that the meter used for her gas utility service is an RF-emitting smart meter.** Met-Ed MB at 23; Met-Ed RB at 18-19 (citing the Highly Confidential testimony of Dr. Kracht, the Complainant's treating position). The admissions of her physician on the Highly Confidential record⁷ make clear that there is no scientific or medical basis upon which the ALJ or Commission could conclude that the symptoms alleged by Ms. Hendin were attributable to a smart meter. *See* Met-Ed MB at 23; Met-Ed RB at 18-19. **The Complainant herself also simply has no first-hand knowledge of the make and model of this meter,**⁸ and does not know if it was, in fact, removed and exchanged.⁹ [emphases added]

Id., 11.

7. Therefore, the evidence contained in Exhibit A1 is pivotal to this case. This is why Complainant is respectfully filing a petition to reopen the proceeding for the purpose of adding this additional evidence.
8. As of this date, a decision on Complainant's case has not been issued, so this petition is being submitted within the required timeframe. To repeat from above:

§ 5.571. Reopening prior to a final decision.

- (a) **At any time** after the record is closed but **before a final decision is issued**, a party may file a petition to reopen the proceeding for the purpose of taking additional evidence. (emphases added)

EXHIBIT A1

Text of Exhibit A1

From: judith@consciousbody.com
Subject: Update
Date: Mon, 27 Aug 2012 16:41:53 -0400
To: kreifinger@hotmail.com

Dear Karen,

I don't want to take you time with this, and there is certainly no need for you to respond. I just wanted to let you know that further research showed that, in fact, the UGI meter, a Sensus FlexNet, is a smart meter.

UGI has requested that my physician send them a letter saying that it is unhealthy for me. Then they will remove the meter.

I thought you might want to know the process.

If you want any more details that might be useful to others, such as the information UGI requires, I would be glad to provide this.

Thank you so much for your great work.

Best wishes,
Judith

Date: Mon, 27 Aug 2012 17:43
From: Karen Reifinger
To: Judith Hendin

Hi Judith.

No bother at all. I'd love to have the info to share with others. Thank you for doing the legwork. Let me know how your physician responds.
Wishing you well!

Love,
Karen

Screenshot of Exhibit A1

The screenshot displays an email client interface with a search results pane on the left and a main email view on the right.

Search Results (Left Pane):

- Search: All Mailboxes
- Rackspace
 - Inbox
 - Sent
 - Drafts (13)
 - Junk
 - Trash
- On My Mac
 - Archive
 - Trash
 - * AA - Redirected
 - Amazon
 - Arts
 - Bills - changing
 - Bills - unchanging
 - Bills Paid - Receipts
 - Car
 - Children International
 - Environmental (1)
 - Finances
 - Food
 - Professional

Search Results (Main Pane):

Searching "All Mailboxes"
Found 28 results

Top Hits

- Karen Reifinger** Reifin... 8/27/12
RE: Update
Hi Judith. No bother at all. I'd love to have the info to share with others...
- Karen Reifinger** Reifin... 8/21/12
FW: Smart Meters, Radiation and...
Thank You! for attending Huna Mua's seminar, "Restore Your Body with '..."

All Results

- Judith Hendin** Sent -... 9:42 AM
Hello
Hi Karen, I sent you an email yesterday to a hotmail address I...
- Judith Hendin** Drafts -... 8:38 AM
Fwd: Update
Hello Karen, I hope you're very well. I don't know if you're still receiving...
- Judith Hendin** Sent ma... 1/17/22
SOLVED!
Hi Derek, Anthony Ford of the support team helped solve the issue...

Email Thread (Right Pane):

28 Found

Reply Reply All Forward

Karen Reifinger <kreifinger@hotmail.com> 8/27/12
RE: Update
To: & 1 more [Details](#)

Hi Judith.

No bother at all. I'd love to have the info to share with others. Thank you for doing the legwork. Let me know how your physician responds. Wishing you well!

