

As the Public Party engaged already on file regards initiatives to use 20-CSR 4240-2.160 Rehearings and Reconsideration rule to petition the outcome vote on 1/7/2025 for docket OX-2026-0045 in that item (2) Motion for reconsideration is within ten (10) days of the date of the decision order was issued motions for reconsideration will be set forth.

Also applicable to the reconsideration in so much that the foundation of the 20-CSR 4240-2.180 was concurrent with my private party matter with PSC in the informal stage process engagement the gag I was under was limiting my ability to apply the very same regulatory extensive example of legal authority carried by my pre existing PSC dispute with one of the Party's in the Advanced Rule making Hearing and that would have been in exparte of the Commissioners who would have as well as the ALJ Judge's who was yet unassigned an unfortunate cause for recusal. It was therefore via gag that I felt inhibited to go into the technical laws that are being violated by the new rule of regulatory and the statute both during that PUBLIC comment not private comment hearing. However, now that the vote is in and the petition can commence it is timely to proceed as the Party of the Public in request of reconsideration via aspects that are including applicable aspects of 20-CSR 4240-2.180 per specifically item #3 (C) Citations of legal authority which authorize, support, or require the rule making action requested by the petition.

Also Item (B) at least one of the following

#1 the full text of the rule to be sought to be promulgated

#2 The full text of the rule to be amended, including the suggested ammend marked clearly

#3 the full rule sought to be rescinded;

(C) A statement to support the amendment inlcuding a statement of all facts pertinent to petitioner's interest in the matter.

-----

The concurrent case that is EC-2026-0150 was private case informal phase with PSC had an interplaying role so I did not impude during the rule making hearing that I was attempting an alledged violation to the part of Empire respresented at the hearing nor did I intend to make that Rule making about my personal private case that co-existed on Nov 13, 2025 upon the OX-2026-0045 hearing.

However, now there is an added vantage point with petitioning the not only did my ALJ Judge Clark say verbal recorded record yesterday at preliminary conference that I could not add on the petition to his case he insisted that I would do this petition case seperate. The alter role of the Public in this vantage point now as the Public not the private petitioner is that under context of 20 CSR-4240-2.180 it is with procedural (E) that I can additionally adhere to why this amend request will positively effect the private persons. As one of the private person's this is very much appreciated.

The PSC must now go into a comprehensive level of form and this will require either a re hearing or reconsideration to law as my gag is now off I can proceed in timely manner to petition the vote as invalid.

The Commission did not take into proper consideration the scientific

facts as evidence due full scope and with technical intricacy allow me now in this petition to finally have a way to proceed that will bring the correction that is necessary to amend the current definition of the statute 386.820

In general and without commencing into that fullness of depth and breadth I firstly wanted to turn in a timely petition.

The current Regulatory that was voted upon is actually fraudulent and that hinges on the fact that the statutory itself is fraudulent. It must be also noted that when I as the private party did not want an actual Traditional meter I realized that my due process had been removed by the Vendor who at my doorstep propagated they as the Vendor under current statutory had the ability to forego my due process and proceed legal means through this illusory fraudulent opt out program that is again the Regulatory which I will carefully prepart why all of my allegations are necessary otherwise this is what is called Fraud and Swindle and that is illegal to be perpetuated by Regulatory as it removes Consumer consent altogether and that in turn is a violation of Fair Competition law.

The Statutory as currently invalid per concealment of the disqualification of ALL Advanced meters through the statutory's own false dichotomy of virtues that bare only a single dichotomy explanation of the NON RF Advanced Meter. The Statutory is incomplete and as such does not show the scientific facts of ELF communication via hardwire communication and ELF is the same thing as RF it is simply transmitted in a different manner or communicating in a different manner with the homes interior appliances. The framework of the definition in the Statutory is known again as concealment and

thereby is it insufficient to address all virtues of scientific facts of the communication ability of the non RF Advanced meter. The concealment is known as fraud with swindling and that is actual legal citation under Federal Law. The statutory cannot be in continuum of fraud regardless of the responses made by the Commission in an attempt of supporting there is no need to change the definition of Traditional. Commission did not site any specificities in their rebuttal they did not one time refute the facts but they also by supporting a fraudulent statute simply put are admitting that the current statute did not hold concealment of scientific facts and therefore presented an invalid definition.

Due to the gross misconceptions it perpetrates with concealment to the entirety of the facets of scientific evaluation that are in need of such desperate oversight as the statutory definition also holds contradictions unto itself through concealment and on that basis was built a one sided false dichotomy of one sided intricacies of the missing elements of the full scope of the science factoring involved.

So, the current definition of statutory 386.820 that needs amended is by all current standards of unto itself as far as the features of communicating or communication go not eligible to be scientifically applicable to the non RF advanced meters' per it's own qualities are a variant of EMF and the wording is actually purported that the wording non communicative via the wording as one in the same as "non RF communication" that by that single perpetuated virtue somehow a vast scientific dichotomy that is somehow relatable to the ability for the non RF Advanced meter to not communicate when it actually does communicate so that is a contradiction of so many layers of misconceptions via concealment that does in fact not disclose the much Broader scientific categorical Type of meter it belongs to and that type

is known as "EMF" radiating per ELF transients.

Only a scientist should have written the definition of Traditional and I assure that the current definition is fraudulent as it is scientifically inappropriate and incorrect per concealment of all the elements and characteristic that must be taken into consideration.

Without writing this required correction it is a much more vast issue at large going on with the current and the new Regulation and that goes into the way the Consumer is implied to have consented to these programs generated by the Vendors per their Tariff's as the regulatory itself is compromised terribly and the Consumer is left out in the cold like myself as the epitome of this situation seeking due process as the Regulation has absolved properly using my consent and that is FRAUD and Swindle.

I guess I need to open an additional case today as well to address the Regulatory Fraud the Statutory Fraud and the Tariff opt out Fraud and swindle and then from there according to this petition that case can either merge with this one or vice versa.

But, let it be said that the Public Party Elizabeth Peterson has stated within 10 days of the VOTE to petition the vote as invalid due to compromised Regulatory and Statutory as the vote tells me the Commission is not listening to the Consumer I could not begin this process any sooner the outcome triggers this response of petition So, I will open that separate case and put a placeholder here as the right to be an INTERVENTIONAL PARTY on this this VOTE outcome and all the proceedings held during the hearing by the Vendors are a disgrace to the Consumer as they have the Regulator's own regulatory permitting them to commit fraud and swindle with false definitions of statutory

and fraudulent obstruction of Consumer consent via a notice of an Illusory opt out that never actually existed. The way this obliterates Consumer consent is unlawful and it is done by several tactics of compromised Consumer rights.