

C-2018-3006031

## **Summary Notice – Immediate Attention Required**

This correspondence includes a Formal Preemptive Liability Notice prohibiting deployment of any electronic “smart” meter at 200 Brook Hollow Road, Mount Pleasant, PA 15666. Property owner and account holder has formally filed a “Notice That Complainant Will Appeal to the Commonwealth Court of Pennsylvania and Affirmation That the Current Analog Meters Remain in Place During Ongoing Legal Proceedings,” which the Commission has docketed and referred to as a request for stay. West Penn Power is directed to ensure all employees, contractors, and subcontractors are notified of this prohibition and that each individual assigned to metering or field service at this property signs and returns the acknowledgment page provided. Any attempt to deploy a “smart” meter while litigation and the stay request are pending will constitute defiance of judicial review and will result in liability.

DATE OF DEPOSIT

SEP 22 2025

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

200 Brook Hollow Road  
Mount Pleasant, PA 15666  
September 22, 2025

**Via Certified Mail – Return Receipt Requested**

DATE OF DEPOSIT

West Penn Power Company  
Attn: Corporate Secretary / Customer Service Manager  
800 Cabin Hill Drive  
Greensburg, PA 15601

SEP 22 2025

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Re: Formal Preemptive Liability Notice – Prohibition of “Smart” Meter Deployment at  
200 Brook Hollow Road, Mount Pleasant, PA 15666

To Whom It May Concern:

Enclosed is a Major Personal Liability and Obligation Notice directed to West Penn Power Company (a FirstEnergy Company), its employees, contractors, subcontractors, agents, and representatives.

This notice documents:

- Documented medical conditions and physician directives prohibiting “smart” meter deployment at this property
- Applicable protections under Pennsylvania law, including 52 Pa. Code § 56.111, 66 Pa. C.S.A. § 1406(f), and 66 Pa. C.S. § 315(c)
- The absence of any biological scientific evidence establishing that digital “smart” meters are safe
- The personal liability of any party who disregards this notice

Please ensure this notice is placed in the permanent customer record for Account Nos. 100 119 049 151 and 100 119 172 466 and that all personnel involved in metering and field service are instructed accordingly.

All individuals assigned to work at this property must review, sign, and return the acknowledgment page provided in the enclosure. A signed copy must be kept in the customer record, with an additional copy returned to us.

You are further advised that this matter is the subject of ongoing litigation in the Pennsylvania Commonwealth Court. I have formally filed a “Notice That Complainant Will Appeal to the Commonwealth Court of Pennsylvania and Affirmation That the Current Analog Meters Remain in Place During Ongoing Legal Proceedings,” which the Commission has docketed and referred to as a request for stay. Any attempt to deploy a

digital "smart" meter while these proceedings are pending will constitute defiance of judicial review and will compound liability.

Any disregard of this notice will be preserved in the record and relied upon in pending or future proceedings.

Sincerely,



Michael T. Jennings  
Property Owner and Account Holder

Enclosure: Major Personal Liability and Obligation Notice (including acknowledgment page requiring signature)

CC: John W. Hawkins, Jr. President, Pennsylvania (FirstEnergy)  
Secretary Rosemary Chiavetta, Pennsylvania Public Utility Commission (for notice only)  
Senator Kim Ward  
Representative Eric Davanzo

**Major Personal Liability and Obligation  
for Anyone Deploying an Electronic Digital “Smart” Meter or Any Similar Device  
on the Private Property at 200 Brook Hollow Road, Mount Pleasant, PA 15666**

**We are not refusing utility metering. We refuse the installation of any electronic digital ‘smart’ meter or similar device due to documented medical harm. We will accept only a safe, non-transmitting analog meter.**

**This is a requirement for responsibility and bonding against the potential, likely, foreseeable and unforeseeable consequences of electronic digital “smart” utility metering.**

**Before you deploy the electronic “smart” meter, you are hereby on notice that:**

**1 – Our son was harmed by an electronic digital “smart” meter –** While we were on vacation in Florida in March 2017, WPP deployed an electronic “smart” meter on our former home, unbeknownst to us. Several days after our return, our son had 115 seizures in one night and 109 the next day in the hospital. WPP has refused to give the date of deployment, which is considered an affirmative admission by omission justifying that an electronic “smart” meter had been deployed during March 2017. If WPP had data to the contrary, they would have already presented that information and our formal complaint would have been closed long ago.

