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JUN 26 2013

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Secretary
PA PUC
P.O. Box 3265
Harrisburg, PA 17105-3265

C-2013-2354862

Dear Mrs. Chiavetta:

Enclosed is a Special Report I want added to my submission of Exceptions to the April 29, 2013 letter from the PUC.

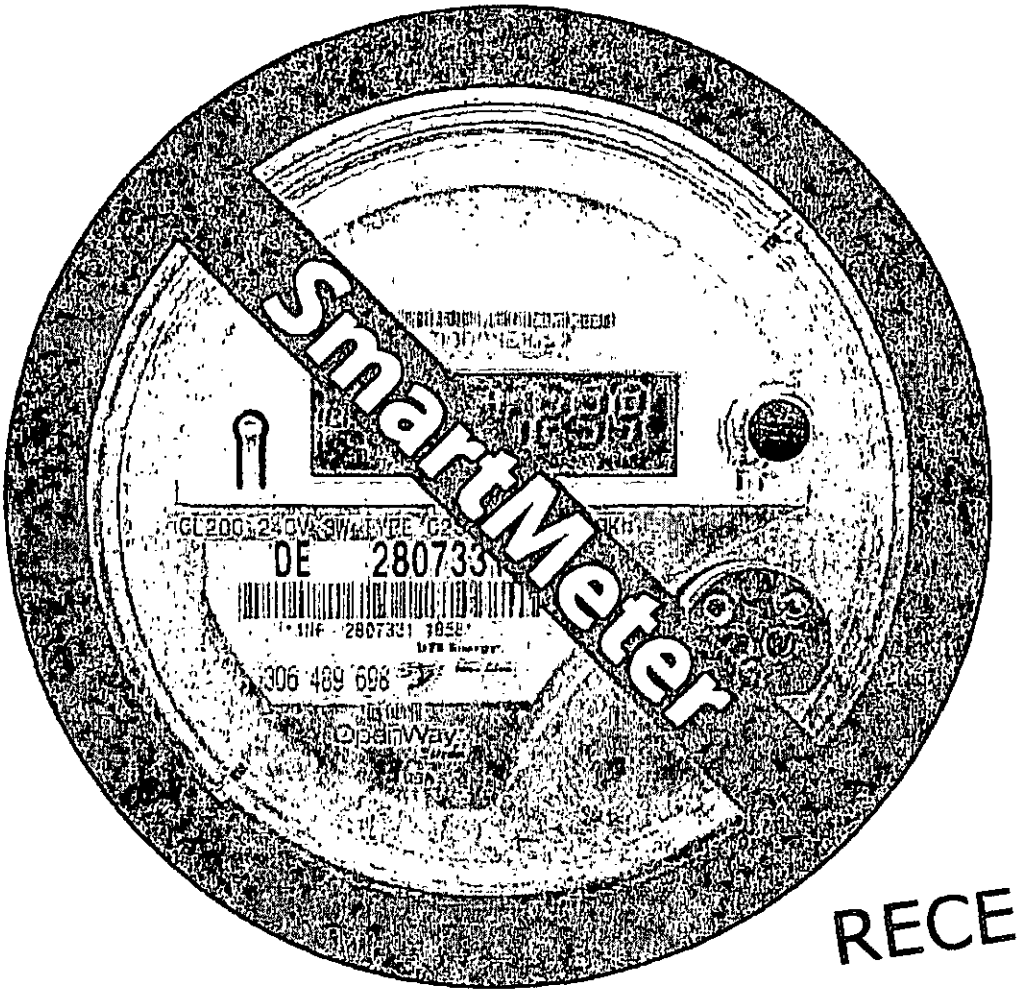
Sincerely,

Thomas A. McCarey
cc: Shawane L. Lee
Assistant General Council
Exelon BSC
2301 Market Street/S23-1
Philadelphia, Pennsylvania 19103

SPECIAL REPORT

Sustainable Development and the Control Of Energy:

The growing battle over Smart Meters



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www.takebackyourpower.net
and
www.stopsmartmeters.org.uk

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Sustainable Development and the Control Of Energy:

The growing battle over Smart Meters

By Tom DeWeese

The word "Sustainability" flashes images of fresh air, clean water, and revitalized resources. Yet, Americans are discovering the reality of Sustainable Development is lost property rights and value, especially through the control of energy and water consumption, two of the stated goals of Sustainable Development and its international blue print originated by the United Nations in 1992 and called Agenda 21. Such restrictions lead to top-down government control of development, commerce and population size and growth.

One of the most visible affects of Sustainable policy is the restriction on the use of energy. Such restrictions are necessary, say government planners, in order to cut down on carbon emissions to curb global warming. Cutting our "carbon footprint" has become a government obsession. The presumptive cause-and-effect of increasing manmade carbon dioxide and a discernible and dangerous increase in global temperature has not been scientifically established. Over the past 16 years global temperatures have plateaued, even as atmospheric carbon dioxide levels have risen. This lack of correlation has forced many scientists to reconsider their emphasis on carbon dioxide as a significant driver of climate , and to focus on solar influences.

The EPA and other federal agencies are imposing new regulations on the source of electric power, particularly on the use of coal and nuclear energy. As a result, the government is spending billions to subsidize what is called "alternative energy," especially the use of wind and solar power. The Obama Administration is determined to replace the nation's age-old reliable carbon fuels with the yet unproven alternatives. In fact, this is not just an Obama-driven obsession.

International policy, through the imposition of Sustainable Development, is at the root of all world-wide energy policy. It is the policy behind federal, state and local planning programs, affecting how homes are built, where they are built, and what materials can be used for building. In the name of cutting back on energy use, farm policy, including how crops are to be grown and how much energy may be used in the process. It also includes restrictions on the drilling of oil and shale gas, and much more. Each of these items results in higher prices for energy, driving up home heating costs and the price of gasoline.

According to Sustainablist doctrine, the idea behind forcing shortages and higher prices for energy will make us change our behavior, and so change how we live by forcing us to use less energy. In that way society will lower its standards and needs to match the lower output of wind and solar power. And that, they say, is how we will reach true sustainability; sacrificing modern society and giving up our standard of living.

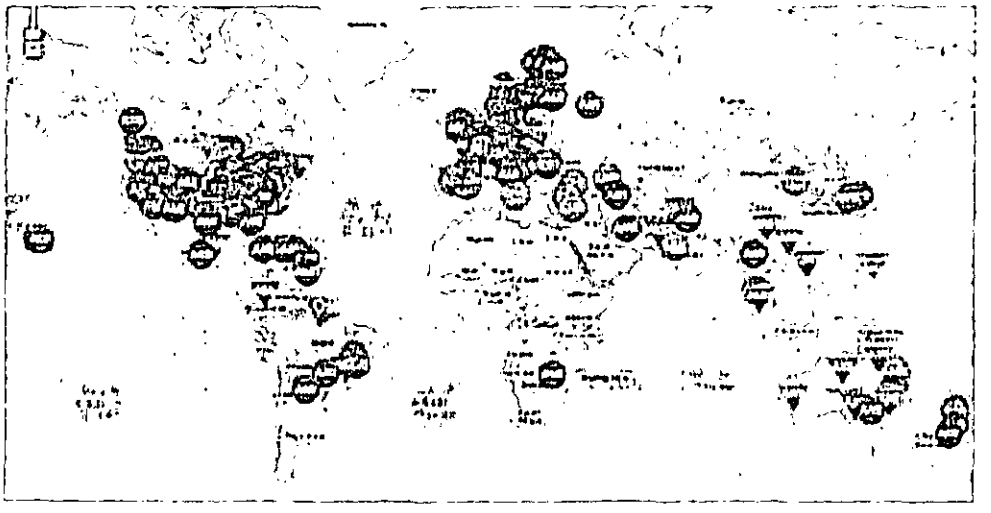
Sustainable Energy and the Power Grid

The EPA has launched an all out assault on the use of coal powered electrical plants, issuing repressive regulations designed to make it all but impossible to run or build any new coal powered plants. It is ironic that the United States has more coal than perhaps any other nation on earth with vast coal-based electricity potential. Yet the EPA and the Obama Administration are working to shut down the coal-based industry based on nothing more than their virulent anti-coal bias and global warming hysteria. As jobs are lost and energy costs soar from this policy, alternative energy (wind and solar), according to the EPA, is the only choice for new sources of power.

