

Before The Pennsylvania Public Utility Commission

Michael Lipa /Complainant

Docket No.C-2012-2330171

Pennsylvania American Water Co./Respondent

Cause of Action (Invasion of Privacy): The utility company is invading the privacy of the Property residents in violation of the state and federal Constitutions, by installing a Smart Meter that data mines and data bases private life style choices and habits through the electromagnetic analysis of utility usage, and makes that data available to unknown persons without the knowledge and informed consent of the occupants of the property. Further, the utility company stores that personal data in ways that render it susceptible to hackers, home invaders and other criminals who pose a serious risk of further injury and loss to the residents

Cause of Action (Conversion): The utility company is committing civil theft by installing and maintaining a Smart Meter that data mines and data bases private life style choices and habits through the electromagnetic analysis of utility usage, and makes that data available to unknown persons without the knowledge and informed consent of the occupants of the property. Further, the utility company stores that personal data in ways that render it susceptible to hackers, home invaders and other criminals who pose a serious risk of further injury and loss to the residents

Cause of Action (Violation of Constitutional Rights): The utility company purports to be acting pursuant to state and federal laws and administrative regulations in installing and maintaining a Smart Meter on the property. However, such laws and regulations are unconstitutional on their face or as applied in this case, in that they (a) violate the Ninth and Tenth Amendments to the Constitution of the United States, by usurping powers and disparaging rights possessed by the states or by the people, or by both; (b) violate the Fourteenth Amendment to the Constitution of the United States, by depriving those who occupy the property the right to life, liberty and property without due process of law, and in violation of the right to equal treatment under the law with every other citizen of the United States, including those citizens who, by state law, are not made subject to Smart Meters;

Cause of Action (Personal Injury): The utility company is forcing me to install a device {smart meter} That can affect my health and the health of visitors that may be hypertensive to Electro Magnetic Radiation. The device can diminish the security of my home and property by broadcasting real-time private information in a fashion that may be intercepted and used by home invaders or criminals.

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Before The Pennsylvania Public Utility Commission

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Pennsylvania American

Docket No.C-2012-2330171

Water Co./Respondent

Pennsylvania American Water Company is invading my privacy by making it mandatory I have a Radio frequency meter that broadcasts my utility usage off of my property .This broadcast is poorly encrypted and easily intercepted by home invaders or other criminals that pose a risk to residents.

Exhibit A confirms the invasion of privacy, it is a review of an electrical smart meter, water meters use the same technology and will have the same short comings.

I do not accept the claim that Radio Frequency energy is not a health risk. See American Academy of Environmental Medicine Exhibit B

Exhibit B confirms health risks

Exhibit C Corrects for pulsed rate duty cycle exposure ,without the correction you are comparing apples to oranges.

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EXCERPT from Exhibit A
See Compact Disk Exhibit A

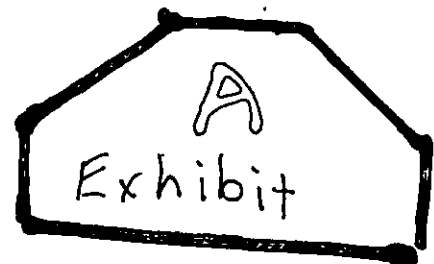
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Conclusion

Smart meters are able to become devices that monitor the behavior of their customers. The personal privacy invasion is obvious if the smart meter data are available to malicious parties or being used by members of the same household to spy on each other.

A new generation of smart meters generating high-resolution energy consumption data could henceforth cause new potentials concerns regarding consumers' *privacy sphere*. We have demonstrated that particular information available on appliances in the household via its detailed power profile allow a finegrained analysis of the appliance's behavior. Taking measurements at an interval of two seconds is sufficient to enable the identification of a television program or audiovisual content if favorable conditions are in place (e.g., no major interference of other appliances for minutes long). Our research has shown that the electricity usage profile with a $0.5s^{-1}$ sample rate leads to a invasion into a person's private sphere regarding his TV watching habits. Five minutes of consecutive playing of a movie is in many cases sufficient to identify the viewed content by analyzing the smart meter power consumption data. While we did not have sufficient content files to generate affirmative statistical evidences that can lead to a forensic software that will police every copyright infringement material. Our paper shows that there is at least a major privacy issue regarding content identification via a smart meter.

Our investigation also reveals that a smart meter transmits data via the Internet unsigned and unencrypted. This is a major throwback in data integrity and consumer privacy. This technical flaw could be attributed to the startup nature of the installer company who is in a phase of service development and product quality definition. It nevertheless proves that a minimum regulatory requirement regarding smart meter data protection standards need to be defined and fulfilled, before a meter becomes fully operational and capable of preserving a user privacy.