**2 - There are no studies on electronic digital “smart” meters to prove biological safety -** The American Cancer Society acknowledges that electronic digital “smart” meters have never been tested for biological safety. There is no reliable medical or scientific evidence upon which to conclude that chronic, long-term exposure to the wireless emissions produced as a result of the installation of such electronic digital “smart” metering devices could not, cannot, would not and will not cause, exacerbate or contribute to biological or adverse health effects.

**3 - Harm has been acknowledged -** FirstEnergy and West Penn Power (WPP) know harm and liability are associated with the smart meter technology which is admitted in FirstEnergy’s Customer Guide for Electric Service in PA.<sup>1</sup> There are many mechanisms of harm with the smart utility meters as is evidenced by the “Interruption and Liability” clause within the Customer Guide. On page 15 it is stated,

*“...The Company shall not be liable for any loss, cost, damage or expense that the customer may sustain by reason of damage to or destruction of any property, including the loss of use thereof...” and “...The Company shall not be liable for damage to any customer or to third persons resulting from the use of the service on the customer’s premises or from the presence of the Company’s appliances or equipment on the customer’s premises.” [Emphasis added.]*

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SECRETARY’S BUREAU

*Damage to any customer or third persons equates to harm. This amount of harm and liability requires customer consent. This is neither reasonable nor is it safe.*

**4 - Another admission of harm –** The only option WPP has offered the Jennings family is to move the meter off the house. Moving the meter off the house:

<sup>1</sup> First Energy Customer Guide for Electric Service - PA, September 2021, p.15.  
<https://www.firstenergycorp.com/content/dam/customer/service%20requests/files/Customer-Guide-for-Electric-Service-PA.pdf>

- a) is another admission of harm.
- b) does not take the harmful conductive emissions (dirty electricity) of the meter off the electric lines which run into the house as the emitting meter is still connected to them.
- c) constitutes constructive eviction as we will still be impacted when we go to the part of the property where the “smart” meter is located.
- d) would make the ratepayer responsible to maintain all of the wiring between the “smart” meter and the house.
- e) is not a reasonable accommodation as the cost would put an undue burden on the Jennings family. Americans with Disabilities Act accommodations should be reasonable options.

**5 - Harm was proven at the PA PUC formal complaint level** - On October 19, 2018, ALJ Heep entered the Initial Decision in the case of *Alexia McKnight v. PECO Energy Company*, Docket No. C-2017-2621057. At page 30, ALJ Heep stated,

“8. There is sufficient evidence to support a finding that Mrs. McKnight will be adversely affected by reinstallation of the Landis + Gyr AMI meter #127832547 and that reinstallation of the Landis + Gyr AMI meter #127832547 would constitute unsafe or unreasonable service in violation of 66 Pa.C.S. § 1501. *Kreider v. PECO Energy Co.*, Docket No. P-2015-2495064 at 23 (Order entered Jan. 28, 2016) (citing *Woodbourne-Heaton*, 1992 Pa. PUC Lexis 160, at \*12-13).”<sup>2</sup>

ALJ Heep found *sufficient evidence that Dr. Alexia McKnight would be adversely affected by the reinstallation of the meter and it would create unsafe or unreasonable service which would violate 66 Pa. C.S. § 1501*. The Commission *ignored the proof of harm and a physician’s explicit medical directives and also said PECO could install a different brand of “smart” meter, as if that would make any difference. This is a prejudicial action against a pro se complainant*. The PA Commonwealth Court ruled against the McKnight’s, pro se complainants, because of a technical issue with the document, and did not even consider the content of their brief. And, it took the Court 18 months to render this sham decision.