As a result of this official policy, the new alternative energy is now being brought onto the nation's power grid. However, there is a major problem with the alternative source. Wind and solar energy

are proving to be extremely unstable as a reliable source of energy. While the federal government spends billions in grants to fund for the alternative energy industry, wind and solar contribute only about 2-3% to our energy supply, and contribute only when the sun shines or the wind is blowing – since they cannot be stored. And ironically, any sizeable solar or wind installation still requires a conventional fossil fuel backup generator power plant, again proving that alternative fuel is a so highly inefficient that critics can comfortably label them as a waste of money and resources. Yet government has risked everything to replace traditional energy resources with this boon doggle. Meanwhile, as more such alternative supplies are forced onto the power grid, the possibility of "brown outs" and power failures is growing at an alarming rate.

World map of smart meter installations:



The Global Smart Grid Map: some parties would like you to believe that this globally synchronised initiative is about more accurate billing.

To prevent the outages, governments around the world, including the U.S. government, have taken action to control the amount of electricity being used. The U.S. government has partnered with the nation's power providers to devise a system to control energy use. The solution has been the creation and implementation of "Smart Meters," as called for in the 2005 Federal Energy Policy Act. That Act mandates that utility companies "offer" the meters and install

them "upon customer request."

What is a Smart Meter?

As described on the website www.takebackyourpower.net, a smart meter is an advanced meter that can identify consumption of a utility product and communicates this information to a utility for monitoring and billing. Transmitting smart meters are being installed nationwide on gas, water, and electrical services, driven in part by funding for the Smart Grid Program approved as part of the American Recovery and Reinvestment Act of 2009. Smart meters are promoted by the power companies and government as a way to enable consumers to go online to watch how their energy consumption changes as they turn off lights, turn down their heat or air conditioning and cut down on other comforts to achieve government dictated rationing levels. This is government's high-tech version of what our parents and grandparents taught us: "turn off the lights when you leave the room," with the bonus that the government demands financial punishments. The meters can operate with wireless microwave radiation, broadband over power lines, or wired communications. Most smart meters deployed in the United States are wireless.

These meters are attached to a home or office just like your current electric meter. A stand alone smart meter complies with current Federal Communications Commission (FCC) safety standards, but tests have shown that multiple smart meters operating under certain circumstances exceed FCC guidelines, according to a report by Sage Associates. Smart meters operate at 900 MHz frequency, at microwave radiation levels, which adds to your exposure of radiofrequency radiation in your home. Moreover, current FCC standards are based on tissue heating effects only; the test subject used was a healthy young adult. More recent research has revealed age-dependent cellular, genetic, and hormonal disruptions from RF exposure. Pacific Gas and Electric reported that smart meters in their system sent as many as 190,000 messages within 24 hours. San Diego Gas and Electric Company (SDGE) reported in response

to a request from an Administrative Judge that smart meters installed by SDGE transmit messages on average 1270 times per day and at a maximum 25,920 times each day.

According to the government's plan, the smart meters are to replace the analog meters that have been used by utility companies for decades. The power companies promote the smart meters as a way for both the utility and the customer to save money. The utility says smart meters allow them to read meters without having to send costly meter readers to each house, and customers will reduce electric bills as the meters helpfully monitor energy use in the home every hour of the day. In real¬ity, Smart Meters give the power companies under the jurisdiction of the government) the power to remotely police energy use at the source private homes and businesses just as called for in Sustainable Development policy.

The Problem

The smart meters send out an electromagnetic signal (radio waves) that allows it to communicate directly with the power company. That means that during peak power usage (evenings, or freezing cold days, or blistering hot days) power can be reduced to homes and offices, forcing a reduction of usage, and thereby protecting the power grid from brown outs.

The power companies across the nation have converged on neighborhoods to replace the analog meters by the thousands. In most cases, homeowners are not notified of the changes and are completely unaware that a new devise that affects their energy use has replaced their old analog system. Installers arrive on their street in well-organized crews, sweep onto their property, and in a stealth manner, replace the meters.

Homeowners begin to discover is that they are unable to warm their homes on cold days as the power reduces automatically. Some homeowners have reported that their home will not warm past 50 degrees. Worse, the supposed savings do not occur, instead electric bills are going up, because the inefficient alternative energy is much

more expensive than coal or nuclear power.
While working against the best interest of property owners and the wishes of power customers, the meters do fulfill the goals of the government's sustainable development policy to cut back on energy use, regardless of the fact that people are left cold in their homes, subjected to the ruthlessness of nature, and without the power they thought they had contracted with the power company to provide. In at least one documented case in Michigan, a customer froze to death because a computer executed a remote turnoff.

Security Concerns

In a letter to the Virginia State Corporate Commission, Hugh Montgomery, a member of the Virginia Commission on Energy and Environment, and a national security expert expressed his concerns over the growing danger to our national security through possible cyber attacks on the nation's power grid. Specifically, he cited the growing installation of the "smart grid" power system as a direct threat to U.S. security.

"Contrary to the understanding – and sincere belief – of supporters of the 'smart grid' that such a system is secure from individual hackers or organized terrorist activities, even the most cursory examination at classified levels shows that this is not true. Damage far more severe than hours or days without power can be inflicted from anywhere on the globe by a person with malicious intent, a laptop computer and internet access. Although I regret deeply that this is the case, the smarter the grid becomes, the more vulnerable it becomes – thus the more vulnerable we all become, individually and collectively. And in the case of Dominion Virginia Power, the more vulnerable the corporation becomes to a deliberate externally-induced attack."

Privacy Concerns

Again, as reported on www.takebackyourpower.net, during the sec-

ond phase of smart grid implementation, homes will have a home area network (HAN), which transmits electric usage information. New appliances will be equipped with "smart" chips designed to record and transmit when you began using the appliance, how long, and when you stopped using it. This information will be communicated via the Home Area Network using microwave radiation to the smart meter. The smart meter will communicate the data to your neighbor's smart meter and so on in a microwave radiation spider web until it reaches a collector meter. The collection meter transmits all of the neighborhood usage data so that it eventually reaches the utility.

