

3. Complainants agreed to carry out these discussions with the Respondent with the understanding that we are engaging in this discussion without conceding in any way, the legitimacy of our claims, the truthfulness of our arguments, the inviolate nature of our inalienable rights as people, private property owners, and human beings dependent on and requiring the use of electricity for our quality of life and well-being, in our homes, and our justified request for relief that truly addresses our needs and well-being. As such, we remain open to exploring accommodations that provide a service and a setup that is no less safe, secure, and reliable than our current service and setup, and that do not impose an undue burden on us, as we are elderly, and both with limited budgets and financial resources. And, has been established, Complainant Francis Hriadil has a medical recommendation that he “not be exposed to the RF/EMF generated by a ‘Smart Meter’ based on his current clinical condition, as well as from a preventative standpoint.”

4. PA Supreme Court has stated a clear direction, in its ruling, that the EDCs, as part of their tariff, can provide, and enact, a tailored Customer Service Policy that provides relief “for the accommodation, convenience, and safety of its patrons, employees, and the public”, without having to establish any violation of 66 Pa. C.S. § 1501, or by extension 52 Pa. Code § 57.194.(a). *Povacz et al vs PAPUC, J-77A-L-2021, August 16, 2022*. There is nothing here that imposes any inherent threshold that must be met for the implementation of a tailored Customer Service Policy, or limitation on the content of a tailored Customer Service Policy.

5. Complainants received and have reviewed the Respondent’s four (4) new technical documents referring to an alternative meter, in as timely of a manner as possible, with our inherent limitations, namely:

- #1 Doc 1: RF Safety Compliance and Duty Cycle for OpenWay CENTRON 4GLTE Meters
- #2 Doc 2: Comparing RF Exposure between Itron Mesh and Cellular Meters
- #3 Doc 3: RF_Exposure_SK9AMI7_HW3.1
- #4 Doc 4: RF_Exposure_QHC-OW35SE

6. Complainants have maintained, and still maintain, that the Itron SK9AMI7 OpenWay Mesh Smart Meter, neither in its “standard” configuration nor its “collector” configuration, is appropriate for our service on our residence.

7. The alternative single phase Itron QHC-OW35SE OpenWay 4G LTE Cellular Smart Meter that has been presented in these documents, that has a reduced power density, that operates on a reduced Duty Cycle, and that operates as a single-residence, direct electricity usage reporting device, that is not part of a “daisy-chain-linked”, house-to-house, meter-to-meter mesh data transfer system and information network, has the potential to provide accommodation.

8. In response to these new and detailed technical documents that were provided by the Respondent, and to be sure that there is no misunderstanding, the Complainants submitted a number of follow-up questions on certain aspects that require clarification, and/or confirmation. The Respondent stated that it would work to provide those clarifications, and/or confirmations.

9. On 10/14/2024, the Respondent provided a document to the Complainants entitled, “Response to Hriadil Accommodation Request Questions (10.14.24) (20565274.1) (20565276.1)”. The Complainants have just begun our review of this newly provided material, to make sure that we clearly understand all of its pertinent details.

10. The Complainants want our electricity usage information utilized only for the required and expressed purpose of billing our electricity usage, and that is all. Complainants do not want to have any of our electricity usage information shared with 3rd parties, or analyzed in any way unbeknownst to us that intrudes on or violates our inalienable privacy rights, etc. as people. As reasonable people, Complainants only seek a Customer Service Policy from the Respondent that provides the Respondent with our electricity usage for billing purposes

only, that meets Complainants' needs as elderly people (one with documented chronic health issues), that provides a service that is as safe, secure, and reliable as our original service and setup, that does not impose an undue burden on the Complainants, and that minimizes any RF/EMF exposure (per doctor's recommendation).

11. Based on Complainants' review of the initial documents provided by the Respondent, and subject to the answers to the Complainants' clarification and confirmation questions provided in the 10/14/2024 document just received from the Respondent, which the Complainants have just begun to review, it appears that there is reasonable expectation that an accommodation can be reached. The only issues that would remain, after acceptable resolution of these questions, would be issues related to installation, etc.

12. As such, this accommodation discussion continues to make progress, and both the Complainants and the Respondent should continue in our joint effort to seek resolution of any outstanding concerns or issues that remain, as long as the process continues to be pursued in a straightforward and forthright manner.

13. To date, the PUC has scheduled Status Reports every 2 months. That is reasonable, and remains appropriate, as there are further detailed technical issues that require more time and analysis to properly assess and address. Progress has been made to this point in the accommodation discussion process. It is Complainants' hope and expectation that this accommodation discussion will continue to move forward in a positive and productive manner, to the satisfaction and needs of all concerned.

Complainant's Certificate of Service has been filed with the Commission's Secretary, in accordance with Commission Regulations.

Respectfully yours,



Francis Hriadil
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October 15, 2024

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UCC 1-308 invoked.

