

February 13, 2026

***To the Pennsylvania General Assembly, the Pennsylvania Public Utility Commission,
the Courts of the Commonwealth of Pennsylvania:***

As a former Member of the Pennsylvania House of Representatives, I write to set the record straight about House Bill 2200, which became Act 129 of 2008. This law has been fundamentally misinterpreted by the Pennsylvania Public Utility Commission and the courts, and I make this declaration to establish its true legislative intent.

I served in the House from 1993 to 2008, representing the 72nd District. During my tenure, I served on the Consumer Affairs Committee, where HB 2200 was debated.

Multiple printer's editions of HB 2200 came before the House containing language that would have mandated smart meters. Representatives Hutchinson, Godshall, Smith, Saylor, Benninghoff, Gabig, and others opposed these versions (Pennsylvania Legislative Journal - House of Representatives, 2008 Session, pages 386-403, remarks on HB 2200). Representative Hutchinson called the mandate a "fatal flaw" (House Journal, 2008 Session, p. 431). The final version of HB 2200 — the one we passed in October 2008 — contained no mandate. It stated that utilities "shall furnish" smart meters "upon customer request." This was deliberate. This was intentional. This was the entire point.

After final passage of HB 2200 (PN 4526) in the Senate, Senators Tomlinson, Boscola, and Fumo all stated on record that the bill as passed did not mandate smart meters (Pennsylvania Legislative Journal - Senate, 2008 Session, pages 2626-2629, remarks on HB 2200). HB 2200 was only passed into law because it did **not** carry a mandate for smart meters for all Pennsylvanians — not then, not in 15 years, not ever. The final bill explicitly and plainly states that the electric utility "shall furnish" smart meters upon customer request. That was the bill signed into law as Act 129 of 2008 by Governor Edward Rendell in October of 2008.

Despite this clear legislative record, Act 129 has been fundamentally misinterpreted. If you want to know the legislative intent, read what was debated by the house and senate; it's a matter of public record. Yet, the PUC and the Supreme Court of Pennsylvania have perverted the clear and unequivocal legislative intent, thereby subverting both the integrity and authority of the elected representatives of the people of Pennsylvania.

The consequences of this perversion of legislative intent are not theoretical. They are real, affecting every Pennsylvania family — including mine. In 2018, my wife, Sherry, and I brought a formal complaint (Docket C-2018-3001276) at the PUC to fight against smart meter installation at our home. At our hearing on July 22, 2020, I testified under oath about my direct involvement with Act 129 as a member of the Consumer Affairs Committee, stating: “I voted for Act 129 in 2008 because, as I stated, there were no mandates. There was no suggestion of a mandate.” When Pennsylvania Electric Company attorney Tori Giesler pressed me under oath, suggesting that perhaps some legislators “just misunderstood what (we) were voting for” — as if the elected representatives of Pennsylvania were too incompetent to comprehend their own legislation — I rejected that insulting notion categorically: “No. That’s nonsense.” We knew exactly what we were voting for. Despite this testimony, the PUC ruled against us, demonstrating the systemic misapplication of Act 129’s true intent.

The Pennsylvania Public Utility Commission and the courts have done precisely what the legislature sought to prevent: they have stripped consumers of choice and imposed unwanted costs and technology upon Pennsylvania families. This is not merely a misreading of the statute — it is a complete inversion of legislative intent.

CALL TO THE LEGISLATURE:

The Pennsylvania General Assembly must act decisively to restore the integrity of Act 129 and reassert its constitutional authority. I urge the immediate passage of corrective legislation that makes explicit what was always intended: smart meters shall be available upon customer request, and no Pennsylvania resident shall be compelled to accept one against their will.

TO THE COURTS AND THE PUC:

Administrative agencies and courts do not possess the authority to rewrite statutes to suit regulatory convenience or utility company preferences. When the legislative record speaks clearly — as it does here — deference to that record is not optional; it is constitutionally required. The people of Pennsylvania, through their elected representatives, spoke unequivocally in 2008. That voice deserves to be heard and honored, not twisted beyond recognition.

TO MY FELLOW PENNSYLVANIANS:

I stood on the House floor in 2008 and voted to protect your right to choose. That choice was stolen from you not by your elected representatives, but by unelected bureaucrats and judges who decided they knew better than the legislature. This is not how representative democracy works. This is not how the rule of law works.

The legislative intent of Act 129 of 2008 was clear then, and it remains clear now. It is time to set the record straight and restore the promise we made to the people of Pennsylvania. The integrity of our democratic process and the protection of consumer rights demand nothing less.

Thomas F. Yewcic
Thomas F. Yewcic

Dated: Feb 14, 2026

VERIFICATION

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF Cambria

Thomas F. Yewcic, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Declaration are true and correct to the best of his knowledge, information, and belief.

Thomas F. Yewcic
Thomas F. Yewcic

Sworn to and subscribed before me this 14 day of February, 2026.

Katie Thomas
Notary Public

Commonwealth of Pennsylvania - Notary Seal
Katie Thomas, Notary Public
Cambria County
My commission expires February 12, 2029
Commission number 1393527
Member, Pennsylvania Association of Notaries

My Commission Expires: 02/12/2029 [NOTARY SEAL]