

March 9, 2015

To: Secretary Rosemary Chiavetta  
PA Public Utility Commission  
PO Box 3265  
Harrisburg, PA 17105-3265

RECEIVED

Cc: Shawane L. Lee  
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MAR 9 2015

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

From: Art Larson  
176 Hart Ave, Doylestown PA 18901

Subject: Exceptions in Case C-2014-2451754 Art Larson vs. PECO Energy Company

On February 18, 2015 in this case, the PUC Administrator Marta Guhl ruled to deny the Complaint. The issue as stated in the ruling was that PECO has a requirement to be compliant with ACT-129 with the Installation of Smart Meters within the Service Area in Southeastern Pennsylvania. The Judge Guhl decided to not have a hearing denying me a voice in the issues presented. Judge Guhl said PECO is to be compliant with ACT-129 and I just included some website details of no consequence. This ruling has ignored the issues of integrity and public safety.

The internal PECO Smart Meter product evaluation concluded to utilize three Smart Meters within the Southeastern PA Service Area. In this evaluation, PECO presented to the PUC three Smart Meters to be installed here (Sensus, Flexall and Landis+Gyr). All of these meters have caused fires, extensive property damage and loss of life to properties on which these products have been installed.

**Exception1: (Ignored Concerns for Public Safety)** The PUC Ruling ignored all concerns for Product Safety and hence these products are not ACT-129 Compliant.

**Exception2: (No Representation at the Hearing)** The PUC Ruling denied me any voice to present my concerns for the safety of my property and life. This situation resulted in the PUC Judge, and PECO's Lawyer ruling against my complaint.

Prior to filing the complaint. I received notice to terminate PECO Power services for refusal to install a Landis+Gyr Smart Meter onto my property. During this period I talked with PECO's Legal Counsel Shawane Lee. I pointed out to her my concerns with public safety. I told her initially my concerns with these safety of these meters. Ms. Lee said we do not use Sensor Smart Meters any more in the Smart Meter Installations. Lee said we only use Landis+Gyr Meters in the Service area.

**Exception3: (Failure to Disclose)** PECO's Legal Counsel misinformed me as to the safety of the Landis+Gyr SmartMeter. She assured me the Landis+Gyr meter is safe and has no issues (December 2014). However, PECO installed the Landis+Gyr Smartmeter into an apartment complex in Bensalem PA in Feb 2014. The Apartment Complex sustained extensive damage from the fire. The Fire Marshall in his report attributed the fire due to a defective Landis+Gyr Smart meter. He said the product itself was the cause of the fire not the installation. Hence PECO misinformed me as to the safety of the Landis+Gyr

Smart Meter. This resulted in Neglect on the Part of PECO to properly inform me and many other Exelon/PECO customers the risks involved.

**Exception 4: (PECO's Legal Counsel Improperly represented Company Customer Reimbursement Process)**

In addition, during the conversation Ms. Lee assured me that if any incident did occur PECO would do well in the reimbursement for the property damages incurred. Again here Ms. Lee misinformed me in how PECO deals with customers. In my neighborhood in Doylestown PA about 10 years ago, a home had a Natural Gas Explosion that destroyed their home. Afterwards, I talked with them, they told me they have to pay for a second place to live, hire a lawyer and pay the mortgage on the property. They told me refused to cooperate. Their case took six years, they went to court and won a settlement. However PECO during the entire period refused to cooperate or provide any assistance during this period. Hence PECO's Legal Counsel Ms. Lee again misinformed me of how a real life situation in dealing with PECO would occur. Ms. Lee gave me the impression PECO is real easy to deal with to obtain a reimbursement for damages occurred.

**Exception 5: (PECO's Smart Meter is not compliant with ACT-129)**

In light of the ruling by Judge Guhl, the cited primarily that PECO must be ACT-129 Compliant. However ACT-129 cites that for PECO customers who wish to install Solar Power into their properties, they are required to provide Smart Meters that a single bi-directional meter for interfacing to alternate power sources such as Solar Energy. (See Enclosed Article "Smart Meters finally available in PECO Territory"). Hence in the ruling Judge Guhl and PECO have failed to understand and/or properly disclose that PECO's Smart Meters are not even compliant with ACT-129).

**Exception 6: (Issues of Public Corruption and Integrity with respect to ACT-129)**

*This issue is within two areas Internal to Exelon/PECO and Governmental Corruption within Pennsylvania's Legislature and PUC Leadership.* The issues here concern the integrity and motivations for the demand to be ACT-129 compliant by all PA Citizens. These issues result in PA Citizens property and safety being put at risk for the financial benefit of special interests. I ask the PUC to realize these issues of public corruption extend all the way into the leadership within the PUC itself. I ask that the PUC understand the tremendous financial benefits that will be provided to these parties to force all PA Citizens to have no opt-out available to customers. Part of the role of the PUC is to represent the interests of Pennsylvania Citizens with respect of those of major Multi-Billion Firms whose primary motive is private profit over public concerns.

PECO was merged into Exelon. This was due primarily to the efforts of Felon PA Senator Vince Fumo. In a pay to place situation. Hence a Chicago Based Business obtained control of Power Services in Southeastern PA. Note Also Felon Fumo worked closely with the Buck County Republican Party PA Senator Tomlinson (Bensalem PA-BuckGOP.org ) and his understudy was prior Lt. Gov Cawley who was the leader of the PA PUC. As I understand at the Present time he is still a PUC Commissioner. My concern here is his bias against my appeal due to Cawley's potential alignment with the special interests. This was exhibited again by Cawley (BucksGOP.org) during the attempt to privatize the Philadelphia Gas Works (PGW). The concern here is the pay to play situations with respect to ACT-129/Exelon-PECO activities.

Exelon purchased the interests of Vivendi from Felon Edgar Bronfman Jr. Bronfman family is directly tied to the Chicago Syndicate since the Capone Era. Vivendi was directly owned by the interests of the Chicago Outfit and now a Chicago Based Business owns the firm.

Pennsylvania's former Governor Tom Ridge is on the Board of Directors of Exelon-PECO (Ridge Global [www.ridgeglobal.com](http://www.ridgeglobal.com) ). Ridge rose to Power in Pennsylvania due to support via the BucksGOP.org. Ridge's Power Brokers were Herb Barnes and Convicted Felon Robert Asher,(Budd Dwyer Case), who is now PA's GOP National Committeeman (BucksGOP.org). Felon Asher made a fortune (PA Future Fund) with the Natural Gas deals in PA. Here again, the PA Legislature ruled against PA's local government to have proper representation with respect to Natural Gas Drilling concerns.

I suggest the PUC follow up with InfoGard with respect to these issues. The PUC has a duty and responsibility to protect assets from both external and internal threats to our national interests.

## References

### Exception 1 PECO Smart Meter Landis+Gyr Puts Public Safety at Risk

- <http://www.greentechmedia.com/articles/read/peco-resumes-deployment-without-sensus-meters>

Oct 2012 - PECO is restarting its smart meter deployment after halting it in August due to a small percentage of overheating issues, some of which resulted in fire. The Pennsylvania utility will continue its rollout of smart meters, but without Sensus meters. PECO had installed about 186,000 Sensus meters as part of its AMI plan (29 of which overheated). It also had a deal with Landis+Gyr and Elster to provide meters as part of the full deployment. Landis+Gyr meters have replaced about half of the Sensus meters in the field as part of an independent investigation into meter performance issues. PECO was careful not to speak out against Sensus but said, "In general, the firms found that Landis+Gyr performed better in the field," according to Cathy Engel Menendez, manager of communications at PECO. She would not elaborate on what "performed better" meant in terms of the report. Sensus was unable to comment on the report because PECO has not shared it with the company. "While they have decided to suspend use of our meters at this time, be assured that there are no safety issues with Sensus electric meters that support this decision," Sensus said in a statement. "The results of investigations have confirmed the meters are not the problem and our patent-pending technology actually helps to mitigate issues that occur outside the meter." PECO said that the upgrades Sensus provided where the meter automatically shuts off if it approaches overheating "did make some improvements," although Menendez again declined to elaborate. Sensus is not out of the picture for PECO. The company will continue to be the communications network provider for metering and distribution automation. Also, since PECO is mandated to use a variety of meters for its smart meter deployment in each customer class, Sensus could throw its hat back into the ring when PECO evaluates additional meter technologies for the rest of the 1.6-million-meter project. Elster has been chosen as one of the technologies for the commercial customers, although Menendez said there will be additional brands chosen in that group too. Moving forward, PECO and other utilities in the Exelon (NYSE: EXC) family -- which includes Baltimore Gas & Electric and Commonwealth Edison -- will submit any meter for independent analysis. **When asked why the utility had not submitted meters to independent testing in the first place, Menendez said that they trusted the testing results provided by the vendors and consulted with other utilities about safety and performance issues, which is standard in the industry.** Sensus has 10 million meters deployed in North America, of which it noted "2 million of the exact same model used in the PECO installation continue to operate safely and reliably in communities across the U.S." In the future, Exelon likely will not be the only one to call on independent experts. With public utility commissions demanding more from utilities in their smart grid business cases, ensuring that each technology has undergone rigorous independent testing could become the new norm.