**6 - The utilities are deferring to FCC, ANSI, and UL as if they have done biological studies for harm – they have not!** These entities are irrelevant as they only deal with thermal safety. None of these industry entities mentioned are licensed medical doctors and are not focused on human health, medical safety, medical harm or the exacerbation of existing disabilities. Rather, these entities are focused on the performance and the technical nature of the meters. Standards and guidelines do not address medical harm. Technical and performance guidelines from aforementioned entities are replacing the explicit medical directives from trusted, licensed medical physicians, which is absurdly unreasonable.

The burden of proof to show that the digital meters are safe falls upon the utility, not the customer, as per 66 PA.C.S. §315 (c), “In any proceeding upon the motion of the commission, involving the service or facilities of any public utility, *the burden of proof to show that the service and facilities involved are adequate, efficient, safe, and reasonable shall be upon the public utility.*”<sup>3</sup> [Emphasis added.] To allege that by virtue of the digital meters meeting FCC guidelines is insufficient as neither the FCC, nor the vendors, nor the utility have conducted studies on the short- or long-term effects of “smart” meters on the general population to ascertain their safety. See No. 2.

<sup>2</sup> PA PUC Docket No. C-2017-2621057, *Alexia and Lawrence McKnight v. PECO Energy Co.*, Initial Decision, p. 30, [http://www.puc.state.pa.us/about\\_puc/consolidated\\_case\\_view.aspx?Docket=C-2017-2621057](http://www.puc.state.pa.us/about_puc/consolidated_case_view.aspx?Docket=C-2017-2621057).

<sup>3</sup> <https://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&ttl=66&div=0&chpt=3&sctn=15&subscn=0>

**7 - EHT et al. v. FCC<sup>4</sup>** - Pennsylvania electric utilities have deferred to the FCC in the formal complaints before the PA PUC. However, wireless infrastructure, which includes “smart” meters, can no longer be considered safe because of the D.C. Circuit Court’s ruling in *Environmental Health Trust, et al. v. FCC* on August 13, 2021. The court ruled that the FCC’s decision to retain its 26-year-old guidelines was “arbitrary and capricious” and that the FCC failed to respond to documented evidence of harm equating to approximately 22,000 research studies. Also, no scientific evidence was ever presented in defense of the guideline’s extension, leaving the U.S. with no safety standard for this injurious radiation.

