

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Richard Myers	:	
	:	
v.	:	C-2024-3045577
	:	
PPL Electric Utilities Company	:	

**INTERIM ORDER  
DIRECTING SCHEDULING OF A FURTHER PREHEARING CONFERENCE**

This Order is issued pursuant to the authority granted to presiding officers at 52 Pa. Code §§ 5.222 and 5.483 (relating prehearing conferences and the authority of presiding officers to regulate the course of the proceeding), and directs that a further prehearing conference will be scheduled in this matter.

*Abbreviated procedural background*

A fuller procedural background is set forth in the prior interim orders issued in this matter. Relevant to the instant interim order, on January 19, 2024, Richard Myers (Complainant) filed a Formal Complaint (Complaint) against PPL Electric Utilities Corporation (Respondent or PPL) with the Pennsylvania Public Utility Commission (Commission).

In essence, Mr. Myers' original Complaint was about PPL's requirement that he relocate his meter using new utility poles rather than existing PPL poles. However, Mr. Myers filed objections to two, separately-filed certificates of satisfaction for his Complaint, in which he raised issues about the health effects of radiation from smart meters. Based on those filings, it appeared that Mr. Myers did not consider his Complaint to be satisfied because he objects to having a smart meter altogether.

To help ensure that all parties understand the scope and status of outstanding problems in the case and to discuss how the case would go forward, I determined to hold a prehearing conference. The prehearing conference was convened as scheduled; however, Mr. Myers did not appear.

Mr. Myers also did not respond to a new matter and preliminary objections filed by PPL regarding the smart meter issues.

Given the passage of time since Mr. Myers had acted in this proceeding, I determined to afford him an additional opportunity to explain his current position in writing. On March 5, 2025, I issued an interim order directing the Complainant to specifically explain:

(1) whether he wants to pursue his complaint and; if so, (2) what issues he intends to present evidence on at a hearing; and (3) why he did not appear at the prehearing conference on January 14, 2025.

Interim Order to Show Why the Formal Complaint Should Not Be Dismissed (Interim Order #2) at 6.

On March 26, 2025, Mr. Myers filed a timely response to Interim Order #2 (Response to Interim Order #2). He stated:

Pursuant to the Interim Order by Administrative Law Judge Erin L. Gannon dated March 5, 2025 I respond as follows.

PUC Officials and Administrative Law Judges know full well that:

- Many Pennsylvania residents are being harmed and made to suffer from microwave radiation of the type transmitted by smart meters mounted on their homes.
- Thousands upon thousands of peer-reviewed, journal published scientific studies report a wide range of adverse health effects from microwave radiation of the type transmitted by smart meters, including cancer.

- The U.S. Government's \$25 million dollar NTP study of 2018 found clear evidence that wireless radiation of the type transmitted by smart meters was carcinogenic to rats.
- Subsequently, a Federal Appeals Court ruled that FCC failed to provide scientific evidence that their wireless radiation safety guidelines are adequately protective of public health. *EHT ET AL v. FCC* (2011). In the 4 years since FCC has ignored the Court Order to provide a reasoned explanation of radiation safety.
- Thousands of smart meter Complaints and Formal Complaints have flooded and continue to flood the PUC and the Judiciary.

In light of the above it is clear that PUC Officials and Administrative Law Judges are not concerned about public health and safety. To claim smart meter harms and risks are not a violation of Section 1501 is indefensible and blatantly dishonest in my view and countless others. It is no different than DHS Secretary Mayorkas claiming the southern border is secure. PUC Officials have betrayed public trust.

Accordingly, I do not want to waste my time dealing with PUC or window dressing on this Complaint any more. However, I do predict it is inevitable and just a matter of time that PUC's smart meter mandate will collapse like a house of cards.

I could not appear at the January 14, 2025 hearing because I was on overseas travel and without telephone or internet access.

P.S. This matter has become personal to me. My sister lost her battle with cancer and died at my Lancaster home last June under hospice care. But PUC did not permit us to have an opt-out meter that did not transmit microwave radiation.