According to a February 2012 Congressional Research Service Report, the Department of Energy reported that by matching data with known appliance load signatures, smart meters will be able to reveal people's daily schedules, their appliances and electronic equipment, and whether they use certain types of medical equipment. Utilities will have the data to discern the behavior of occupants in their home over a period of time. This mandatory device on our homes will track more private information than a GPS affixed to a criminal's car, even though the US Supreme Court Case recently determined that a warrant was needed in the GPS case. The Electronic Privacy Information Center cites a list of potential privacy consequences of Smart Grid Systems including, identity theft, activity censorship, profiling, tracking behavior of renters/leasers, and real-time surveillance. There is also evidence that power companies are selling personal customer information that has been gathered by smart meters to private companies for marketing purposes.

The Growing Danger of Smart Meter Health Problems

As stated, the Smart Meters communicates by sending out a electromagnetic signal. This contributes to what is called Electromagnetic Smog: It is a term used for all artificially produced electrical and magnetic fields as well as electromagnetic radiation. It is also known as EMF or Electro Magnetic Field. It is invisible, inaudible

and odor-free – but everywhere present. It is a result of the enormous and continued growth in electrification in everyday life. (http://www.biodisc2u.com/esmog.htm.) Smart Meters are a growing contributor to this danger.

How does electro-smog affect your health? Electro-smog is responsible for a condition known as electrosensitivity (ES) or electrohypersensitivity (EHS). Reports from several sources indicate the overall incidence of susceptible individuals as about 3% of the general population. These symptoms do not appear at once but are usually the result of years (10-20) of constant exposure to electro-smog. However for some, the symptoms can appear immediately. They include: headaches, disruptive sleep patterns, chronic fatigue, depression, hypersensitivity and erratic blood pressure, skin complaints, and unusual behavioral patterns in children. Children, the elderly and anyone with a lowered immune system are most at risk from the health effects. (http://www.biodisc2u.com/esmog.htm.)

This electromagnetic radiation is also particularly dangerous for the elderly and those with implants, heart problems, or other health conditions. Here is one report that describes the effect EMF has on the human body: "One remarkable observation is the fact that the lowest energy levels give rise to the most pronounced albumin leakage. If mobile communication, even at extremely low energy levels, causes the users' own albumin to leak out through the blood-brain barrier (BBB), also other unwanted and toxic molecules in the blood, may leak into the brain tissue and concentrate in and damage the neurons and glial cells of the brain."

Recent studies have shown that a 2-h exposure to GSM 915 MHz at non-thermal levels, gives rise to significant neuronal damage, seen 28 and 50 days after the exposure.

The non-thermal effects (histology, memory functions) of long-term exposure for 13 months are studied as well as the effects of short term GSM 1,800 MHz upon gene expression.

As reports grow of the danger posed to home owner health caused by Smart Meters, power companies has begun to issue reports denying such dangers. Yet, new studies are showing that the Smart Meters are even more powerful than thought.

Smart meters have caused health problems throughout the US. In May 2011, the World Health Organization determined that radio-frequency electromagnetic fields emitted from wireless devices are a class 2B possible human carcinogen, in the same class as lead, DDT, and chloroform. The American Academy of Environmental Medicine opposes the installation of wireless smart meters based on the current medical literature. People across the United States with AMI smart meters on their homes are reporting ringing in the ears, insomnia, strong headaches, nausea, heart palpitations, memory loss, anxiety and pain which began occurring after smart meters were installed. For someone who has electrosensitivity, smart meters contribute to the adverse health effects of this condition.

Since smart meters are a new technology, there is no scientific literature about the health risks of these devices. But in a memo about smart meters from Poki Stewart Namkung, M.D. Health Officer at the Santa Cruz Health Services Agency to the Santa Cruz County Board of Supervisors, Dr. Namkung stated, "evidence is accumulating on the results of exposure to RF at non-thermal levels including increased permeability of the blood-brain barrier in the head (Eberhardt 2008), harmful effects on sperm, double strand breaks in DNA which could lead to cancer genesis (Phillips, 2011), stress gene activation indicating an exposure to a toxin (Blank, 2011), and alterations in brain glucose metabolism (Volkow, 2011)."

Wireless smart meters are capable of interfering with implanted medical devices. According to Gary R. Olhoeft, SBEE and SMEE (MIT) and Ph.D. (Physics, University of Toronto), and current Professor of Geophysics at Colorado School of Mines, smart meters can interfere with sensitive medical implants such as deep brain stimulators for Parkinson's disease and pacemakers. He has experienced this type of interference and set up his home to minimize RF

exposure. During a Black Hat security conference in August 2011, a security researcher who has diabetes demonstrated on stage how a third party can transmit wireless commands to remotely disable his insulin pump. The pump accepted and followed commands from any wireless source.

Exceeding FCC Guidelines

In a report issued by Sage and Associates on January 1, 2011, under certain computer modeling testing situations, multiple smart meters' RF emissions may exceed Federal Communications Commission guidelines. The possible FCC violations were determined based on both time-averaged and peak power limits. According to the report, "FCC compliance violations are likely to occur under normal conditions of installation and operation of smart meters and collector meters in California. Violations of FCC safety limits for uncontrolled public access are identified at distances within 6" of the meter. Exposure to the face is possible at this distance, in violation of the time-weighted average safety limits."

It has also been discovered that smart meters lack UL and CSA approval and safety testing. "UL has developed a standardized set of safety requirements for utility meters, including smart meters. Even though there are standards, and UL says utilities need to ensure testing, no utility to date (that we know of) has been able to provide evidence of any UL or CSA certification, or accredited safety testing." (Josh del Sol)

UL, according to their website, is a global independent safety science company offering expertise across five areas: product safety, environment, life and health, verification services, and knowledge services.

CSA is a global provider of product testing and certification services for US, Canada and countries worldwide for many products and components.

The FCC has recently announced that it is reconsidering the topic of safe electromagnetic radiation exposure for humans. It has been about a decade since they last took up the topic.

There is no FCC declared safe level of RF exposure which distinguishes between infants, children adults or seniors.

Collector Meters

In most wireless smart meter grids, the data is pushed along from meter to meter, gathered by a Collector Meter and then passed to the utility's processing station. Depending on the size of the area and the utility company, one in every 100 to 600 residences is chosen to be outfitted with a Collector Meter So, this very special meter that will not only receive data from all those meters, it also is bombarded by whatever hazards of the other meters, including EMF radiation. These collecting Collector Meters meters are similar to the will take the place of cellular telephone collecting towers that feed relay stations that are now considered so hazardous many states do not allow them on schoolgrounds.

How is the home chosen to receive the special meter? They choose a good, faithful, reliable customer, who always pays his bills on time. What a nice reward for being a good customer! These emit even greater EMF emissions than the standard Smart Meters. http://www.refusesmartmeter.com/Dr-Johansson-s-letter-re-Smart-Grid-Smart-Meter-dangers.pdf

Growing numbers of Victims

Growing numbers of Americans are reporting strange reactions and illness related to the installation of Smart Meters on their homes. Headaches, loss of control over bodily functions, and epileptic fits are some of the most common reactions being reported.

APC's Vice President a victim of Smart Meters

Kathleen Marquardt, Vice President of the American Policy Center, has personally suffered such a reaction. Though she had a sign on her analog meter telling installers to not replace it with a Smart Meter, it was done anyway. Kathleen sleeps on an electric mattress. Shortly after the Smart Meter was installed, as she lay in bed, her heart started beating irregularly. In addition, her legs started jerking and felt as if she was experiencing little electrical shocks. Then, one evening, as she was working under track lighting in her living room, the experienced the same symptoms with her heart and the electrical pulses in her legs. At that point, she started a vigorous campaign to get the Smart Meter removed. Eventually she succeeded and the symptoms immediately stopped.