#### **8 - Biological Research - Neurological/Cognitive Effects**

- a. Early-Life Exposure to Pulsed LTE Radiofrequency Fields Causes Persistent Changes in Activity and Behavior in C57BL/6 J Mice. Broom, K., et al. *Bio Electro Magnetics* 40(7):498-511 (2019).
- b. Are Rises in Electro-Magnetic Field in The Human Environment, Interacting with Multiple Environmental Pollutions, The Tripping Point for Increases in Neurological Deaths in the Western World? Pritchard, C., Silk, A. and Hansen, L. *Medical Hypotheses* 127: 76-83 (2019).
- c. Effect of 1800-2100 MHz Electromagnetic Radiation on Learning-Memory and Hippocampal Morphology in Swiss Albino Mice. Kishore, G., Venkatesh, K., and Sridevi, N. *Journal of Clinical and Diagnostic Research* 12(2): 14-17 (2019).
- d. Monitoring of BALB/C Strain Mice Health, Investigation of Behavior, Hematological Parameters Under the Effect of an Electromagnetic Field. Zymantiene, J., et al. *Medycyna Weterynaryjna* 75(03): 158-163 (2019).
- e. 2.45 GHz Microwave Radiation Impairs Learning, Memory, and Hippocampal Synaptic Plasticity in The Rat. Karimi, N., et al. *Toxicology and Industrial Health* 34(12): 873-883 (2018).
- f. Mobile Phone Distance From Head and Temperature Changes of Radio Frequency Waves on Brain Tissue. Forouharmajid, F., Ebrahimi, H. and Pourabdian, S. *International Journal of Preventative Medicine* (2018).
- g. A Prospective Cohort Study of Adolescents’ Memory Performance and Individual Brain Dose of Microwave Radiation from Wireless Communication. Foerster, M., et al. *Environmental Health Perspectives* 126(7) (2018).
- h. Electromagnetic Radiation 2450-MHz Exposure Causes Cognition Deficit with Mitochondrial Dysfunction and Activation of Intrinsic Pathway of Apoptosis in Rats. Gupta, S.K., Mesharam, M.K., and Krishnamurthy, S. *Journal of Biosciences* 43(2) 263-276 (2018).
- i. The Effect of Wi-Fi Electromagnetic Waves in Unimodal and Multimodal Object Recognition Tasks in Male Rats. Hassanshahi, A., et al. *Neurological Sciences* 38(6):1069-1076 (2017).
- j. Effects of Short and Long Term Electromagnetic Fields Exposure on the Human Hippocampus. Deniz, O.G., et al. *Journal of Microscopy and Ultrastructure* 5(4):191-197 (2017).
- k. Effects of Long Term Exposure of 900-1800 MHz Radiation Emitted from 2G Mobile Phone on Mice Hippocampus – A Histomorphometric Study. Mugunthan, Shanmugasamy, et al. *Journal of Clinical and Diagnostic Research* 10(8):AF01-6 (2016).
- l. Effect of Mobile Phone Radiation on Pentylene-tetrazole-Induced Seizure Threshold in Mice. Kouchaki, Motaghedifard, et al. *Iranian Journal of Basic Medical Sciences* 19(7):800-3 (2016).
- m. Effects of 3 Hz and 60Hz Extremely Low Frequency Electromagnetic Fields on Anxiety-Like Behaviors, Memory Retention of Passive Avoidance and ElectroPhysiological Properties of Male Rats. Rostami, Shahani, et al. *J Lasers Medical Science* 7(2):120-125 (2016).
- n. Short-Term Memory in Mice is Affected by Mobile Phone Radiation. Ntzouni, Stamatakis, et al. *Pathophysiology* 18(3):193-199 (2011).

<sup>4</sup> <https://ehtrust.org/environmental-health-trust-et-al-v-fcc-key-documents/>

- o. Use of Mobile Phones and Changes in Cognitive Function in Adolescents. Thomas, Benke, et al. *Occupational Environmental Medicine* 67(12):861-866 (2010).
- p. Increased Blood-Brain Barrier Permeability in Mammalian Brain 7 Days After Exposure to the Radiation from a GSM-900 Mobile Phone. Nittby, Brun, et al. *Pathophysiology* 16(2-3):103-112 (2009).
- q. Effects of GSM 1800 MHz on Dendritic Development of Cultured Hippocampal Neurons. Ning, Xu, et al. *Acta Pharmacol Sin* 28(12):1873-1880 (2007).
- r. Neurological Effects of Radiofrequency Electromagnetic Radiation. Lai, Henry. *Advances in Electromagnetic Fields in Living Systems* 1:27-80 (1994).

**9 - Wireless utility meters are connected to a poorly engineered power supply and are much more harmful than a cell phone. Other facts about these meters include:**

- a. The way the radiation is transmitted is far more harmful to our bodies.  
**Source:** EMF Medical Conference.
- b. Wireless utility meters adversely stimulate your nervous and muscular systems. Industry self-admitted in the ICNIRP Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz-100 kHz) **Source:** <https://icnirp.org/cms/upload/publications/ICNIRPLFgdl.pdf>
- c. These meters have a poorly designed switch mode (SMPS) that creates incidental noise or “dirty electricity” or DE (2 kHz- 50 kHz). This SMPS is absent in the analog meters, making it a safer meter. DE makes many customers extremely sick, could lead to “constructive eviction” and should be filtered out, but isn’t! There is NO utility oversight to protect customers; instead, health risks and electrical safety protection costs are all imputed and transferred to them without their consent.\*
- d. There is an adverse impact to the electrical grid as it was not designed to withstand Internet of Things (IoT), distributed energy resource loads, microwave energy and frequencies other than 60 Hz.\*
- e. They gather and analyze behavioral data to profile you and your family for ANY legal, police and commercial data use. They cost more money by design of meter; and DE is main cost driver.\*
- f. Smart meters cannot be put in non-transmitting/airplane mode, nor can they be turned off. They are always on, transmitting about every 3 seconds.\*