Love,
Karen

From: judith@consciousbody.com
Subject: Update
Date: Mon, 27 Aug 2012 16:41:53 -0400
To: kreifinger@hotmail.com

Dear Karen,

I don't want to take you time with this, and there is certainly no need for you to respond. I just wanted to let you know that further research showed that, in fact, the UGI meter, a Sensus FlexNet, is a smart meter.

UGI has requested that my physician send them a letter saying that it is unhealthy for me. Then they will remove the meter.

I thought you might want to know the process.

If you want any more details that might be useful to others, such as the information UGI requires, I would be glad to provide this.

Thank you so much for your great work.

Best wishes,
Judith

Email Authentication of Exhibit A1

Karen Reifinger <kreifinger@hotmail.com>

RE: Update

To: Judith Hendin <judith@consciousbody.com>

X-MessageSniffer-Scan-Result: 0

<8E353492-7CBD-4612-B43B-7704089546DE@consciousbody.com>

X-Spam-Threshold: 95

Return-Path: <kreifinger@hotmail.com>

X-Originating-Ip: [65.55.90.175]

X-Virus-Scanned: OK

X-Cnfs-Analysis: v=1.0 c=1 a=ftAo3KWp8r8A:10 a=8uJ5MO_MQBGA:10

a=IYfJoN71IBsA:10 a=vYcJclWF_MoA:10 a=561R8fQIIIEA:10 a=vjGTrW6yAAAA:8

a=69EAbJreAAAA:8 a=SExBXqmwz03Okfj2tssA:9 a=wPNLvGTTeEIA:10

a=nn5LTPFgCUgA:10 a=EfJqPEOeqIMA:10 a=_W_S_7VecoQA:10 a=frz4AuCg-

hUA:10 a=tXsnliwV7b4A:10

Mime-Version: 1.0

X-OriginalArrivalTime: 27 Aug 2012 21:43:30.0893 (UTC)

FILETIME=[0008EFD0:01CD849D]

X-Orig-To: judith@consciousbody.com

<SNT125-W26E64630700110B192311DCBA20@phx.gbl>

X-Spam-Score: 0

<8E353492-7CBD-4612-B43B-7704089546DE@consciousbody.com>

X-Spam-Flag: NO

Importance: Normal

X-MessageSniffer-Rules: 0-0-0-7527-c

Content-Type: multipart/alternative; boundary="_f18738fc-08ce-48fb-8dcb-c1d597c6ee87_"

Delivered-To: judith@consciousbody.com

X-Cmae-Scan-Result: 0

Received: from smtp14.gate.ord1a (smtp14.gate.ord1a.rsapps.net [10.130.4.14]) by store41a.mail.ord1a (SMTP Server) with ESMTP id A63572D80CA for <judith@consciousbody.com>; Mon, 27 Aug 2012 17:43:31 -0400 (EDT)

Received: from [65.55.90.175] ([65.55.90.175:28780] helo=snt0-omc3-s36.snt0.hotmail.com) by smtp14.gate.ord1a.rsapps.net (envelope-from <kreifinger@hotmail.com>) (ecelerity 2.2.3.49 r(42060/42061)) with ESMTP id 6B/23-05935-30AEB305; Mon, 27 Aug 2012 17:43:31 -0400

Received: from SNT125-W26 ([65.55.90.137]) by snt0-omc3-s36.snt0.hotmail.com with Microsoft SMTPSVC(6.0.3790.4675); Mon, 27 Aug 2012 14:43:30 -0700

Respectfully submitted,
/s/ Judith D. Hendin

Judith D. Hendin
P.O. Box 1449
Easton, PA 18044
(610) 330-9778
judith@consciousbody.com

Dated: January 21, 2024

CERTIFICATE OF SERVICE

I hereby certify that on January 21, 2024, I caused to be served a true and correct copy of the foregoing upon the following:

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

Lauren Lepkoski, Esquire
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
(610) 921-6203
llepkoski@firstenergycorp.com
(via email)

Tori Giesler, Esquire
FirstEnergy Service Company
2800 Pottsville Pike
P.O. Box 16001
Reading, PA 19612-6001
(610) 921-6658
tgiesler@firstenergycorp.com
(via email)

By: /s/ Judith D. Hendin
Judith D. Hendin