## Feb 2014 - Smart Meter "Malfunction" Causes Pennsylvania Apartment Building Fire

- <http://smartgridawareness.org/2014/02/14/meter-blamed-for-pennsylvania-fire/>
- <http://www.landisgyr.com/>

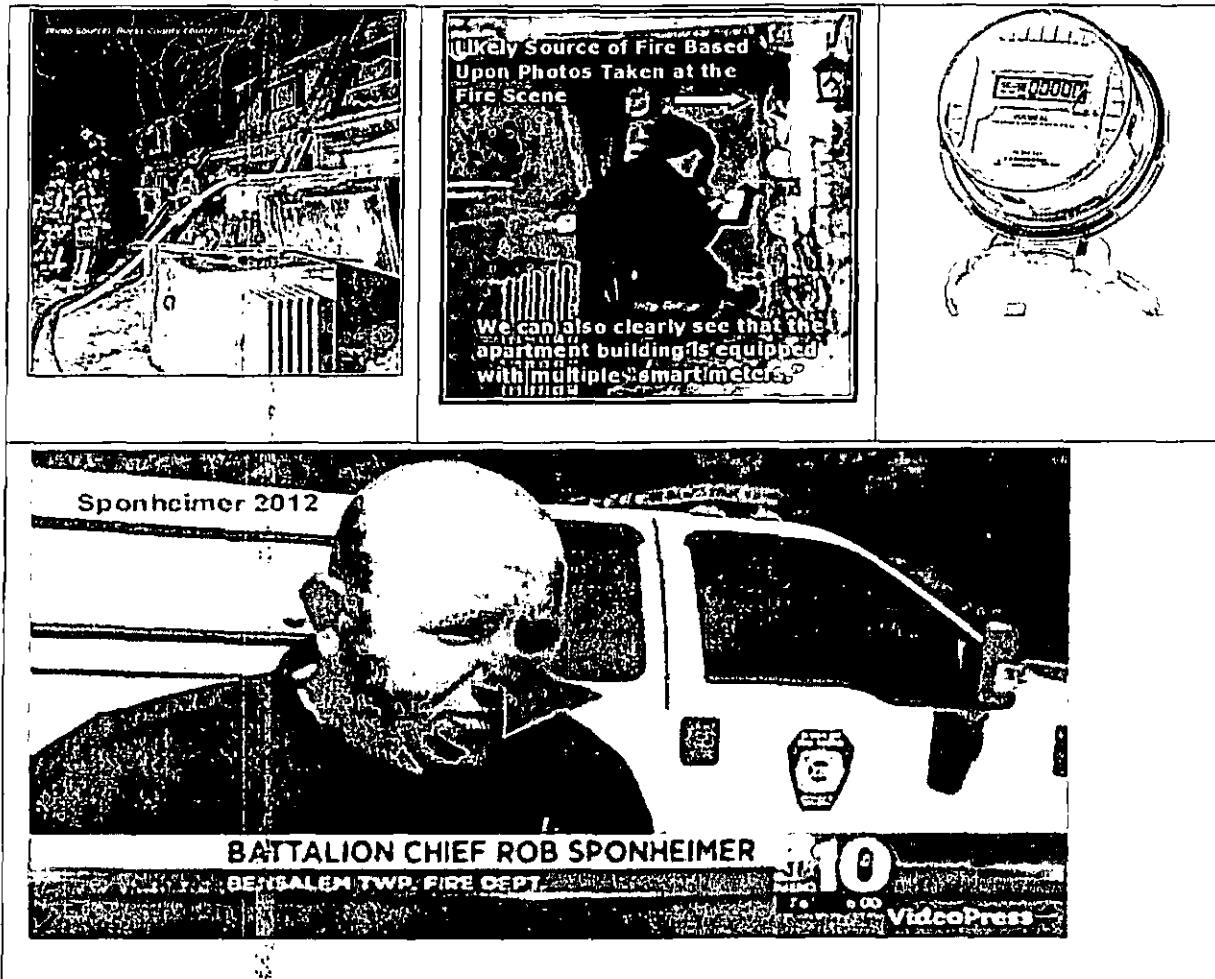


Figure 1 Bensalem PA Fire Marshall said PECO's Landis+Gyr PECO SmartMeter Burned down Apartment Complex

A fast-moving apartment building fire occurred on Thursday, February 6, 2014, in Bensalem, Pennsylvania when at least one **smart meter** exploded and caught fire. Thirty (30) residents were displaced by the ensuing blaze at Bensalem's Thunder Hollow apartments. Sixteen (16) apartments were affected. One firefighter was injured. According to the *Bucks County Courier Times*, the Bensalem Battalion Chief Robert Sponheimer said the *fire started in a utility meter in an outside shed* that housed electrical meters. He also said "residents reported hearing a loud bang, then losing power Thursday evening. Within minutes they saw smoke pouring out of the shed. The fire then spread to the building and its roof." Dramatic camera footage exists taken soon after the fire started, during the fire fighting activities, and during the recovery efforts, making you feel as if you are "on-the-scene" as it happens. In the first video where you see the dramatic flames about 25 to 30 seconds into the video, they are emanating from an outdoor shed containing smart meters. Reporting from most news sources indicated that the cause of the fire remains under investigation. However, on scene reports indicate that the fire was electrical in nature and was started by a fire in "a utility electric meter." These apartments are known to be equipped with smart meters. ... SkyVision Solutions finds it curious that the term "smart meter" was not used in original reporting of the fire since that would be a natural question to have asked and have

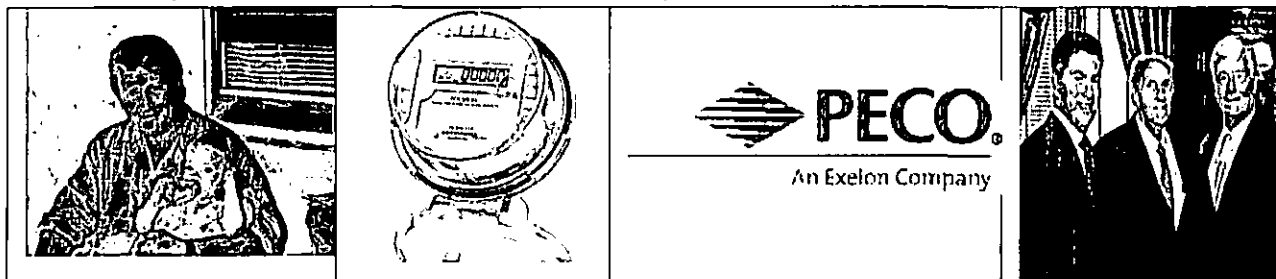
reported to the public. Updated Information: One resident lives just a few feet from two sheds where individual smart meters are housed. "I heard this boom and it sounded like a shotgun going off," said the resident. In the figure shown to the right, an officer as part of an investigation is shining a flashlight toward the two upper smart meters located on the right side of the outdoor shed. The upper most smart meter looks completely deformed (despite the somewhat poor resolution of this photo). There appears to be melted plastic drooping down from what would be the normal meter location. There is also blackened area at the top, where smoke, sparks, and fire previously billowed outward and upward. Clicking on the photo will provide a somewhat better view. From a curiosity perspective, it would nice to have a close-up photo view of the affected smart meter to better examine how bad it really looks, but there is little doubt on what actually happened at this point. Based upon a report in the Bucks County Courier Times, Battalion Chief Robert Sponheimer plans to meet with PECO Energy and township code officials to continue an investigation into a "meter malfunction." The fire has also reportedly been ruled an "accident." This determination is actually important in that it means the fire has been determined not to be the work of arson or meter tampering. SkyVision Solutions has sufficiently reviewed the details surrounding the fire to confidently conclude and report that the cause of the fire was indeed a "smart meter." It would appear that officials just don't want to advertise this important detail concerning the fire.