Family with young children Forced to live in the cold without power for refusing a Smart Meter

LOS ANGELES- Los Angeles Department of Water and Power (LADWP) has terminated electricity to the family of a middle school teacher, her husband, and their six children for refusing to have a smart meter on their home, which they say caused their family serious health problems.

In July 2012, LADWP installed a Smart Meter on Derek and Anura Lawson's home without notice or consent. Their house was part of a smart meter pilot program. Other houses in the neighborhood still have their analog meters.

That same month their four youngest children started to have serious health problems. The mother, Anura Lawson writes they had fevers "out of nowhere", "as high as 105", and they "began to have problems controlling their bodily fluids, our five year old began peeing and pooping herself, our four year began to display the same problems..." The mother also struggled with migraines, insomnia, concentration problems and other health symptoms.

The family requested LADWP restore the analog meter. LADWP then gave them what they said was an analog meter, but the health

symptoms persisted. The family objected. According to Anura, LADWP ridiculed them. She says, "When I called customer service, "Jennifer" laughed at me, telling me they would not remove the meter."

When an agent of LADWP met with the family he said, "This isn't one of those 'SmartMeters' that have been making all those people sick. These are RF meters. Totally different." He talked about how safe radio was and that it had been used for years. Meanwhile the children's health problems persisted.

Clearly something had to be done.

In January 2013, after repeated, unfulfilled requests to LADWP for help, the family restored a true analog meter obtained from Jerry Day. The mother wrote that after the analog meter was restored the children's symptoms "diminished greatly, they no longer get high fevers, or suffer from loss of their bodily function."

Two weeks later, LADWP disconnected their electricity. Anura saw the workers scale a neighbor's wall, climb the power pole in their backyard and literally cut the wire to their home. Since February 11th the Lawsons have been living without electricity, without heat, without use of their appliances and without lights.

Joshua Hart, director of Stop Smart Meters! says, "Pilot programs are supposed to be a test to see how a new system operates. When problems crop up, you don't punish customers for reporting them-you fix the problem."

The family has been using candles and battery powered lanterns to see at night. They are cooking on a camping stove outdoors, and keeping their food cold in ice chests. The family says the incident has been extremely stressful.

This incident echoes other bullying incidents around the country, where people have been cut off after having had their smart meters

removed due to health issues.
Sandi Maurer, director of the EMF Safety Network states, "Federal law states customers should be offered smart meters, not be forced to have them on their homes. LADWP is exceeding its authority by mandating these devices."

Jerry Day, a video producer on the forefront of empowering customers to stand up for their constitutional rights states, "This is inexcusable. This is not responsible power company management. This is senseless abuse of utility customers."

We agree. The Lawsons need their power switched on and an analog utility meter restored on their home. NOW.

In extreme contrast to this situation, Liz Barris of the People's Initiative Foundation today reports LADWP has removed a smart meter from a property in Hollywood Hills Ca. She says it took two weeks of wrangling with them until a senior manager Vincent Zabukovec 213-367-2725 agreed to the switch. Here's her video of the meter swap."

Article written by Sandi Maurer, EMF Safety Network and Joshua Hart, Stop Smart Meters!

The full text including videos can be found online:
http://stopsmartmeters.org.uk/family-with-young-children-forced-to-live-in-the-cold-without-power-for-refusing-a-smart-meter/

New Threat – Smart "Water" Meters

In most cases concerning Smart Meters, private power companies are the main enforcers for the installation. In many cases, they have shown themselves to still be concerned about customer satisfaction and have responded to sever cases of health related problems by removing the Smart Meter. However, a new battleground is opening up as Smart Meters are now being installed to replace analog water meters.

What makes this situation unique is, while electric power is usually handled by private companies, in most cities, water is under control of the local government. As such, government bureaucratic response to complaints over their installation is much less sympathetic to "customer" concerns.

In Loudoun County, Virginia, the county government water authority has "mandated" that 60,000 smart meters will be installed. To respond to property owners' concerns over the meters, the water authority has issued a document from the World Health Organization (the key document is not even in English). Concerning the health concerns, the water authority's reply is simply, "not a problem" based on current "known" science. There is no mention of property rights of civil rights violations. Apparently, these aren't to be considered as problems for government.

Americans are growing angry and fighting back

As the government and power companies expand their enforcement of the installation of smart meters, Americans are growing angry over the stealth tactics of the installers that have resulted in a violation of their private property, affecting their health, and a loss of heat or cooling their homes. That anger and frustration is resulting in a backlash as homeowners have begun to resist the installation of the smart meters on their property. And the back yards of America are becoming a battle ground.

Smart Meter Energy Company Fined $390,000 for Spying.

The battle to stop smart meters has grown intense as Americans are refusing to allow them to be installed. Those promoting the meters are not used to having their authority questions. As a result, they are undertaking both strong arm tactics and stealth to stop opposition.
The Pacific Gas and Electric Company (PG&E) in California, was recently fined $390,000 for spying on any-Smart Meter groups.

Here are the details: On Thursday 4th April 2013, the California Public Utilities Commission (CPUC) approved a settlement in its investigation into Pacific Gas and Electric Company (PG&E) for spying on anti-Smart Meter groups. PG&E will be required to pay $390,000 to the state's General Fund.

This infiltration by PG&E was part of an on-going surveillance program conducted by PG&E and Edelman, a public relations firm PG&E hired in January of 2010 in response to escalating Smart Meter complaints and problems.

As part of this program, the director of the PG&E Smart Meter program, William "Ralph" Devereaux, other PG&E employees and third parties spied on groups with the knowledge of senior PG&E staff. PG&E employees and senior management exchanged emails insulting and demeaning the members of the anti-SmartMeter groups. For example, these PG&E customers were referred to "insurgents."

PG&E coordinated moving an entire Smart Meter deployment yard to derail a non-violent protest and sent an employee to surreptitiously observe and report on the reactions of the protestors, who also transmitted pictures of them to PG&E. This "spy" expressed his pleasure in observing and taking photos of anti-SmartMeter activists.

Devereux resigned from PG&E in November 2010, after he was caught trying to infiltrate an EMF Safety Network discussion list using the false alias, "Ralph". He wrote to Sandi Maurer, moderator of the list, "I live in Oakland where Smart meters have been sweeping across town and wanted to learn more about them and join the conversation to see what I can do to help out here. Thanks, Ralph" Maurer's email program revealed his true identity as William Devereaux. he responded, "Aren't you the head of the Smart Meter program at PG&E? We'd love your help!..."

CPUC Commissioner Mike Florio said, "We will not tolerate con-

sumer abuses in any shape or form. We expect our utilities to treat their customers with respect and compassion and engage with their customers in a transparent, ethical, and productive manner."

View the article online:

http://stopsmartmeters.org.uk/smart-meter-energy-company-fined-390000-for-spying/

Property Owners arrested in Naperville, IL

As the local power company in Naperville, Illinois, began installing smart meters in neighborhoods, several property owners refused to allow them. The power company didn't respond with discussions or negotiations over concerns of health or privacy. Instead, the Naperville city government sent police escorts with the installers to stop any kind of property owner dissention.