Response to Interim Order #2 at 1-2.

### *Discussion*

Mr. Myers' written response does not clearly explain his intent. While his statement that he "does not want to waste [his] time dealing with the PUC or window dressing on

this Complaint any more” suggests that he does not want to pursue his Complaint on smart meter issues, he does not expressly address the utility pole issue. I cannot find sufficient basis to deem his statements as a petition for leave to withdraw his Complaint, in its entirety, given that Mr. Myers has filed two prior objections to resolving his original Complaint.

A further prehearing conference will be scheduled to give Mr. Myers the opportunity to orally state on the record whether he wants to pursue or withdraw his Complaint and to discuss how this matter will proceed.

The parties are hereby directed to attend and participate in the further prehearing conference, as scheduled. Any party who fails to attend or participate will be bound by all matters decided or agreed upon at the prehearing conference and may be subject to appropriate sanctions, including but not limited to dismissal of their complaint or defenses.

If Mr. Myers seeks to withdraw his Complaint prior to the further prehearing conference, he may file a petition for leave to withdraw the Complaint with the Commission and serve a copy to the parties, as provided under 52 Pa. Code § 5.94.

### ORDER

THEREFORE,

IT IS ORDERED:

1. That the scheduling staff of the Office of Administrative Law Judge shall schedule a further telephonic prehearing conference and notify the parties in writing.
2. That the remaining deadlines in the Interim Order issued in this matter on January 22, 2025 remain suspended until further notice.

3. That the Preliminary Objections of PPL Electric Utilities Corporation to the Amended Complaint of Richard Myers, filed on February 11, 2025, shall continue to be held in abeyance pending the further prehearing conference or, if applicable, a ruling on a petition for leave to withdraw the complaint.

Date: April 28, 2025

\_\_\_\_\_/s/\_\_\_\_\_  
Erin L. Gannon  
Administrative Law Judge

**C-2024-3045577 - RICHARD MYERS v. PPL ELECTRIC UTILITIES CORP**  
*Revised 11/21/2024*

RICHARD MYERS  
OWNER/OPERATOR  
SELF EMPLOYED  
1948 PINE DRIVE  
LANCASTER PA 17601  
**717.393.6813**  
[ftf317@aol.com](mailto:ftf317@aol.com)

Served via eService April 28, 2025

PETER J KRAMER ESQUIRE  
POST & SCHELL  
THREE LOGAN SQUARE  
1717 ARCH STREET 24TH FLOOR  
PHILADELPHIA PA 19103  
**215.587.1075**  
**215.587.1444**  
[pkramer@postschell.com](mailto:pkramer@postschell.com)

Served via eService April 28, 2025  
*(Counsel for PPL Electric Utilities)*

DEVIN T RYAN ESQUIRE  
POST AND SCHELL PC  
ONE OXFORD CENTRE  
301 GRANT STREET SUITE 3010  
PITTSBURGH PA 15219  
**717.612.6052**  
**717.731.1970**  
[dryan@postschell.com](mailto:dryan@postschell.com)

Served via eService April 28, 2025  
*(Counsel for PPL Electric Utilities)*

NICHOLAS A STOBBE ESQUIRE  
POST & SCHELL PC  
17 N SECOND ST  
12TH FL  
HARRISBURG PA 17101-1601  
**717.612.6033**  
**717.731.1970**  
[nstobbe@postschell.com](mailto:nstobbe@postschell.com)

*(Counsel for PPL Electric Utilities)*  
Served via eService April 28, 2025

KIMBERLY A KLOCK ESQUIRE  
PPL SERVICES CORP  
2 NORTH 9TH ST  
ALLENTOWN PA 18101  
**610.774.5696**  
[kklock@pplweb.com](mailto:kklock@pplweb.com)

Served via eService April 28, 2025

MICHAEL J SHAFER ESQUIRE  
PPL SERVICES CORP  
2 N 9TH ST  
GENTW3  
ALLENTOWN PA 18101  
**610.774.2599**  
[mjshafer@pplweb.com](mailto:mjshafer@pplweb.com)

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