**\*Source:** Presentation by Mary Bauer, RF Engineer, Virginians for Safe Technology to the National Call for Safe Technology, May 10, 2024, <https://whoknew.info/science%2Ftechnical-1>

Research shows that 1 to 3% of the public is sensitive to microwave radiation of the type transmitted by smart meters. In a legislative district consisting of 65,000 residents, that equates to 650 to 1950 residents. The evidence record in *Environmental Health Trust v FCC* alone contains over 20,000 studies showing the harm of this radiation, and additional studies, many from Institute of Electrical and Electronics Engineers (IEEE), industry itself, show the damage, especially neurological, from the switched-mode power supply (SMPS) of the meters.

**10 - You are not a trusted licensed medical physician -** You, the employee who will be deploying the “smart” meter, are not a neurologist, an epileptologist, a biologist, nor a medical doctor of any kind and are not qualified to diagnose or treat patients. You are not qualified to determine if the “smart” meter is medically safe for our son.

**11 - Unauthorized practice of medicine -** We have 8 letters from trusted medical physicians stating the digital “smart” meter should not be deployed on the Jennings’ property. By ignoring and going against direct medical

advice of trusted medical physicians amounts to the *unauthorized practice of medicine without a professional license in light of licensed physicians' explicit medical directives to the contrary.*<sup>5</sup>

If a digital “smart” meter is deployed on Michael Jennings’ property *against explicit medical advice from the professionals who should be making this decision*, the Commission and others could be personally liable as this is *ultra vires* and constitutes professional negligence which could possibly result in a criminal offense with potentially serious penalties.

**12 - By deploying a digital “smart” meter on our property, you will be violating 52 Pa. Code § 56.111: Emergency Provisions<sup>6</sup> and 66 Pa. C.S.A. § 1406 (f): Responsible Utility Customer Protection.<sup>7</sup>**

“A public utility may not terminate services...to a premises when a licensed physician... has certified that the customer... or a member of the customer’s or applicant’s household is seriously ill or afflicted with a medical condition that will be aggravated by cessation of service. The customer shall obtain a letter from a licensed physician, physician assistant or nurse practitioner verifying the condition and promptly forward it to the public utility. The determination of whether a medical condition qualifies for the purposes of this section resides entirely with the physician, nurse practitioner, or physician assistant *and not with the public utility.*” – 52 Pa. Code 56.111 [Emphasis added.]

“(f) Medical certification. – A public utility shall not terminate service to a premises when a customer has submitted a medical certificate to the public utility. The customer shall obtain a medical certificate verifying the condition and shall promptly forward it to the public utility. The medical certification procedure shall be implemented in accordance with commission regulations.” – 66 Pa. C.S.A. § 1406 (f)

See #11 above concerning letters submitted to WPP.

**13 - Accountability - Personally, Jointly, and Severally** – Again, you, the employee who will be deploying the digital “smart meter,” are not a neurologist, an epileptologist, a biologist, nor a medical doctor of any kind and are not qualified to diagnose or treat patients. If a digital “smart” meter is deployed on our property *against explicit medical advice from the professionals who should be making this decision*, the Commission and others could be personally liable as this is *ultra vires* and constitutes professional negligence which could possibly result in a criminal offense with potentially serious penalties.<sup>8</sup>

Anyone, other than our trusted licensed medical physicians, making medical decisions in the deployment of a digital “smart” meter on our property is complicit, culpable, and liable (jointly and severally) as they are, in actuality, practicing medicine without a license. *We will hold the utility, its executives, and board members, as well as the installers, and others, personally, jointly, and severally, accountable for any ill health effects our family members suffer because of digital “smart” meter deployment on our property by force and against the express advice of our trusted licensed medical physicians.*

<sup>5</sup> What is the Unauthorized Practice of Medicine? Retrieved from [https://files.findlaw.com/pdf/healthcare/healthcare.findlaw.com\\_patient-rights\\_what-is-the-unauthorized-practice-of-medicine.pdf](https://files.findlaw.com/pdf/healthcare/healthcare.findlaw.com_patient-rights_what-is-the-unauthorized-practice-of-medicine.pdf).