Finally, in January, 2013, installers, armed with the police escorts, targets those homes that had refused the smart meters. Said City Manager Doug Krieger, "The previous installation attempts were with some resistance and we wanted to ensure our employees' safety."

That's when the installers arrived at the homes of two leaders of the Naperville Smart Meter Awareness group. The group has a federal lawsuit pending against the city concerning the forced installation of the smart meters.

One of the ladies, Jennifer Stahl, had placed a sign on her analog meter demanding that a smart meter not be installed. She then placed a lock on her gate to protect her property and refuse admittance to her yard.

The installer cut the lock and gained access to her yard. She then stood in front of the meter and refused to let them install the smart meter. Police them moved in and arrested Stahl for interfering with

a police officer and preventing access to customer premises.
In a similar incident, Maila "Kim" Bendis was charged with two misdemeanors – attempting to eavesdrop and resisting a peace officer. She had been standing on her own property listening to the installers and police plan strategy on how to gain access and force the installation of the smart meter she had refused.

City Manager Krieger defended the city's action, saying, "The city has always had and maintains the right to access our equipment and today were simply exercising that right." Apparently, the wishes of the homeowner is not to be considered.

How to fight back

Fighting utility companies and government agencies is not easy. The inside story of winning Opt-Outs in California reads more like an inspiring novel featuring the art of Justice and grassroots political victory. There are numerous misconceptions about Opt-Outs, including that they were automatically and conspiratorially dished out, without consumer involvement, by the utility companies. Not true. In California, smart meter installation was authorized by the state legislature and, absent any court challenge, was deemed mandatory by customers' "implied" consent. Since 2009, the sunshine state has been America's hotbed of wireless smart meter protests, with Northern Californians at the forefront – vigorously demanding a ban on the meters for health reasons.

In late 2010, word of sneaky installations without notification of the customer reached Santa Barbara, which led to the establishment of Consumers Power Alliance (CPA), a statewide coalition of civil, constitutional and consumer rights' advocates. Motivated by the primary goal to end mandatory installation, CPA fought for Opt-Outs, which they promoted under the new banner they developed: Freedom of Choice. Masterful legal maneuvers by CPA Attorney James Tobin at the Public Utilities Commission (CPUC), including numerous challenges, briefs and proceedings, changed the prohibi-

tively high cost Opt-Outs that had been offered by PG&E, which were, in fact and in deed, a mockery, to the first step out of Mandatory when the ability to Opt-Out was granted by the CPUC in 2012; thus, achieving individual Freedom of Choice.

While other groups focused on health related arguments, Attorney Tobin and CPA, led by founder Mrs. Heather Bryden, approached the smart meter conflict on grounds of violations of privacy, liberty, security, equity and property rights guaranteed under the US and CA Constitutions. This organization's victory provides hope for others.

1. Legality and opting out

You have rights. There are laws that control government's actions. While non-elected boards, regional governments, stakeholder councils and state and federal bureaucrats want to ignore these controls and force their policies on you, every American needs to know their rights and push back to assure they are followed. Constitutional prohibitions control government's actions, be it non-elected boards, regional governments, stakeholder councils and state and federal bureaucrats who want to ignore these controls and force their policies on you

Individual and States' Rights vs. Federal Laws: The U.S. Constitution is very specific. "The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively ad to the people."

The Fourth Amendment states: "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated..." A Smart Meter constantly monitoring your home 24 hours a day, keeping data on what you are doing, what part of the house you are in, where the electricity is being used, what appliances you are using and when, that is an invasion of privacy. You are no longer secure in your own home.
The 14th Amendment states: "No state shall make or enforce any law

which shall abridge the privileges or immunities of citizens of the USA, nor shall any state deprive any person of life, liberty, or property without the due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Forcing citizens to receiver Smart Meters against their will, and forcing them to pay fees for the "privilege" of opting out of the Smart Meter program is "abridging privileges" and not granting "equal protection" under the law. Remember, it is your property. You are the customer of the power company. There must be provided some remedy to your objections. At the very least, there needs to be a hearing process where your concerns are aired. At best, demand an automatic, hassle-free opt-out provision in which the homeowner can just say no.

To help spread the word and help your neighbors learn the facts and oppose installation of smart meters, get the information provided at www.takebackyourpower.net and www.stopsmartmeters.org.uk

While some governments are enforcing installations of Smart Meters through the use of intimidation and police force, more communities and power companies are beginning to provide opt out policies. The more property owners protest, the more likely that an opt out program will be provided.

So far, the states of Maine and Maryland offer opt-out possibilities. In fact, Maryland has halted the installation program. Maine does provide for an Opt-out fee, but state legislators are working to have the fee eliminated. Both major utilities in Northern and Southern California have made available opt-out provisions for electricity customers who wish to have the Smart Meters removed. A bill was introduced into the 2013 Virginia legislative session, but was ignored and no action taken on its passage.

Unfortunately, the legislators in Virginia have succumbed to the lobbying efforts of environmentalists and power company representatives, and passed legislation which allowed Dominion Power to install smart meters in three geographic "test" areas without requiring the consent of the customer. No opt-out provision is available; health and safety concerns were not given credence.

Dominion Power in Virginia now offers a Smart Meter Opt out program

Call 1-866-566-6436 between the hours of 7:00 AM and 7:00PM. They will mail to you paperwork to complete and return. Once filed, a representative of Dominion Power will come to your home or business to exchange the meter (if already installed) within three weeks.

The same kind of "Green" lobbying pressure has succeeded in several other states. Do not let this happen in your locality. Property owners and activists in these states need to step up their efforts to stop the forced installation of Smart Meters.

2. Refuse SMART METERS (on your home or business).

If you still have an analog meter:
• Do not allow installers on your property. Call police if they trespass. Form a neighborhood watch.
• Send a certified letter to your utility refusing consent to install (see page #29 for example copy of certified letter)
• Secure analog meters behind lock and key
• You can agree to the 'opt out' fee program, or like many of us, you can refuse. As of December 2012, no one in CA has been disconnected for refusing to pay 'opt out' fees. (Utilities are required to first send you a 15 day disconnect notice)

If you have a "smart" meter:

Keep your distance (pets and plants too!) Find out about shielding methods.
• Revoke consent via certified letter to the utility and set a deadline for removal of existing smart meter.

Insist that the replacement meter(s) are purely electromechanical analogs. Ask them to confirm it in writing.

3. POST a "Smart" Meter Free Zone sign on both your electric and your gas meter and water meter, and throughout your neighborhood on utility poles and in front yards etc. View back (page 35) for copy of **Smart" Meter Free Zone sign**

4. WARN your neighbors that smart meters are coming and pass out leaflets and "Smart Meter Free Zone" signs. You can download leaflets in pdf format that include CA info here: StopSmartMetersFlyerColor or the

Black and White Version. Spanish flyer (en espanol) here. Here is a page to help you create your own flyer.

If the utility company or their agents come around to install, ask them to leave and if they don't comply call the police and report a trespasser. You have the right to get anyone (apart from a cop with a warrant) off your property (regardless of whether you rent or own). You have a right to a radiation-free home!