Bensalem Battalion Chief Robert Sponheimer is no stranger to the topic of smart meter fires. He seems to have been trying to do the right thing. Look at what he said back in September 2012. ... At one point he says, "we were lucky so far," based upon the limited damage resulting from the smart meter-related fires.

- [http://www.buckscountycouriertimes.com/news/local/electric-meter-blamed-for-bensalem-apartment-fire/article\\_93cf65bb-a298-5978-a88e-464c2f4451e1.html](http://www.buckscountycouriertimes.com/news/local/electric-meter-blamed-for-bensalem-apartment-fire/article_93cf65bb-a298-5978-a88e-464c2f4451e1.html)

The fire displaced 30 residents at Bensalem's Thunder Hollow apartments, was electrical and began in a utility shed, a fire investigator said. The fire affected 16 units in the Bristol Road complex's "Y" Building, Bensalem Battalion Chief Robert Sponheimer said. No residents were injured, but a Feasterville firefighter was treated at a local hospital for dizziness and then released

### Landis+Gyr Smart Meter Fire Killed Larry Nikkel



- <http://stopsmartmeters.org/2013/06/21/when-smart-meters-kill-the-story-of-larry-nikkel-details-emerge-of-vacaville-ca-smart-meter-fire-death/>

July 2010 - Details have come to light of a man killed by a Pacific Gas and Electric (PG&E) Smart Meter that caught fire in Vacaville, CA on July 9<sup>th</sup>, 2010. Larry Nikkel of 230 Arbor St. died from a suspicious electrical fire that consumed his home the day after Wellington Energy, contractors for PG&E, installed a Landis & Gyr "smart" electric meter. A wrongful death suit lawsuit filed by the family against the utility, subcontractor, and meter manufacturer has now been settled for an undisclosed sum. The circumstances

## Exception 6 – Issues of Public Corruption and Fraud Nexus to Act 129



Figure 2 Exelon's Board Director Ridge, Bronfman-Vivendi-Peco Merger

- <http://www.theguardian.com/media/2011/jan/21/edgar-bronfman-jr-vivendi>

Vivendi Executive Convicted of Insider Trading -The Warner Music Group chairman, Edgar Bronfman Jr, was convicted today of insider trading and fined €5m (£4.2m) over his conduct as vice-chairman of French company Vivendi nearly a decade ago. Jean-Marie Messier, the former Vivendi chief executive, was convicted on charges of misleading investors by the same Paris court. Bronfman Jr, who was vice-chairman of Vivendi until 2003, received a 15-month suspended sentence and a €5m fine. Messier, the former high-flying chief executive who from the mid-1990s to 2002 built Vivendi from a French water utility company into a global media giant, received a three-year suspended sentence and a €150,000 fine. The convictions relate to the period from 2000 to 2002, at the tail end of a \$77bn (£48bn) acquisition spree masterminded by Messier, which turned Vivendi into a multimedia giant spanning music, film, video games and TV. Vivendi acquired Seagram, which owned companies including Universal Studios and Canal Plus, in 2000 in a deal that made the Bronfman family Vivendi's largest shareholder, with Bronfman Jr becoming a vice-chairman of the French company. The purchase of more than 20 businesses saddled Vivendi with massive debt and brought the company close to bankruptcy, forcing an asset sell-off following Messier's departure.

surrounding Mr. Nikkel's death add a grave and tragic chapter to the growing human cost of the 'smart grid.' The following account is based on interviews with his brother Walter, as well as details obtained by the fire incident report, investigation, and coroner's report. Larry Nikkel worked for more than 30 years as the groundskeeper at Solano Community College, and was well liked in Vacaville by those who knew him. He was in a rock band in the Seventies called The Panties who played gigs all over the East Bay. Larry loved his rock music and he loved his 1958 Gretsch guitar (the same kind as Chuck Berry played). The guitar- worth thousands- was given to Larry by a co-worker at the College, underscoring how much he was loved and admired by those who knew him. Larry was diagnosed with throat cancer in early 2010 and had just finished his chemotherapy treatment at the time of his death. The day before he was killed, he had submitted the paperwork to retire from his job at the Community College. On July 8<sup>th</sup>, 2010, according to neighbors, Wellington Energy came through and deployed electric smart meters all along the street, including on Larry's house. Less than 48 hours later, Larry was dead- killed by smoke inhalation and burns from an unexplained electrical fire that consumed his home. According to his brother Walter, who had spent time with Larry at his house the morning before the fire (and only hours after the smart meter was installed), there were serious electrical problems in the house that day. Larry had tried to boot up his laptop to watch a DVD that evening, but the computer would not function. The cable box did not work either. Walter and Larry both heard a very loud, high pitched "snap" coming from the wall. Later that night, after Walter had returned home, he received a call from Larry, who said that the 'house was humming.' He regrets to this day not coming over immediately to investigate what was wrong. At about 10:30pm on July 9<sup>th</sup>, a man walking down Arbor St. saw flames coming out of Larry's house. The man opened the garage door to see if anyone was inside but this caused the fire to "flash" and so he was forced to retreat and call the fire department. By 10:40, fire fighters were on the scene. After battling the fire, crews entered the house and found Larry's body in the hallway bathroom, under a dresser (which Walt speculates he may have pulled on top of himself to shield against the heat). He had shoved towels under the door, and the water was running in the sink. He was on the floor, having succumbed to smoke inhalation and burns. Larry had placed his beloved guitar in the bathtub, where perhaps he hoped it would survive the flames (it did).

On June 10<sup>th</sup>, 2012, the Nikkel family filed a lawsuit against Pacific Gas and Electric, Wellington Energy, and Landis & Gyr meter manufacturers, alleging negligence and wrongful death. The case was settled out of court earlier this year, showing that the utilities and meter manufacturers were alarmed about the potential to lose the case, as well as more terrible publicity related to their meter program. The settlement- though not ideal as it avoids a verdict that might force the utilities to compensate others who have suffered smart meter fires or even recall the meters- has nonetheless provided a sense of closure to the family, who would have had to live through the pain of Larry's loss once again during a trial....

Meanwhile, the number of smart meter fires has continued to grow. Last year, a Stamford CT woman lost five members of her family after a fire likely started by their 'smart' meter. Twenty-four hours later, her home was bulldozed, eliminating any evidence that could have been collected showing why the deadly fire started (and preventing future fires) **In August 2012, Peco Energy of Pennsylvania was forced to suspend its deployment after at least 26 separate incidents where newly installed smart meters had caught fire or exploded.**

- [http://articles.baltimoresun.com/2000-08-15/business/0008150019\\_1\\_peco-energy-british-energy-nuclear-plant](http://articles.baltimoresun.com/2000-08-15/business/0008150019_1_peco-energy-british-energy-nuclear-plant)

