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To: Steven M. DeFrank c/o  
PA Public Utility Commission, Commonwealth Keystone Building  
400 North Street Harrisburg, PA 17120

From: Geoffrey A Day *sui juris*  
*All Rights Reserved without prejudice nunc pro tunc UCC 15308*  
*c/o 1699 Suburban Avenue Pittsburgh Pennsylvania USA*

**NOTICE**

Tuesday May28, 2024 09:00:00 EST

Re: C-2018-3003960 - Opinion and Order by the Pennsylvania Public Utility Commission dated April 4, 2024 and received April 29, 2024

**Notice to agent is notice to principal, notice to principal is notice to agent.**

Please read the following notice thoroughly, and carefully. It informs you. It means what it says.

The order issued by the Commission dated April 4, 2024 is **void and in violation of the law**. Any enforcement of that order will be a criminal act, and a direct violation of constitutionally protected Rights. At a minimum this order unless vacated immediately has a real, and imposing chilling effect on constitutionally protected Rights, as it proposes that one must choose between Rights guaranteed by the Constitution to be **forever** inviolate, or access to a public utility.

I hereby **serve notice** that I accept the Oaths of Office for the following commissioners and administrative law judges.

Steven M. DeFrank  
Kimberly Barrow  
Ralph V Yanora  
Kathryn L. Zerfuss  
John F. Coleman  
Jeffrey A. Watson

1/4

DATE OF DEPOSIT  
JUN 20 2024  
PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

DATE OF DEPOSIT

Memorandum of Law

JUN 20 2024

**The Pennsylvania Constitution Article 1 Declaration of Rights:**

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

§ 1. Inherent rights of mankind.

All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, **possessing and protecting property and reputation**, and of pursuing their own happiness.

§ 2. Political powers.

**All power is inherent in the people**, and all free governments are founded on their authority and instituted for their peace, safety and happiness. For the advancement of these ends **they have at all times an inalienable and indefeasible right to alter, reform or abolish their government in such manner as they may think proper.**

§ 8. Security from searches and seizures.

**The people shall be secure in their persons, houses, papers and possessions from unreasonable searches and seizures**, and no warrant to search any place or to seize any person or things shall issue without describing them as nearly as may be, nor without probable cause, supported by oath or affirmation subscribed to by the affiant.

§ 25. Reservation of powers in people.

**To guard against transgressions of the high powers which we have delegated, we declare that everything in this article is excepted out of the general powers of government and shall forever remain inviolate.**

§ 27. Natural resources and **the public estate.**

The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. **Pennsylvania's public natural resources are the common property of all the people**, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.

**The United States Constitution 4<sup>th</sup> amendment (Bill of Rights)**

**The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated**, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**The United States Constitution Article VI, paragraph 2:**

**This Constitution**, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, **shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any state to the Contrary notwithstanding.**

### MY OPINION AND DEMAND

Pursuant to the Pennsylvania Constitution Article 1 §2

Smart Meters are able to read electrical usage in real time, according to documents submitted by counsel for the respondent (Tucker Arensburg). Because all electrical devices use electricity in a unique way, they have unique identifiable electrical signatures and could give any individual with access to that data, intimate, personal knowledge about activities occurring within a private dwelling and when. The commissions continued assertion that the People have no "opt-out" provision for having a Smart Meter placed on their home is in direct violation of the Constitution as noted above. The Right of the People to be secure in their houses **shall not be violated**. The appropriate response would be that The Duquesne Light Company has no opt-out provision, which is not relevant to the Rights of the People. The commission lacks authority to overthrow the Supreme Law of the Land and to infringe thereto upon the Rights of the People by asserting that they have no Right to refuse a device that monitors activities inside of the home. I hereby unequivocally deny any consent to monitor my house. Furthermore, as the owner of my house, I have a Right to determine how my property is utilized. I hereby deny any consent to use any part of my private property as a way-station for any 3<sup>rd</sup> party data transmissions.

The Pennsylvania Public Utility Commission has no authority to deny access to a public utility on the basis that I will not waive my constitutionally protected Rights. Such an action would be legally punitive to the Commissioners in their private capacities, as well as the private company and its officers in their individual capacities acting under the Commissions void order pursuant to United States Code Title 42 §1983 [See; Owen v. City of Independence, 445 U.S. 622 (1980) and, Maine v. Thiboutot, 448 U.S. 1 (1980)]. It is also a crime under United States Code Title 18, §241 and §242, and felony perjury and treason for violating a sworn oath of office under United States Code Title 18 §2381. The Duquesne Light Company, and it's associates et al, are also not legally permitted to deny access to a public utility on the basis that I will not waive my constitutionally protected Rights. Even though the Duquesne Light Company is a private company, it is subject to the Pennsylvania Public Utility Commission, and is for the purpose of this matter a public entity since they exercise the privilege of using public Right of ways throughout the Commonwealth for their infrastructure, **land which belongs to the People**. It should be noted, on the record here that even though it is a private company, it can still be held to violate constitutionally protected Rights by enforcing an unlawful void order by the Commission by any means including denying access to the public utility by terminating electrical service, and or by installing with force and against the wishes of the People, their surveillance equipment on a private house, or any private structure without the consent of the occupants pursuant to an unlawful void order by the Pennsylvania Public Utility Commission. No government entity can pass off its dirty deeds to a private company forcing that company to violate Rights of the People by use of some act, that would make the act (Act 129) patently unconstitutional and entirely void (US Constitution Article VI paragraph 2 and 16<sup>th</sup> American Jurisprudence 2<sup>nd</sup> Edition Constitutional Law §256).