5. CONTACT your elected officials and demand a moratorium! It's easy and quick to contact them all at once.

6. SIT IN. Start a blockade protest at your local meter installation yard or utility commission. In Santa Cruz County, protests were successful at stopping county-wide installation for about a year. What's worse–an hour in a jail cell or a lifetime of forced radiation in your home and community? Direct action gets the goods.

7. DEMAND that your city/ county pass an ordinance banning 'smart' meters.

More than 57 local governments throughout California have demanded a halt to smart meter installation, and more are considering taking action.

Overview:

Stated intentions vs. reality

It is extremely ironic that the stated intentions of the global "smart grid" plans are for greater 1) "energy efficiency"; 2) "reliability of service"; and 3) "to help the environment".

In actuality, 1) regions where smart meters have been installed have not experienced less energy consumption (only increased cost to customer); 2) the entire power grid becomes immediately vulnerable to being taken down by hacking; and 3) the effects of increased radiation have now been demonstrated to have a negative impact on all plants, insects, animals and biological life in general.
Perhaps even more unsettling

What many are finding is even more unsettling than this – than the smart

meter program already failing on all of its goals – is the way in which this program has been implemented:

In corporatocratic secrecy instead of open representative government – even in many cases laws being arbitrarily changed to facilitate rollout;

• with no heed to personal privacy rights;
• with no heed to published science;
• with no heed to credible experts from a variety of industries;
• with no stated option for opting out – though this is changing;
•with devices which are unapproved by UL, CSA (or equivalent), and routinely cause fires and damage – which is not covered by homeowners insurance (because smart meters are unapproved devices).

Smart grid issue: Cost increases
From multi-billion dollar taxpayer funding, to huge spikes in billing following smart meter installations, to time-of-use billing, to the growing reports of smart meter inaccuracies. » Cost increases: http://takebackyourpower.net/research/cost-increases/

Smart grid issue: Privacy
Unless stopped by public voice, a centralized smart grid will mean loss of privacy in your own home. Corporations are forming with the specific intention to capitalize on private data. » Privacy: Rehttp://takebackyourpower.net/research/privacy/

Smart grid issue: Violation of rights
Everywhere that smart grids are being forced on the people, freedom of choice is being trampled. And in many regions, laws have been changed in attempt to remove the public's voice. . Violation of Rights : http://takebackyourpower.net/research/democratic-rights/

Health
There's a growing stack of published scientific evidence indicating a significant risk of adverse biological effects of this type of radiation... but governments are telling us it's safe. What's the real story told by independent research?
» Health: http://takebackyourpower.net/research/health/

Smart grid issue: Grid vulnerability & security
Even in the media, it's becoming common knowledge that the entire power grid will be at risk to be taken down by hacking. Are corporately-directed governments responsible for creating this unprecedented prob-

lem? Grid vulnerability:
http://takebackyourpower.net/research/grid-vulnerability-security/

Smart grid issue: Fires and damage
More than 900 reports of smart meter-caused fires have been reported. Smart meters are not UL- or CSA-approved (or equivalent), and thus, these fires are not covered by home insurance. Fires & damage

In conclusion:

While local governments and power companies will tell you that the installation of Smart Meters is simply a means to modernize the nation's power grid system and save consumers money, the fact is the Smart Meter program is a tool for enforcement of the world-wide drive for Sustainable Development.

Sustainable Development is a top-down collectivist approach to government through which the means of production, energy and water use and property management is controlled by the state. It is anti- free enterprise, anti private property, and anti individual freedom. The result is higher costs, less goods and services and less individual choice.

Smart Meters are designed to provide government with detailed information of your energy use, your movements in your home, the way you use your personal private time, and even the how many people are in your home at any given time. It is an unconstitutional invasion of your home by government, as set down in the Fourth Amendment to the U.S. Constitution.

Every American has a duty to preserve freedom by protesting and stopping the stopping the forced installation of these devises.

Acknowledgements:

Information in this Special Report was written, compiled and edited for the American Policy Center by Tom DeWeese, with special assistance by Kathleen Marquardt and Dr, Charles Battig. Special thanks for the use of materials from www.takebackyourpower.net and www.stopsmartmeters.org.uk.

TO: Agent for Service @ PG&E
President Chris Johns,
Vice-President Greg Kiraly
77 Beale Street, Suite 100
San Francisco CA 94105

Sample Certified Letter

Date
Re: your address

NOTICE OF NO CONSENT TO TRESPASS AND SURVEILLANCE, NOTICE OF LIABILITY

Sent By Certified Mail

Dear President Johns, Vice-President Kiraly , agents, officers, employees, contractors and interested parties:

Be advised, you and all other parties are hereby denied consent for installation and use of any and all "Smart Meters" or any other surveillance and activity monitoring device, or devices, at the above property. Installation and use of any surveillance and activity monitoring device that sends and receives communications technology is hereby refused and prohibited. Informed consent is legally required for installation of any surveillance device and any device that will collect and transmit private and personal data to undisclosed and unauthorized parties for undisclosed and unauthorized purposes. Authorization for sharing of personal and private information may only be given by the originator and subject of that information. That authorization is hereby denied and refused with regard to the above property and all its occupants. "Smart Meters" violate the law and cause endangerment to residents by the following factors:

1. They individually identify electrical devices inside the home and record when they are operated causing invasion of privacy.
2. They monitor household activity and occupancy in violation of rights and domestic security.
3. They transmit wireless signals which may be intercepted by unauthorized and unknown parties. Those signals can be used to monitor behavior and occupancy and they can be used by criminals to aid criminal activity against the occupants.
4. Data about occupant's daily habits and activities are collected, recorded and stored in permanent databases which are accessed by parties not authorized or invited to know and share that private data by those whose activities were recorded.
5. Those with access to the smart meter databases can review a permanent history of household activities complete with calendar and time-of-day metrics to gain a highly invasive and detailed view of the lives of the occupants.
6. Those databases may be shared with, or fall into the hands of criminals,

blackmailers, corrupt law enforcement, private hackers of wireless transmissions, power company employees, and other unidentified parties who may act against the interests of the occupants under metered surveillance.
7. "Smart Meters" are, by definition, surveillance devices which violate Federal and State wiretapping laws by recording and storing databases of private and personal activities and behaviors without the consent or knowledge of those people who are monitored.
8. It is possible for example, with analysis of certain "Smart Meter" data, for unauthorized and distant parties to determine medical conditions, sexual activities, and physical locations of persons within the home, vacancy patterns and personal information and habits of the occupants.
9. Your company has not adequately disclosed the particular recording and transmission capabilities of the smart meter, or the extent of the data that will be recorded, stored and shared, or the purposes to which the data will and will not be put.
10. Electromagnetic and Radio Frequency energy contamination from smart meters exceeds allowable safe and healthful limits for domestic environments as determined by the EPA and other scientific programs.
11. Smart meters can be hacked and will be hacked. The small CPU in these meters cannot protect itself as good as a home PC can, and home PCs are well known for being compromised. By deploying these in the millions with the same exact software and hardware they become a huge target and will endanger the community if an attacker can switch the power on and off from remote in mass. This makes these Smart Meters dangerous and a liability to the ratepayers who would have to ultimately pay for any damage.
12. Smart meters are not protected from EMP attacks, large EMPs or localized EMPs as simple as a kid with a battery and a coil (Electro Magnetic Pulse).
13. Disabling the receiver will not prevent other forms of "hacks". For example a malicious attacker could confuse the internal CPU, reset it, change random memory locations, change the KWH reading, force a power disconnect, or completely disable a smart meter with a simple coil of wire and a small battery. This can't happen with a mechanical meter. It is well known that a wide EMP can take out car computers; smart meters will now make that possible on the city wide electric infrastructure.
14. A thief or burglar could the same EMP or hacking methods to turn off the house power even if the electrical switch box is locked.
15. Encryption of data is irrelevant due to well known "Tempest" attacks; see en.wikipedia.org/wiki/TEMPEST where an attacker monitors internal electrical switching signals of a CPU or other internal components from a distance. Governments have developed standards covering this. Compromising emanations are defined as unintentional intelligence-bearing signals which, if intercepted and analyzed, may disclose the information transmitted, received, handled, or otherwise processed by any information-processing equipment, like in Smart Meters. This would violate customers' privacy and any privacy policy the power company has at this time.