### **Peco Energy to purchase part of Vivendi unit for \$680 million**

PHILADELPHIA - Peco Energy Co., owner of Philadelphia's electric utility, agreed yesterday to buy 49.9 percent of Vivendi SA's North American power-plant unit for \$680 million, giving it more electricity to sell in the northeastern United States. Vivendi's Sthe Energies Inc. owns generators in New York, New Jersey, Maine and Massachusetts, where it's more profitable to sell electricity to utilities than in most parts of the United States. Its 27 plants produce about 3,800 megawatts of electricity, enough to light 3.8 million homes Peco, which is merging with Chicago's Unicom Corp., is expanding to offset revenue lost after regulators ended its monopoly in eastern Pennsylvania. Through a joint venture with British Energy Plc, it has bought nuclear plants in the Northeast. The Sthe purchase will give it natural gas and oil-fired generators in the region as well. "It makes sense that Peco's continuing to buy plants," said Mark Luftig, a portfolio manager at W.H. Reaves & Co., which owned 35,394 Peco shares in June. "They're doing it for a reasonable price." Vivendi, which agreed to buy Seagram Co. and Canal Plus SA to expand in music, film and television, is selling the stake to focus its utility business on supplying water and hauling trash. In February, Reliant Energy Inc. agreed to buy 21 of Sthe's power plants in the Northeast for \$2.1 billion. Peco has 1.5 million power and 400,000 natural-gas customers in the Philadelphia area. The merger with Unicom, owner of Chicago's Commonwealth Edison Co. utility, will make it one of the three biggest utilities in the nation, based on number of customers. The Sthe acquisition is expected to be completed by October, Peco said, and will make it one of the leading power generators in the Northeast. Through its AmerGen Energy Co. venture with British Energy, Peco also owns stakes in the Vermont Yankee nuclear plant in Vermont, the Oyster Creek nuclear plant in New Jersey and the working reactor in Pennsylvania's Three Mile Island plant, scene of the nation's worst nuclear accident

### **Bronfman Organized Crime Legacy**

The Bronfman Family has been linked to Organized Crime with the Chicago Syndicate since the Capone Era. Felon Edar Bronfman Jr. Owner of Vivendi was sold off to PECO Energy

### **BucksGOP.org Organized Crime Legacy**

The Bucks County Republican Party has a long legacy with Organized Crime. The Leaders have been Herb Barness who backed Felon Robert Asher to rise to power in PA Politics (Now PA GOP National Committeeman). Both Barness and Felon Asher were power brokers to Tom Ridge who via Ridge Global is a board Director of Exelon-PECO. The story on the PA Governors club provides details. One member to note here is PUC Commissioner Cawley. He was an understudy to PA Senator Tomlinson (Bensalem-PA). Cawley's actions within the PUC may be of concern due to potential activities of special interests in pay to play politics. (eg: attempt to Privatize PGW, Natural Gas Drilling legislation that denied local government's ability safeguard the local community interests and with respect to ACT-129 that denies customers to opt-out). The concern is the legacy of BucksGOP.org politics to negate the concerns of public safety in a get rich quick scheme that overrides the concerns and safety of PA Citizens).

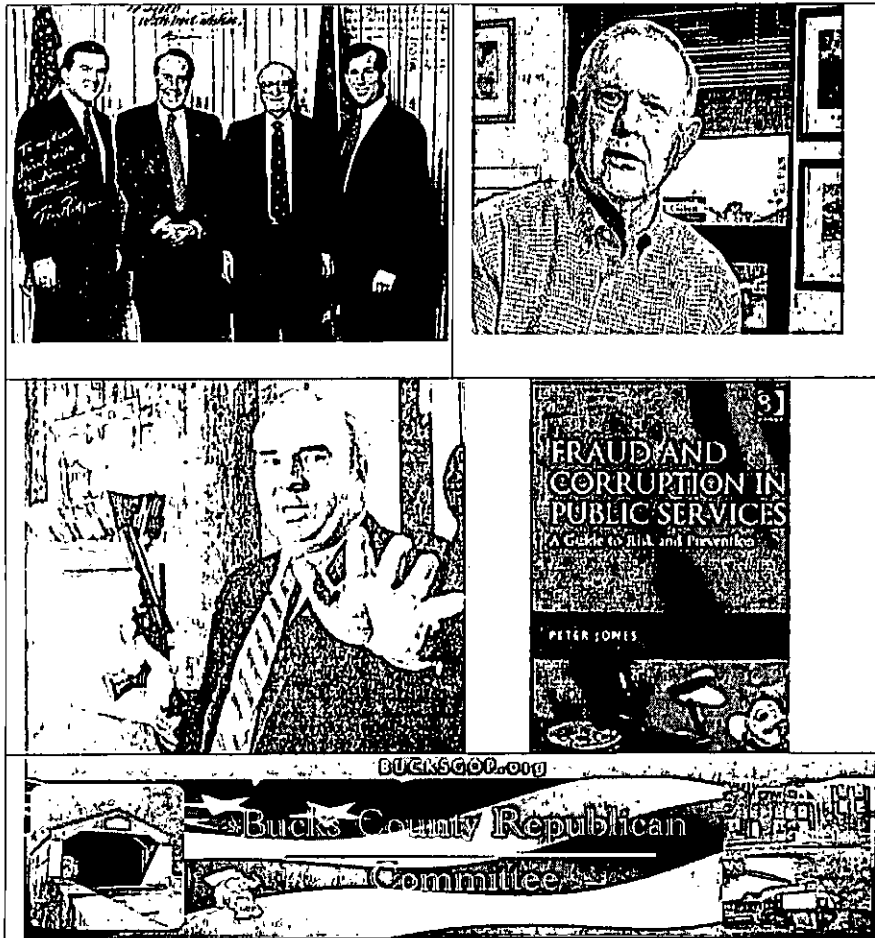


Figure 3 Legacy of BucksGOP.org in PA Public Corruption Issues

**Note:** In this article see how Former PA GOP Leader Herb Barnes selected Robert Asher to take over his political power in the PA GOP at the state level. Robert Asher was the power broker for Tom Ridge.

- o <http://www.constitutional.net/Luksik/inq-ge1.html>

Come June 1997, you can go on a two-day golf outing with Gov. Ridge. In November, you can attend his private reception before the Governor's Ball. And on occasion, you might dine with him at Le Bec-Fin. All it takes is \$50,000. A pledge to contribute that sum to Ridge's campaign fund over four years buys admission to the Governor's Club board of directors - current membership 97 - and a half-dozen exclusive gatherings each year. Or, for \$25,000, you can be a regular member of the club, as are 131 people, and still get some of the special invites. Created after Ridge became governor in 1995, the club guarantees the Republican incumbent a minimum \$8.1 million toward his expected reelection bid next year. And he has yet to even declare his candidacy. Many club members' companies have business with the state, some have big business. In all, their state contracts are worth a half-billion dollars. Some are longtime state vendors; some got new work under Ridge. At least 120 of the 228 club members or their businesses receive something from the state: a contract, a grant, a loan, a lease, legal work, or a seat on a state board. And some are in the business of influencing government: Club members include 20 paid Harrisburg lobbyists. Some members don't get anything from the state and say their only interest is in good government. *Ridge says that there are no paybacks for donors and that "government isn't for sale."* At a time when the Clinton White House is under intense scrutiny for rewarding big Democratic donors with access to the President and his aides, a close look at the Governor's Club reveals how campaign money

leads to access at the state level. Though hardly unique to the Ridge administration, the club also underscores a pattern: Many who give to the chief executive's campaign also receive something from the government he runs.