I am hereby **demanding** performance of the contract, the Constitutions being lawful contracts, in writing, enforceable in a court of law, to immediately vacate the Commissions void order dated April 4,2024 and grant all requested relief. Unless the Pennsylvania Public Utility Commission immediately vacates their void order the Commission is acting in treason to the United States, making war upon the Constitutions and The People, and committing multiple felonies under relevant federal laws, since the order serves to impose the ultimatum, Rights to privacy in the home, or access to the public utility, which is illegal.

The Commission may not deny my requested relief under the Supreme Law of the Land and is **bound** by their oaths to move as quickly as practicable to protect and defend the Rights of the People who have an absolute unalienable Right to privacy in their homes. The Commission has absolutely failed to perform as required by the law by dragging their feet and using bureaucracy to delay and obstruct legal process for over 5 years, this is unacceptable. If the Commission will not perform it's duties as prescribed by its charter, the law and their oaths the People do not require this ineffective and useless commission. The Pennsylvania Public Utility Commission being the relevant government body the People created for the purpose of having legal recourse and remedy for exactly this kind of a situation, should be abolished if it refuses to comply with its charter, the law and their oaths.

I recommend that the Commission issue a waiver to the Duquesne Light Company and other EDC's for the provision of Act 129 which requires them to install these surveillance devices on Peoples homes and other private structures in cases where the occupants do not consent to such intrusion and monitoring of their homes, as it is their Right. Since billing for usage is customarily done once per month, one reading of the total usage per month is sufficient. This is the only **lawful** option the Commission has, and is **bound** by the law to do so. My Rights do not fold, and I will not waive them, **ever**.

The Pennsylvania Public Utility Commission shall, and must comply with its charter, the law, and the oaths sworn to by its governing body, or be subject to dissolution, disbandment and abolishment by The People for violation of its charter, oaths and the law, through a Writ of Mandamus pursuant to Article 1 §2 of the Constitution of the Commonwealth of Pennsylvania. Individuals complicit with, or engaged in the violation of civil Rights can and will be punishable by criminal and civil penalties pursuant to the laws noted above, and may never again hold any public office. **Do not violate the public trust.**

Respectfully, having been so notified, govern yourselves accordingly. **Time is of the essence.**

Sincerely, without any ill-will, vexation or frivolity

<s> Geoffrey A. Day sui juris

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DATE OF DEPOSIT

Form COL

**Violation Warning  
Denial of Rights Under Color of Law**

JUN 20 2024

▶ Violation Warning—18 U.S.C. §241; 18 U.S.C. §242; 42 U.S.C. §1983

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Name and address of Citizen

Geoffrey A. Day,  
1699 Suburban Avenue  
Pittsburgh Pennsylvania  
United States

Name and address of Notice Recipient

Rosemary Chiavetta c/o  
PA Public Utility Commission, Commonwealth Keystone Building  
400 North Street  
Harrisburg PA  
17120

Citizen's statement: Rosemary Chiavetta of the Pennsylvania Public Utility Commission has caused the deprivation of my Rights to Due Process by delaying and obstructing legal process, and may be a party to the deprivation of other Rights pursuant to the Commissions void order dated April 4, 2024. In a letter dated June 5, Rosemary Chiavetta claims my response was not timely, and is more or less being ignored and returned. Included with this notice is a copy of the envelope the commission sent their "order" noting it is post-marked April 29, 2024 which is well after the response due time of April 19 16:30:00 EST. Sending me a copy of the Commissions order unsealed and signature required has the appearance of malfeasance, and menacing, causing undue delay in my Due Process. In any case, the Commissions order is void, and all relevant parties have been notified of the same. Please see the attached notice which I have included and returned to you under the cover of this violation warning, addressed to Steven M DeFrank; notice to principal is notice to agent, notice to agent is notice to principal.

I certify that the forgoing information stated here is true and correct.

**Citizen's signature**

<s> Geoffrey A. Day sui juris

June 19, 2024 09:26:00 EST

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Date ▶

**Legal Notice and Warning**

**Federal law provides that it is a crime to violate the Rights of a citizen under the color-of-law. You can be arrested for this crime and you can also be held personally liable for civil damages.**

Attempting to cause a person to do something by telling that person that such action is required by law, when it is not required by law, may be a felony.

18 USC §241: If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same ... shall be fined under this title or imprisoned not more than ten years, or both.

18 USC §242: Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States ... shall be fined under this title or imprisoned not more than ten years, or both.

42 USC §1983 provides that every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

**Warning**, you may be in violation of Federal Law and persisting with your demand may lead to your arrest and/or civil damages! Also understand that the law provides that you can be held personally responsible and liable, as well as your company or agency.

**You are advised** to cease and desist with your demand and to seek *personal* legal counsel if you do not understand the law.

**Notice of service:**

I, Geoffrey A. Day hereby certify that this Violation Warning was delivered upon the recipient via Certified Mail: 7019 2970 0000 0340 9726 in the care and custody of the United States Postal Service.



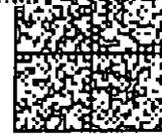
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Commonwealth Keystone Building  
400 North Street  
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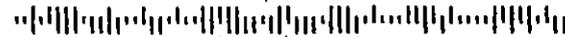
C-2018-3003960  
GEOFF DAY  
1699 SUBURBAN AVENUE  
PITTSBURGH, PA 15216

DATE OF DEPOSIT

JUN 20 2024

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

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G. Day c/o  
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United States



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JUN 24 2024

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Rosemary Chiavetta c/o

P.A. Public Utility Commission, Commonwealth KeyStone Bldg.

400 North Street  
Harrisburg Pennsylvania

17120



CMPC

717-705-1952

to: CHIAVETA, R. PUC

Agency: PUC

or:

Special Carrier: PRIORITY

6/24/2024 8:43:31 AM



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