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American Academy of Environmental Medicine Recommendations Regarding Electromagnetic and Radiofrequency Exposure

Physicians of the American Academy of Environmental Medicine recognize that patients are being adversely impacted by electromagnetic frequency (EMF) and radiofrequency (RF) fields and are becoming more electromagnetically sensitive.

The AAEM recommends that physicians consider patients' total electromagnetic exposure in their diagnosis and treatment, as well as recognition that electromagnetic and radiofrequency field exposure may be an underlying cause of a patient's disease process.

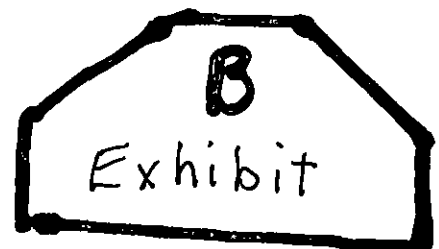
Based on double-blinded, placebo controlled research in humans,¹ medical conditions and disabilities that would more than likely benefit from avoiding electromagnetic and radiofrequency exposure include, but are not limited to:

- Neurological conditions such as paresthesias, somnolence, cephalgia, dizziness, unconsciousness, depression
- Musculoskeletal effects including pain, muscle tightness, spasm, fibrillation
- Heart disease and vascular effects including arrhythmia, tachycardia, flushing, edema
- Pulmonary conditions including chest tightness, dyspnea, decreased pulmonary function
- Gastrointestinal conditions including nausea, belching
- Ocular (burning)
- Oral (pressure in ears, tooth pain)
- Dermal (itching, burning, pain)
- Autonomic nervous system dysfunction (dysautonomia).

Based on numerous studies showing harmful biological effects from EMF and RF exposure, medical conditions and disabilities that would more than likely benefit from avoiding exposure include, but are not limited to:

- Neurodegenerative diseases (Parkinson's Disease, Alzheimer's Disease, and Amyotrophic Lateral Sclerosis).²⁻⁶
- Neurological conditions (Headaches, depression, sleep disruption, fatigue, dizziness, tremors, autonomic nervous system dysfunction, decreased memory, attention deficit disorder, anxiety, visual disruption).⁷⁻¹⁰
- Fetal abnormalities and pregnancy.^{11,12}
- Genetic defects and cancer.^{2,3,13-19}
- Liver disease and genitourinary disease.^{12,20}

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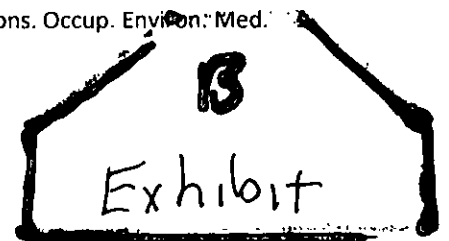
Because Smart Meters produce Radiofrequency emissions, it is recommended that patients with the above conditions and disabilities be accommodated to protect their health. The AAEM recommends: that no Smart Meters be on these patients' homes, that Smart Meters be removed within a reasonable distance of patients' homes depending on the patients' perception and/or symptoms, and that no collection meters be placed near patients' homes depending on patients' perception and/or symptoms.

Submitted by: Amy L. Dean, DO and William J. Rea, MD

Approved July 12, 2012 by the Executive Committee of the American Academy of Environmental Medicine