Consider the following:

- Thirty-seven Governor's Club members and directors are with companies that held state contracts worth about \$530 million as of December, the midpoint of Ridge's term, records show. Roughly \$375 million of the contracts began since January 1995, when Ridge took office.
- Thirty-three members are lawyers whose firms have done state work. In 1995 and 1996, their firms' contracts were worth about \$18 million. And a dozen of those firms got about 70 percent of \$5 million paid in bond-counsel fees under Ridge.
- A dozen members' companies also have done millions of dollars of work since 1995 for one of the state's biggest quasi-independent agencies, the Pennsylvania Turnpike Commission. The governor nominates four of the five commissioners; the fifth is his transportation secretary.
- Nine members' companies lease space to the state. Their multiyear leases are worth more than \$80 million.
- Seven members' companies got economic grants, loans or tax credits from the Ridge administration totaling \$15 million.
- ***Ridge has named 40 club members to unpaid state boards that approve everything from tuition to licenses to loans. Businessman Tim Buchanan, a college dropout, said "it blew my mind" when he was made chairman of the museum commission. Robert Asher, the former Montgomery County GOP chairman jailed in 1989 after a bribery scandal, got a seat on a conservation panel.***

Ridge acknowledges there may be a perception that campaign donors get rewarded, but says it is not the reality. "The perception is created, to a certain extent, by the notion that people will get the contracts whether they're qualified or not," Ridge said in a recent interview. ". . . We're looking for people who do a good job; it doesn't matter what they gave." He agreed that many of his campaign donors got seats on state boards, but said, "I'm sure you could find 250 or 350 who were not members of the Governor's Club as well." One thing every Governor's Club member gets is access to the governor. "Fund-raising is knocked by the media when we say it gives us access. But that's what it does," says John Milliron, a Harrisburg lobbyist and a Governor's Club director. "If I call Tom Ridge, I feel within a reasonable time he'll call back." Access ranges from dinners with as few as 30 to 40 people, as was the case at Le Bec-Fin and the Locust Club last year, to the June golf outing at Nemaquin in Western Pennsylvania and autumn links at Saucon Valley near Allentown. And there is access to other club members, many of whom are influential in their own right. A club event could, for instance, offer a chance to rub elbows with club member and Turnpike Commissioner Robert Gleason. Need Phillies tickets? Maybe team owner Bill Giles can help. He's in the club, as are NFL owners Art Rooney 2d (Steelers) and Edward DeBartolo Jr. (49ers). Planning a special occasion? Call club director Olga Lembesis. Her firm, Kitchenworks, catered Ridge's campaign for a fee. Now she caters events at the governor's mansion - at taxpayer expense. The tab is \$39,000 since Ridge moved in. "One benefit" of being in the club, says director LeRoy Zimmerman, former state attorney general and now a Harrisburg lawyer, "is getting together with leaders of business, commerce and other professions. And who knows? You may get the opportunity to make a deal while you're there." Some members say they want nothing and get nothing.

*"I don't think there is a member of the Governor's Club who has joined because they think it's going to help them get business in any way," said Herbert Barness, the GOP national committeeman who helped found the club and is its chairman. "There might be one or two who think that way, but it is infinitesimal."*

Asked whether members would get as much state work if they didn't give campaign money, Barness said: "We're in a democracy. Some of them would, maybe some of them wouldn't. I don't know." State Sen. Clarence Bell (R., Delaware), who has 43 years in office, says most donors give for a reason. "They make investments to get returns," Bell said. "I haven't run into any political philanthropists for a long time." There is also prestige. David Girard-diCarlo is the governor's campaign treasurer and headed Ridge's 1994 transition team, helping to select cabinet members. A wall in his Philadelphia office is adorned with pictures of himself with politicians, including the governor, who named one of Girard-diCarlo's law partners, Paul Tufano, as his general counsel. Girard-diCarlo gave \$84,500 to Ridge's 1994 campaign. Not only does his firm get state legal work, the fact that he's a close Ridge ally could be a reason some seek his high-priced counsel. "I'm sure some people do. But some people think I can do things I can't do, too," he said. "I turn down more people than I take [as clients] because all they want me to do is pull a political lever, and I won't do that." Girard-diCarlo noted that Ridge's contributors are publicly disclosed. "You know who the supporters are, and they are likely to be part of the process one way or the other. And if you don't like it, elect somebody else." Another sought-after Ridge club director is William A.K. Titelman, one of the capital's most prominent lawyer-lobbyists who, with retired Rite Aid chairman Alex Grass, held a 1995 fund-raising event that netted \$230,000 for the new governor's campaign coffers. The elegant sit-down dinner was held at the home of Titelman and his wife, Maria Keating Titelman, who is a Ridge deputy chief of staff. William Titelman is one of several club directors who also raise big money for Democrats. He boasts of collecting "substantial six figures" for President Clinton - and last fall, he got to stay in the Lincoln Bedroom. Ridge has taken fund-raising to a new level in Pennsylvania, one of a minority of states that don't limit contributions by individuals or political action committees. He spent a record \$12.7 million in 1994. And he didn't stop there: His campaign, with five full-time staffers, has raised \$4.7 million since he became governor. About 30 fund-raising events are planned this year. The latest, a laid-back, wear-your-Hawaiian-shirt "beach party" at a Harrisburg hotel, raised about \$70,000. Critics see the Governor's Club as an example of what's wrong with campaign financing these days. **The pattern of donations to Ridge's fund from state contractors "says that campaign contributions are a wise investment with big paybacks, especially when you're in the upper echelon of contributors," said Barry Kauffman, Pennsylvania director of the self-styled citizens' lobby, Common Cause. "It sends a strong message that state government is for sale," said Sen. Allen Kukovich, a Western Pennsylvania Democrat and the legislature's leading advocate of campaign finance reform.** Kukovich said it would be "unfair to simply single out the Ridge administration, but I think with each succeeding administration it gets worse and worse. Part of it is the constant escalation of the need for campaign finances. It drives these folks to think of nothing else except how to raise more and more money." All you need is dough. "I don't think I've ever turned anyone away from the Governor's Club," said Laurie Simmons, executive director of Ridge's campaign committee.

To be on the board of directors, a contributor must give (or raise from others) \$10,000 a year in 1995, 1996 and 1997, plus \$20,000 in 1998, Ridge's reelection year. A similar schedule at half the price buys a

club membership. And half that, or \$12,500 over four years, buys a spot on the campaign's 212-member finance committee. (That adds \$2.6 million more to Ridge's war chest.)

And that's only a part of Ridge's financial picture. For one thing, many club members do more. Montgomery County developer Ronald Mintz held a 1995 fund-raising event at his home that netted \$300,000 for Ridge, then still in his first year as governor. Mintz picked up the \$51,749 tab. Others give without joining. Like Marilyn Ware Lewis, chairwoman of the American Water Works Co., whose family gave Ridge about \$210,000 for his 1994 race. Last year, 46 people who weren't in the club gave the Ridge campaign fund \$5,000 or more. A number of club members were major rain-makers for Ridge, giving not only of their own but helping bring out the unselfish side of others. **In this realm, Barness, a Bucks County developer, is a regular thunderstorm producer, having brought in as many as 40 percent of the club's members, according to Simmons. (He also gave \$60,000 of his own in 1994.)** *"It was Herb's idea," she said of the club. "During the campaign your pitch is always the same - you've got to have money for media. We wanted to have a way to raise the funds during the off years. . . . I thought it was a great idea and so did the governor."*

She said Bob *Asher is a major Ridge fund-raiser in suburban Philadelphia*, as are Titelman in Harrisburg and lawyer Evans Rose in Pittsburgh. The club membership reads like a Who's Who in Pennsylvania Business, as befits a governor who ran as pro-business and has called for corporate tax cuts in three straight years. Many members have CEO after their name. The club is mostly male and white. It includes just a half-dozen minorities and eight women. Many club members interviewed spoke of the state's highest official as "Tom." 84 Lumber CEO Joe Hardy praised the governor's impressive long golf game this way: "The son of a bitch, he was pounding them out." Members can be spotted on the fairways by their umbrellas and golf shirts emblazoned with the words Governor's Club. The club also gives members round blue and gold cufflinks bearing the initial R. What membership does not necessarily buy, said Simmons, is a one-on-one with Ridge. "I won't guarantee a meeting for \$10,000. I'll take your money, but I won't guarantee a meeting with the governor," she said. Unlike Clinton, Ridge doesn't bring his donors home. "We don't have private coffees or sleepovers with the governor," Simmons said. ". . . It's offensive." Said Ridge: "Probably the toughest part of politics is the fund-raising side of it. We did a good job during the election, but now that I'm governor, I've tried to create a bit of a wall between myself and fund-raising." Simmons said that since he became governor, Ridge had not made a single phone call for cash. "As we get closer to the campaign, we might ask him to," she said. "If there was someone who would only take a call from him. And there are people like that." Rick Reynolds, a Harrisburg construction manager who joined Hardy and Barness in Ridge's golf foursome last year at Nemaquin, said he holds no state contracts or hopes that his club membership will help him win any. But Reynolds, who recalls tying Ridge with a 90, figures that if he called the governor's office now, "they'll know who I am." Hardy, who owns the Nemaquin course, says the same. "I think if I have a problem I would call his deputy or something like that . . . and I'm sure it gets to the governor and perhaps he can help," he said. "I think it's important that we have access to some of these people - his staffers, the head of this, the head of that, the head of the other thing. And they're available." Contracts. As of December, 37 club members' businesses had state contracts, according to Treasury Department records. Of those, 36 have won new contracts, or had old ones renewed, since January 1995, when Ridge became governor. Many have additional contracts that predate him. Most of the state contracts are competitively bid. Many aren't, including those for engineers, architects and law firms, with the state generally extending "requests for proposals" and then selecting the lowest responsible bidder, though not necessarily the least costly. Last