16. Turning off the RF transmitter is irrelevant due to the well-known "Tempest" attacks, the RF wireless transmitter is not needed in these attacks and disabling the RF transmitter completely negates any advantages of these Smart Meters or their costs anyway.
17. Data about an occupant's daily habits and activities are collected, recorded and stored in permanent databases which can be accessed by parties not authorized or invited to know and share that private data by those whose activities were recorded. This can be done by cyber-attacks or disgruntled employees and has been done before where the attacked company may not know of the intrusion for months.
18. The power company has not adequately disclosed the encryption or security methods to the public. The source code to any data encryption must be open source and peer reviewed by the security community at large in order to be as secure as is currently possible. Security by obscurity is no security at all.
19. Previously it was "fair" that the power company had to go to a lot of trouble to adjust the mechanical meter to read more than it should since they had to come out to do it manually. People can't modify the mechanical meter because it's locked up; the power company probably won't do it because it's just too costly, and so that was "fair enough". Now with the smart meters they can change it anytime they wish by remote and with little risk that the customer will know. Why should customers trust a company that only has profits and stock price in mind? With possible modification of computer code or measurement values / ratios from remote, who will overlook them? Who will ever know? This is an unfair practice and a liability to the ratepayers.
20. The power company has misled the public and the Public Utility Commission by leaving out publicly available facts and information regarding smart meters. There are many downsides to this new technology that the power company has not presented to the general public or the Public Utility Commission. Information is slanted and doesn't address the negative issues fully.
21. Smart meter installation is not mandatory. The Public Utilities Commission only gave permission to install the meters. There is no forced mandate. The PUC has no such delegated authority from the People to make a forced mandate. If they did make a forced mandate, it's clearly null and void on its face. The Energy Policy Act of 2005 really only covers Federal areas within the limited jurisdiction of the CONSTITUTIONALLY LIMITED United States Government, even if it did apply, it also only mandates that a power company "offer" smart meters to the public, upon customer request. Any suggestion by the power company to customers that smart meters are mandatory is a false statement, fraudulent, and false commercial speech which is punishable by law and also opens the power company to liability via lawsuit.
22. The power company has no delegated authority from the People to install a security risking, privacy invading, health threatening, hackable, unfair billing, or wide power grid security threatening device on anyone's property.
23. Smart meters by default are not programmed to "run backwards", like the current mechanical meters do now. Making it harder for people to go "green"

with solar panels or wind turbines using a low cost Grid Tie Inverter. The PUC has shown the intent over and over of encouraging the public to go "green", the power company's website and public disclosures show intent in this direction. The PUC allows the power company to charge an extra fee for "green projects". Smart meters go against the PUC's intent and the public interest by making it more difficult for people to install small solar or "green power" installations and gain KWH "credits" in power that they can use at a later time.
24. It is well known to electronic and computer engineers that a high voltage spike, such as a nearby lightning strike, or EMP can change memory bits in normal memory or EEPROM memory (Electronically Programmable Memory that is non-volatile) by adding extra electrons to the small memory cells. This can change internal smart meter settings like the KWH calibration data or other settings that may change the rate of power charged without the customer or power company ever knowing about it. This can't happen with a mechanical meter.
25. Installation of a smart meter will lower this property's value due to all the stated issues and controversy. This could subject ALL the ratepayers to higher rates due to lawsuit claims for value lost. The power company has no delegated authority from the People to use its easement or install equipment in a way that will lower property values or make a property less desirable to a buyer.
I demand an immediate stop to the installation of all Smart Meters until all issues are resolved, the Smart Meters to be removed at customers request with no extra charge, an opt-in only for customers who are properly and fully informed and that must have this technology for their own specific need. This is in the public's best interest.

I demand an immediate investigation into these issues by the Public Utilities Commission.

I demand that the Public Utilities Commission immediately order the power company to fully inform all customers of ALL the known facts, including complaints and downsides of this technology within 30 days.

I reserve the right to amend this notice and complaint at any time, this is not a complete list of concerns since this technology is new and new information is being found every day. Concerns listed here are not in any particular order.

I forbid, refuse and deny consent of any installation and use of any monitoring, eavesdropping, and surveillance devices on my property, my place of residence and my place of occupancy. That applies to and includes "Smart Meters" and surveillance and activity monitoring devices of any and all kinds. Any attempt to install any such device directed at me, other occupants, my property or residence will constitute trespass, stalking, wiretapping and unlawful surveillance and endangerment of health and safety, all prohibited and punishable by law through criminal and civil complaints. All persons, government agencies and private organizations responsible for installing or operating monitoring devices directed

at or recording my activities, which I have not specifically authorized in writing, will be fully liable for any violations, intrusions, harm or negative consequences caused or made possible by those devices whether those negative consequences are justified by "law" or not..

This is legal notice. After this delivery the liabilities listed above may not be *denied or avoided by parties named and implied in this notice. Civil Servant im*munities and protections do not apply to the installation of smart meters due to the criminal violations they represent.

Notice to principal is notice to agent and notice to agent is notice to principal. All rights reserved.

Your signature
Your name
Your address

(copies of these letters could also be sent to your local county and city representatives to educate them and update them on all the issues and concerns and ask them to ban the installations in their local community, like has been done in 47 places so far in CA, and also get local investigative media reporters up to speed)

Be alert for "Mandatory Safety Inspections

Some utility companies are now attempting to enforce "mandatory" safety inspections of private homes, using the excuse of vague federal laws.

In some cases, such inspections have included a team of "inspectors" who actually go through the house, replacing incandescent bulbs with the "green" alternatives – without obtaining permission from the homeowner. They have also made changes in thermostat settings and, of course, installed smart meters.

Inspectors sometimes file detailed reports of the "inspections" in a permanent file, detailing such information as how many people live in the house, the type of appliances in use, the kind of windows in the home, and other details that might affect energy use.

Here is a sample letter one power company sent to homeowners demanding such inspections and one homeowner's reply.

Columbia Gas of Ohio
A NiSource Company

Please Contact Us to Arrange a Mandatory Safety Inspection

Columbia Gas must perform a safety inspection at the address above.

We are required by federal law to inspect your service line and meter setting. Please call us at 1-800-344-4077, Monday through Friday 7:00 A.M. - 7:00 P.M.

If you have already arranged an inspection, there is no reason to call; please disregard this letter. Please understand, communications will continue until the inspection has been completed.

This important safety inspection is part of our commitment to provide safe and reliable service to our customers.