<sup>6</sup> 52. Pa. Code § 56.111, Retrieved from: <http://www.pacodeandbulletin.gov/Display/pacode?file=%2Fsecure%2Fpacode%2Fdata%2F052%2Fchapter56%2Fs56.111.html>

<sup>7</sup> 66 Pa. C.S.A. § 1406 (f): Responsible Utility Customer Protection Retrieved from <https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/66/66.HTM>

<sup>8</sup> What is the Unauthorized Practice of Medicine? Retrieved from [https://files.findlaw.com/pdf/healthcare/healthcare.findlaw.com\\_patient-rights\\_what-is-the-unauthorized-practice-of-medicine.pdf](https://files.findlaw.com/pdf/healthcare/healthcare.findlaw.com_patient-rights_what-is-the-unauthorized-practice-of-medicine.pdf).

**Acknowledgment of Personal Liability and Obligation for  
Deployment of a Digital "Smart" Meter or Similar Device  
at 200 Brook Hollow Road, Mount Pleasant, PA 15666**

**Name:** \_\_\_\_\_  
(Please print)

**I am employed by:** \_\_\_\_\_

**My title:** \_\_\_\_\_

- I am a Pennsylvania state-licensed professional engineer: \_\_\_\_\_ Yes \_\_\_\_\_ No
- I am a Pennsylvania state-licensed medical physician: \_\_\_\_\_ Yes \_\_\_\_\_ No
- I have read the information from the Jennings family and understand its implications concerning my deploying an electronic digital "smart" meter on their property:  
\_\_\_\_\_ Yes \_\_\_\_\_ No

By signing, I acknowledge responsibility for all consequences resulting from the deployment of a digital "smart" meter or similar device at the address listed above.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

# Distribution List

This Formal Preemptive Liability Notice, including the Summary Notice – Immediate Attention Required, the Cover Letter, and the Major Personal Liability and Obligation Notice (with acknowledgment page), has been served by Certified Mail – Return Receipt Requested on the following parties:

## **FirstEnergy Corporate (Executive Level)**

**John W. Hawkins Jr.**  
President, Pennsylvania – FirstEnergy Corp.  
76 South Main Street  
Akron, OH 44308

## **West Penn Power – Legal & Operations**

**Corporate Secretary / Customer Service Manager**  
West Penn Power Company  
800 Cabin Hill Drive  
Greensburg, PA 15601

## **Regulatory Authority (For Notice Only)**

**Secretary Rosemary Chiavetta**  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120  
*(Provided for notice only, as the PUC docket is closed.)*

DATE OF DEPOSIT

SEP 22 2025

## **Legislative Oversight**

**Senator Kim Ward**  
1075 S. Main St., Suite 116  
Westmoreland Crossroads Plaza  
Greensburg, PA 15601

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Representative Eric Davanzo**  
10 Mount Pleasant Rd. Suite 1  
Scottsdale, PA 15683

**Note:** Recipients are directed to circulate the enclosed notice to all employees, contractors, and subcontractors involved in metering and field service for 200 Brook Hollow Road, Mount Pleasant, PA 15666.

  
Mr. Michael T. Jennings  
200 Brook Hollow Rd  
Mount Pleasant, PA 15666



PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL**



9589 0710 5270 1329 9105 03

**Retail**



17120

**U.S. POSTAGE PAID**  
FCM LG ENV  
MOUNT PLEASANT  
PA 15666  
SEP 22, 2025  
**\$11.60**  
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**RDC 99**

RECEIVED

SEP 25 2025

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

**Secretary Rosemary Chiavetta  
Pennsylvania Public Utility Commission  
Commonwealth Keystone Building  
400 North Street  
Harrisburg, PA 17120**

  
**CMPC**  
717-705-1952

**To: PUC MASTER**  
Agency: PUC  
Floor:  
External Carrier:



9/25/2025 10:00:18 AM

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