year, the largest under Ridge was a one-year contract for \$204 million, a hefty chunk of the roughly \$2.5 billion the state spends annually for goods and services. That contract was with Healthcare Management Alternatives (HMA) to provide health insurance for poor people in Philadelphia. The company is owned by AmeriChoice, whose chairman, Tony Welters, is on the Governor's Club Board of Directors. Steven Matthews, AmeriChoice vice president and spokesman, said Welters had supported Ridge before he became governor, and that HMA had had major contracts with the state before that time, too. Matthews said HMA's latest contract, for 1997, was awarded through a competitive process. New Enterprise Stone & Lime Co., which is headed by a club member, had state contracts totaling \$87 million, more than two-thirds of it since January 1995. The company has also earned millions from the Pennsylvania Turnpike Commission since the 1980s. Several New Enterprise officers were civilly fined \$150,000 in 1995 for federal elections violations - specifically, for reimbursing employees after they gave thousands to a congressional campaign. Correctional Physicians Service Inc., whose president is club member Emre Umar, signed a contract with the Department of Corrections for \$49.2 million to provide medical services at six state prisons. Umar's company has had this work since 1990 and was lowest bidder in 1995. Umar could not be reached for comment. Legal fees. Among the law firms that got the most state work since Ridge took office were those whose letterheads include club directors Titelman, Girard-diCarlo and Zimmerman.

Number one in another *category, bond-counsel fees, was Ballard, Spahr, Andrews & Ingersoll, the Philadelphia firm that includes club director Tom Ellis. Ellis, who is also a Cheltenham Township commissioner*, said the firm got more work from the previous administration under Democratic Gov. Bob Casey. *"We are the biggest bond counsel firm in the state. So I would hope we would get the most bond counsel work," Ellis said. "People support their friends," Titelman said. "If there are two equally competent people capable of providing a service or a product . . . is it reasonable for someone to select their opponent to provide it, or their friend?"*

Asked why the Ridge administration had given so much bond work to law firms that gave campaign money, Titelman said: "Well, why shouldn't he? The reality of the system is, people do need to raise political funds." He hastened to add, "There's never a quid pro quo. Never." Loans and grants. Several major companies that got a helping hand from state economic programs under Ridge also have executives in the club. PNC Financial Corp., whose lobbyist is a club member and whose chairman is a major Ridge donor, got a \$6.5 million commitment for various state grants for its new operations center in Southwest Philadelphia. PNC is investing \$14 million of its own money. Advanta, whose CEO is club director Dennis Alter, received a \$3 million Job Creation Tax Credit in fiscal 1997, plus a \$1 million grant to help finance a \$22 million project in Montgomery County. Alter could not be reached for comment. Bentley Systems Inc., an engineering software company, got a \$2 million low-interest loan in 1995 through the Pennsylvania Industrial Development Authority (PIDA) to expand facilities in Exton. About six months after the loan was approved, *state GOP chairman Alan Novak contacted company president Gregory Bentley and asked him to enroll in the club*, according to spokesmen for the company and the party. Later, Bentley and his brothers, who help run the company, gave \$11,000 to Ridge's fund. Leases. Philadelphia Suburban Development Corp., where club member Bob Nicoletti is president, holds a handful of 10-year leases worth a total of \$13.5 million on state welfare, labor and revenue offices in Philadelphia, and is negotiating to extend three other leases that could be worth millions more. Nicoletti could not be reached for comment. Two other club members' businesses lease large office buildings to the state in the Capitol area, one worth \$22.5 million, the other \$32 million. Harrisburg developer Robert

Mumma's company holds leases with the state worth close to \$500,000. A club member, he gives office space to Ridge's campaign for free. Mumma says he bids against other landlords to win state leases, and that helping the Ridge campaign makes "no difference whatsoever." Appointments. Ridge has named 40 club members to state advisory commissions and licensing boards - some to two or three boards each. Spouses and siblings of club members hold seven other seats. Members were named to boards of colleges including Temple, Drexel, West Chester and Pennsylvania State University. *Ridge put businessmen (and club directors) Manny Stamatakis and Paul Zelenkofske on the Delaware River Port Authority board. Stamatakis was also named to head the widely publicized government efficiency panel known as the IMPACCT Commission.* Stamatakis in turn named 21 others to head various IMPACCT committees - including club director Charles Sexton Jr., a longtime Delaware County Republican leader, and three other club members. For a follow-up panel Stamatakis chose another club member - a Dodge dealer whose political contributions include the car driven by Ridge campaign director Simmons. Explaining why big contributors were placed on state panels, Tim Reeves, Ridge's press secretary, said: "You tend to nominate people you know." *One who is well known is Bob Asher, a Ridge appointee to the Conservation and Natural Resources Advisory Council. Asher, a former state GOP chairman, was convicted of conspiracy and other charges in the 1980s bribery scandal over a computer company's attempt to win a state contract. Prosecutors said Asher had tried to steer money into Republican campaign coffers. Asher, CEO of Asher's Chocolates, said he is on other conservation boards, and that, "conservation is my real passion in life, even more than politics." He declines allowable travel expenses. Ridge press secretary Reeves said that Asher had "paid a very serious price" and that now, "he deserves the opportunity to show that he is a good citizen again."*

Timothy Buchanan's company was paid \$350,000 by Ridge's campaign, mostly for printing. Buchanan gave \$22,450 to the Republican's 1994 race and \$4,780 in the first three months of Ridge's term. Six months later, Ridge named Buchanan to head the Pennsylvania Historical and Museum Commission. How did that happen? "After the campaign they asked me if I'd like to be on a board or commission and if so, which one. I said, 'I love history.' They mentioned [the commission] and said, 'We'll get back to you,' and they did and told me, 'You're chairman of that commission.' It blew my mind." Buchanan, who left college after



Figure 4 Legacy of Public Corruption in Pennsylvania's Utility Deals

Many people believe that Pennsylvania's best days are behind us and that the business climate in Pennsylvania cannot and will not improve. I know that this isn't the case because every day I talk with business leaders, elected officials and candidates that are dedicate to improving Pennsylvania. Since 2007, Pennsylvania has lost 217,000 private sector jobs but has added 13,500 government jobs. Our commonwealth has fallen to a bottom five rating for job growth and overall business environment. The time to watch and wait is over and the time to act is now. The Pennsylvania Future Fund is dedicated to restoring Pennsylvania's economy by supporting elected officials and candidates that understand that the strength of our economy lies within the economic spirit of the Commonwealth's entrepreneurs. In addition to candidates, the Pennsylvania Future Fund supports local grassroots organizations and candidate development programs like the Anne Annstine program. No matter the political environment, the Pennsylvania Future Fund will continue to support the election of candidates who share its member's vision for Pennsylvania's Future – A future in which Pennsylvania's business and commerce will grow strong. I hope that you will continue to view the PA Future Fund website and consider joining as a member if you are not already. Thank you again for your support, -Sincerely, Bob Asher Chairman



[\[Main\]](#) [\[Events\]](#) [\[Bio\]](#) [\[Party\]](#) [\[Issues\]](#) [\[Ask Peg\]](#) [\[Read All About It\]](#) [\[FAQ\]](#) [\[Ridge\]](#) [\[Participate\]](#)

*This article appeared in the  
Philadelphia Inquirer on Sunday, April 27, 1997*

## **Want Access to Gov. Ridge? Join the Club Members Pay \$25,000 or more. What do they get for their money?**

**By Robert Zausner, INQUIRER HARRISBURG BUREAU**

Come June, you can go on a two-day golf outing with Gov. Ridge. In November, you can attend his private reception before the Governor's Ball. And on occasion, you might dine with him at Le Bec-Fin.