We will make every effort to do the work at a date and time that is convenient for you.

If this inspection is not performed, we cannot continue your service. Please call us today to set up an inspection.

Call to arrange your inspection

1-800-344-4077

Thank you for your attention to this matter

Columbia Gas of Ohio, Inc.

PSIO - 300182382 (S) Reference IML1

April 22, 2013
COLUMBIA GAS OF OHIO, INC
Director, Safety Inspection Division
200 Civic Center Drive
Columbus, Ohio 43215

Dear Sir:

Please note: all of the following quotations are from your letter to me of 4/4/13.

Recently I received a letter from COLUMBIA GAS OF OHIO, INC (copy enclosed) threatening the discontinuation of our business agreement, if we didn't permit one of your employees to enter our home for a federal law "Mandatory Safety Inspection". My wife called your representatives at the number given on the notice: 800-344-4977. She asked for the name and details of the "federal law" that supposedly warranted this "Mandatory Safety Inspection". The answers she received were quite vague and completely unsatisfactory.

This "Mandatory Safety Inspection" is not posted on your web site. See link: http://www.columbiagasohio.com/residential/rights- responsibilities/natural-gas-safety

Before we participate in this "Mandatory Safety Inspection" we would like to understand this issue more clearly. What are the details regarding the aforementioned "federal law", including the date this law was passed by Congress, which is the only body in the United States authorized to make "federal law". As the US Constitution only gives Congress the authority to pass 'regulatory laws' for interstate commence, it is difficult to understand how the short distance from your curb shut-off valve and onto our property can be considered interstate commerce. We do not live on a state line.

As this aforementioned "federal law" does not apply to all of COLUMBIA GAS OF OHIO, INC customers (per your web site), we are wondering why we are being targeted.

We have been customers of COLUMBIA GAS OF OHIO, INC since 1984. As I recall, we signed an agreement whereas you would provide us gas service and we would send you monthly payments for that service. While COLUMBIA GAS OF OHIO, INC has responded promptly to our request for a service call when we smelled a leak, at no time during these past 29 years have you requested to do an unwarranted "safety inspection".

To my knowledge nothing has altered or changed our original agreement, yet employees of COLUMBIA GAS OF OHIO, INC are now requiring unwarranted access to the privacy of our home to continue our service agreement.

Who is paying for this "Mandatory Safety Inspection"? Is COLUMBIA GAS OF OHIO, INC receiving tax dollars per each home inspection performed or will the customers of COLUMBIA GAS OF OHIO, INC be charged for the inspection of homes under the false pretense of interstate commerce?

To amenably resolve this issue and secure our continued long standing provider/ customer relationship, please send me the following:

1. Copy of federal law mandating that COLUMBIA GAS OF OHIO, INC do in-home safety inspections on properties that are not engaged in interstate commerce, i.e. not situated on a state line.

2. Copy of an official statement indicating who will bear the cost of these unwarranted inspections

3. Copy of the official criteria used to determine which customers this "federal law" is being applied to

4. CopyoftheformtheCOLUMBIAGASOFOHIO,INC employees will be using - so I can identify the details being analyzed and recorded for the "safety inspection"

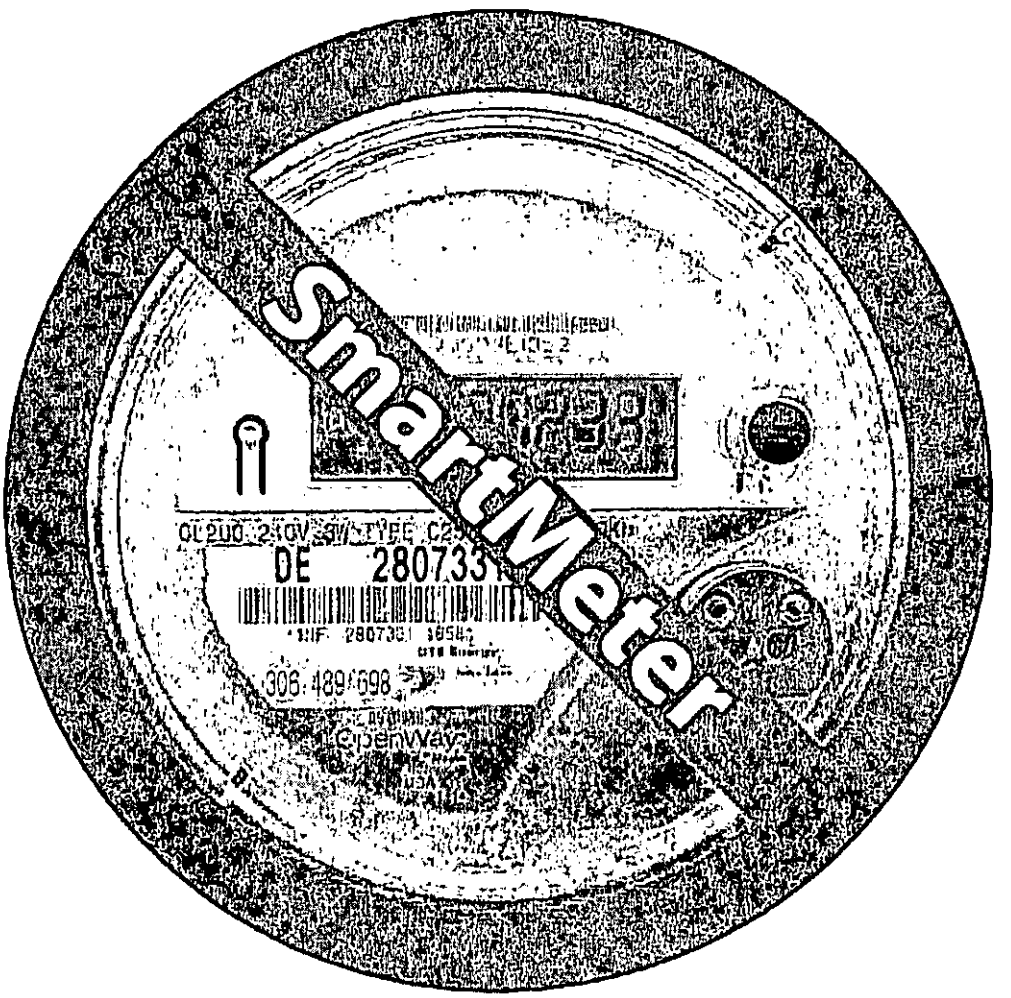
5. List of the parties who are to be given a copy of (or access to) the "safety inspection" results

6. Copy of the contract between COLUMBIA GAS OF OHIO, INC and myself whereas I agreed to at random intrusive in- home inspections, as a condition of service

Looking forward to hearing from you,

Enclosure

DO NOT INSTALL A SMART METER



BY ORDER OF HOMEOWNER

PO Box 129
Remington, VA 22734

admin@americanpolicy.org
americanpolicy.org
(540) 341-8911

Mr. Thomas McCarey
285 Dayleview Rd
Berwyn, PA 19312

CERTIFIED MAIL

7012 3050 0000 0991 4483

UNITED STATES POSTAL SERVICE

U.S. POSTAGE
PAID
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19312
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17105

BERWYN PA 19312
JUN 26 2013
USPS

Secretary
PA PUC
P.O. BOX 3265
HSBG PA 17105-3265

RETURN RECEIPT
REQUESTED