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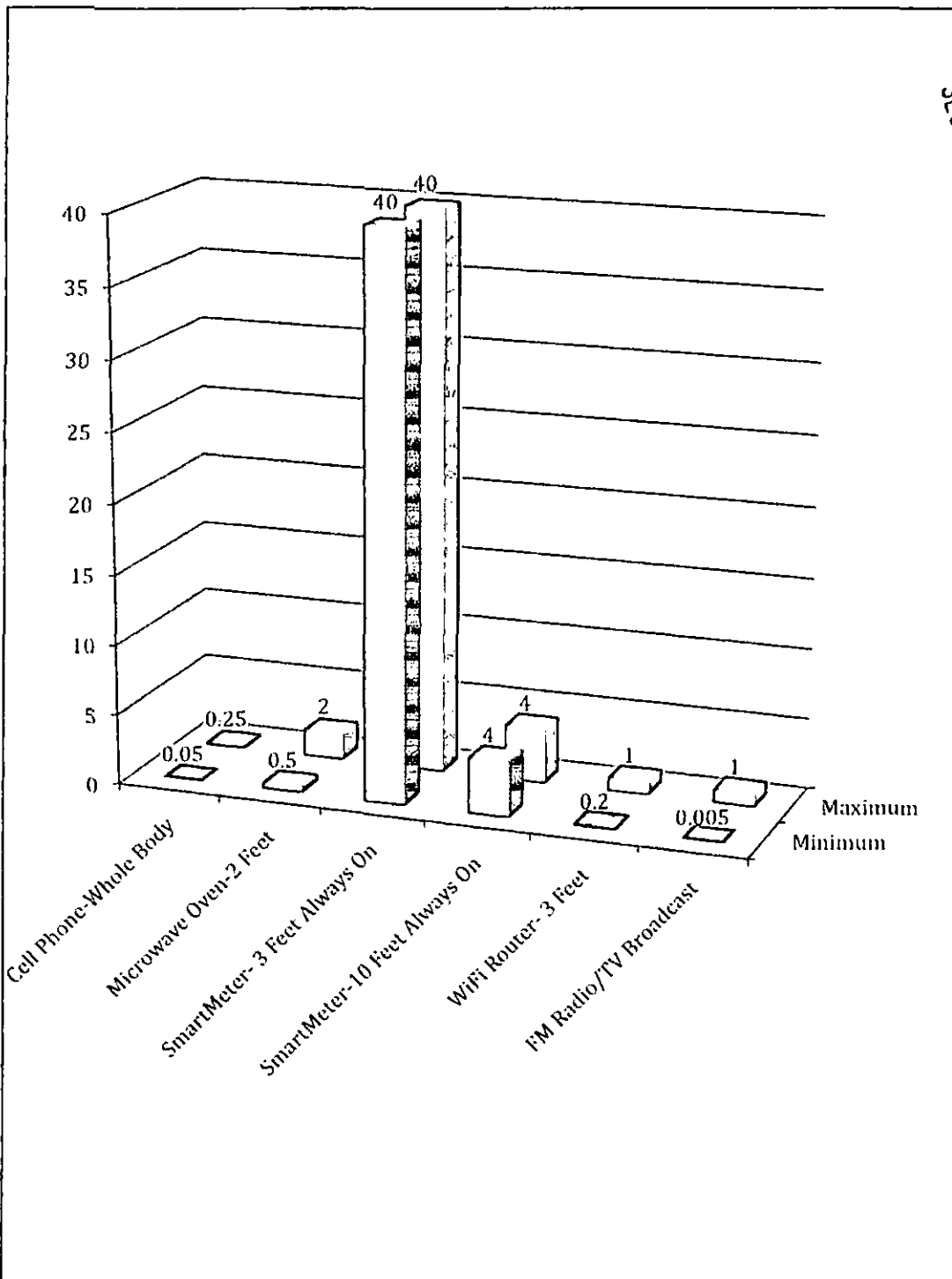
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Excerpt from Exhibit C



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Figure A. Comparison of Radio-Frequency Levels to the Whole Body from Various Sources in $\mu\text{W}/\text{cm}^2$ over time [corrected for assumed duty cycle and whole body exposure extrapolated from assumed cell phone dose at ear].

C
 Exhibit →

That's right smart meters can invalidate your homeowners insurance. Here's how. Many insurance policies will be invalidated if you have electric devices installed on your home that are not approved by Underwriters Laboratories. It just so happens that the smart meters being installed around the US are not so approved. Therefore if you have a home fire, and there have been reports of smart meters actually causing home fires, your insurance company will be off the hook to pay damages because you have an unapproved device, the smart meter, attached to your home.

This may be the straw that breaks the camel's back as far as the smart meter controversy goes. Power companies cannot install devices that invalidate your homeowner's insurance and that may be the legal grounds opponents of smart meters have been looking for to get them removed.

Smart Meters have not been tested or approved by OSHA.

In Minnesota, where I live we have the Itron Centron meters. I called Itron in Washington State and talked to them. They assured me that the meters are UL approved. Yet they would not verify that by sending me an email stating their meters are UL approved.

Next I called Xcel Energy the power company here in Minnesota that installs and uses the meters. After a sixteen minute wait on hold they assured me the meters are UL compliant. I requested a verification of that by email. It was never sent.

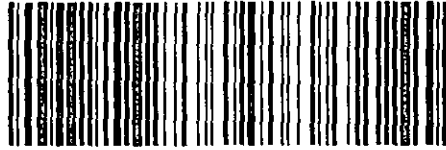
Next I went to the UL website and did a search. Although a dozen or so Itron devices are listed the Centron is not. I then called Underwriters' Laboratories and spoke with one of their reps. She searched and found that the Itron Centron device was not listed.

The Underwriters' Laboratories was very helpful and sent me this email to verify that both Xcel Energy and Itron lied to me about the Itron Centron being UL approved:



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