All it takes is \$50,000.

A pledge to contribute that sum to Ridge's campaign fund over four years buys admission to the Governor's Club board of directors - current membership 97 - and a half-dozen exclusive gatherings each year. Or, for \$25,000, you can be a regular member of the club, as are 131 people, and still get some of the special invites.

Created after Ridge became governor in 1995, the club guarantees the Republican incumbent a minimum \$8.1 million toward his expected reelection bid next year. And he has yet to even declare his candidacy.

Many club members' companies have business with the state, some have big business. In all, their state contracts are worth a half-billion dollars.

Some are longtime state vendors; some got new work under Ridge.

At least 120 of the 228 club members or their businesses receive something from the state: a contract, a grant, a loan, a lease, legal work, or a seat on a state board. And some are in the business of influencing government: Club members include 20 paid Harrisburg lobbyists.

Some members don't get anything from the state and say their only interest is in good government.

**Ridge says that there are no paybacks for donors and that "government isn't for sale."**

**At a time when the Clinton White House is under intense scrutiny for rewarding big Democratic donors with access to the President and his aides, a close look at the Governor's Club reveals how campaign money leads to access at the state level.**

**Though hardly unique to the Ridge administration, the club also underscores a pattern: Many who give to the chief executive's campaign also receive something from the government he runs.**

**Consider the following:**

**\* Thirty-seven Governor's Club members and directors are with companies that held state contracts worth about \$530 million as of December, the midpoint of Ridge's term, records show. Roughly \$375 million of the contracts began since January 1995, when Ridge took office.**

**\* Thirty-three members are lawyers whose firms have done state work. In 1995 and 1996, their firms' contracts were worth about \$18 million. And a dozen of those firms got about 70 percent of \$5 million paid in bond-counsel fees under Ridge.**

**\* A dozen members' companies also have done millions of dollars of work since 1995 for one of the state's biggest quasi-independent agencies, the Pennsylvania Turnpike Commission. The governor nominates four of the five commissioners; the fifth is his transportation secretary.**

**\* Nine members' companies lease space to the state. Their multiyear leases are worth more than \$80 million.**

**\* Seven members' companies got economic grants, loans or tax credits from the Ridge administration totaling \$15 million.**

**\* Ridge has named 40 club members to unpaid state boards that approve everything from tuition to licenses to loans. Businessman Tim Buchanan, a college dropout, said "it blew my mind" when he was made chairman of the museum commission. Robert Asher, the former Montgomery County GOP chairman jailed in 1989 after a bribery scandal, got a seat on a conservation panel.**

**Ridge acknowledges there may be a perception that campaign donors get rewarded, but says it is not the reality.**

**"The perception is created, to a certain extent, by the notion that people will get the contracts whether they're qualified or not," Ridge said in a recent interview. "... We're looking for people who do a good job; it doesn't matter what they gave."**

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**Access ranges from dinners with as few as 30 to 40 people, as was the case at Le Bec-Fin and the Locust Club last year, to the June golf outing at Nemaquin in Western Pennsylvania and autumn links at Saucon Valley near Allentown.**

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**Need Phillies tickets? Maybe team owner Bill Giles can help. He's in the club, as are NFL owners Art Rooney 2d (Steelers) and Edward DeBartolo Jr. (49ers).**

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He hastened to add, "There's never a quid pro quo. Never."

Loans and grants. Several major companies that got a helping hand from state economic programs under Ridge also have executives in the club.

PNC Financial Corp., whose lobbyist is a club member and whose chairman is a major Ridge donor, got a \$6.5 million commitment for various state grants for its new operations center in Southwest Philadelphia. PNC is investing \$14 million of its own money.

Advanta, whose CEO is club director Dennis Alter, received a \$3 million Job Creation Tax Credit in fiscal 1997, plus a \$1 million grant to help finance a \$22 million project in Montgomery County. Alter could not be reached for comment.

**Bentley Systems Inc., an engineering software company, got a \$2 million low-interest loan in 1995 through the Pennsylvania Industrial Development Authority (PIDA) to expand facilities in Exton.**

**About six months after the loan was approved, state GOP chairman Alan Novak contacted company president Gregory Bentley and asked him to enroll in the club, according to spokesmen for the company and the party. Later, Bentley and his brothers, who help run the company, gave \$11,000 to Ridge's fund.**

**Leases. Philadelphia Suburban Development Corp., where club member Bob Nicoletti is president, holds a handful of 10-year leases worth a total of \$13.5 million on state welfare, labor and revenue offices in Philadelphia, and is negotiating to extend three other leases that could be worth millions more. Nicoletti could not be reached for comment.**

**Two other club members' businesses lease large office buildings to the state in the Capitol area, one worth \$22.5 million, the other \$32 million.**

**Harrisburg developer Robert Mumma's company holds leases with the state worth close to \$500,000. A club member, he gives office space to Ridge's campaign for free. Mumma says he bids against other landlords to win state leases, and that helping the Ridge campaign makes "no difference whatsoever."**

**Appointments. Ridge has named 40 club members to state advisory commissions and licensing boards - some to two or three boards each. Spouses and siblings of club members hold seven other seats.**

**Members were named to boards of colleges including Temple, Drexel, West Chester and Pennsylvania State University.**

**Ridge put businessmen (and club directors) Manny Stamatakis and Paul Zelenkofske on the Delaware River Port Authority board. Stamatakis was also named to head the widely publicized government efficiency panel known as the IMPACCT Commission.**

**Stamatakis in turn named 21 others to head various IMPACCT committees - including club director Charles Sexton Jr., a longtime Delaware County Republican leader, and three other club members. For a follow-up panel Stamatakis chose another club member - a Dodge dealer whose political contributions include the car driven by Ridge campaign director Simmons.**

**Explaining why big contributors were placed on state panels, Tim Reeves, Ridge's press secretary, said: "You tend to nominate people you know."**

**One who is well known is Bob Asher, a Ridge appointee to the Conservation and Natural Resources Advisory Council. Asher, a former state GOP chairman, was convicted of conspiracy and other charges in the 1980s bribery scandal over a computer company's attempt to win a state contract. Prosecutors said Asher had tried to steer money into Republican campaign coffers.**

Asher, CEO of Asher's Chocolates, said he is on other conservation boards, and that, "conservation is my real passion in life, even more than politics." He declines allowable travel expenses.

Ridge press secretary Reeves said that Asher had "paid a very serious price" and that now, "he deserves the opportunity to show that he is a good citizen again."

Timothy Buchanan's company was paid \$350,000 by Ridge's campaign, mostly for printing. Buchanan gave \$22,450 to the Republican's 1994 race and \$4,780 in the first three months of Ridge's term. Six months later, Ridge named Buchanan to head the Pennsylvania Historical and Museum Commission.

How did that happen? "After the campaign they asked me if I'd like to be on a board or commission and if so, which one. I said, 'I love history.' They mentioned [the commission] and said, 'We'll get back to you,' and they did and told me, 'You're chairman of that commission.' It blew my mind."

Buchanan, who left college after a year and a half, said: "I'm sure there are many other people that would be eminently more qualified."

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## Smart meters finally available in PECO territory

May 11, 2012 // by Robert Monk // New in electricity... Smart Energy Blog, Solar PV Blog // 3 Comments

Pennsylvania Electric Company (PECO) has finally begun its full scale roll-out of smarter meters. Its slowness to implement the recently-mandated 15-minute increment bi-directional reporting meters may have to do with the fact it invested millions of dollars of rate-payer funds in now-outmoded 'smart' remote-readable meters only a few years ago, in what was probably just a matter of unfortunate timing for the ratepayers.

The new meters will help PECO and its customers better understand their electrical use, and adapt behavior to the actual cost of generating electricity, as alternative generation providers offer time-of-use tariffs with different prices different times of day, or even spot-market tariffs that could change price every 15 minutes.

### PECO's new smart meters fail to achieve compliance with PA's Act 129 for grid-tied solar PV

[Read more on smart meters for PECO](#)

[Read more on smart meters for PECO](#)

As a NABCEP-certified solar electric PV installer, my biggest disappointment with the smart-meter roll-out in PECO territory has to do with PECO's longstanding refusal to comply with PA Act 129, which requires PECO to offer customers a single, bi-directional meter for measuring both conventional consumption from the grid, and PV energy delivered to the grid, for billing credits in the customer's favor.



PECO's 'smart' meters require two meters to do the work of the required single, bi-directional meter, in violation of PA's Act 129

Under Act 129, PA electric distribution companies (EDC's) must provide a single, bi-directional meter for solar PV grid-tied customers, upon request. However, although other PA utilities have adopted smart metering solutions that incorporate bi-directional metering, PECO has somehow managed to select a product that does not meet the Act 129 requirements. Meanwhile PUC has taken a decisively passive role on enforcement of the law. After I filed an informal complaint with the Public Utilities Commission, PECO responded that indeed they will not offer single, bi-directional meters to any customers. PUC has informed me that the only way forward is a formal complaint that runs through a court-like administrative justice system, and which requires that the complainant have standing in the sense that they directly suffered as a result of the violation of law.

I'm not holding my breath while I search for a PV customer who wants to spend time in court as a complainant. Try selling a few days in court as an 'added perk' to your next customer, and see how your sales go!

### Smart meters in the press...

See the Phillynews.com (Inquirer) article on PECO's roll-out of smart meters.

### Have you had a smart meter installed in PECO territory?

Please, comment below or contact me directly to give a consumer's-eye-view of the setup process and whether and how have you taken advantage of the new information your meter provides.

### Customer Resource Blog Categories

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[CDRI: Demand Response Compensation in Wholesale Energy Markets A public comment docketed in Federal Energy Regulatory Commission proceedings.](#)

[CleanCitiesTV: CPhillyCarShare / Enterprise roll out EV fleet in Philadelphia YouTube video showing PhillyCarShare EV fleet rollout and ease of EVSE operation around the city.](#)

[Council calls for renewable energy hub Clean Air Council lays out the case for Philadelphia's long term best benefit from choosing conservation and efficiency investments over gas pipelines.](#)

**SkyVision Solutions ... Raising Public Awareness and Finding Solutions to Smart Grid, Smart Meter, and Radiofrequency (RF) Radiation Concerns**

*Concerns: Health, Privacy, Cybersecurity, Safety, Economics, Societal Impacts, Environmental Impacts, Consumer Choice and Rights*

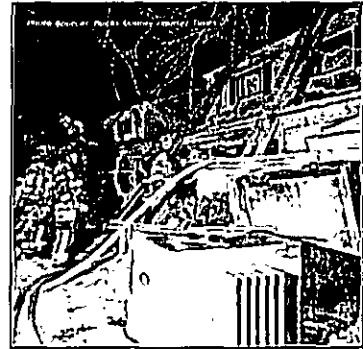
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## Smart Meter "Malfunction" Causes Pennsylvania Apartment Building Fire

Posted on [February 14, 2014](#)

### Original Story:

A fast-moving apartment building fire occurred on Thursday, February 6, 2014, in Bensalem, Pennsylvania when at least one **smart meter** exploded and caught fire. Thirty (30) residents were displaced by the ensuing blaze at Bensalem's Thunder Hollow apartments. Sixteen (16) apartments were affected. One firefighter was injured. According to the *Bucks County Courier Times*, the Bensalem Battalion Chief Robert Sponheimer said **the fire started in a utility meter in an outside shed** that housed electrical meters. He also said "residents reported hearing a loud bang, then losing power Thursday evening. Within minutes they saw smoke pouring out of the shed. The fire then spread to the building and its roof."



Dramatic camera footage exists taken soon after the fire started, during the fire fighting activities, and during the recovery efforts, making you feel as if you are "on-the-scene" as it happens. In the first video where you see the dramatic flames about 25 to 30 seconds into the video, they are emanating from an outdoor shed containing smart meters.

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Reporting from most news sources indicated that the cause of the fire remains under investigation. However, on-scene reports indicate that the fire was electrical in nature and was started by a fire in "a utility electric meter." These apartments are known to be equipped with smart meters. ... SkyVision Solutions finds it curious that the term "**smart meter**" was not used in original reporting of the fire since that would be a natural question to have asked and have reported to the public.

Updated Information:

One resident lives just a few feet from two sheds where individual smart meters are housed. "I heard this boom and it sounded like a shotgun going off," said the resident.

In the figure shown to the right, an officer as part of an investigation is shining a flashlight toward the two upper smart meters located on the right side of the outdoor shed. The upper most smart meter looks completely deformed (despite the somewhat poor resolution of this photo). There appears to be melted plastic drooping down from what would be the normal meter location. There is also blackened area at the top, where smoke, sparks, and fire previously billowed outward and upward. Clicking on the photo will provide a somewhat better view. From a curiosity perspective, it would nice to have a close-up photo view of the affected smart meter to better examine how bad it really looks, but there is little doubt on what actually happened at this point.



Based upon a report in the *Bucks County Courier Times*, Battalion Chief Robert Sponheimer plans to meet with PECO Energy and township code officials to continue an investigation into a "**meter malfunction**." The fire has also reportedly been ruled an "accident." This determination is actually important in that it means the fire has been determined not to be the work of arson or meter tampering.

SkyVision Solutions has sufficiently reviewed the details surrounding the fire to confidently conclude and report that the cause of the fire was indeed a "smart meter." It would appear that officials just don't want to advertise this important detail concerning the fire.

Follow

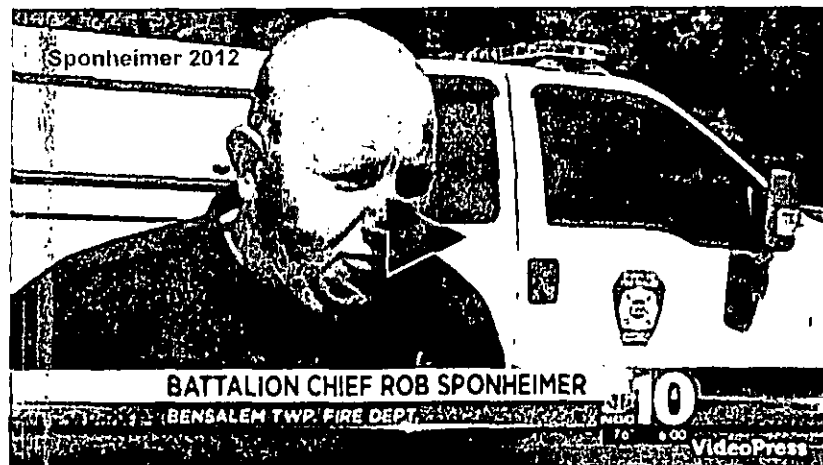
## ***Bottom line ... smart meters do cause fires.***

The video provided below will not specifically discuss smart meters but does help demonstrate the damage, havoc, injury, and potential loss of life that can be caused by smart meters.



[The above video is presented in the public's interest and contains material used pursuant to the Fair Use Doctrine under 17 U.S.C.]

Bensalem Battalion Chief Robert Sponheimer is no stranger to the topic of smart meter fires. He seems to have been trying to do the right thing. Look at what he said back in September 2012. .... At one point he says, "we were lucky so far," based upon the limited damage resulting from the smart meter-related fires.



[The above video contains material used pursuant to Fair Use Doctrine under 17 U.S.C.]

One source of information for this blog posting: [http://www.buckscountycouriertimes.com/news/local/electric-meter-blamed-for-bensalem-apartment-fire/article\\_93cf65bb-a208-5978-a88e-464c2f4451c1.html](http://www.buckscountycouriertimes.com/news/local/electric-meter-blamed-for-bensalem-apartment-fire/article_93cf65bb-a208-5978-a88e-464c2f4451c1.html)

### Commentary:

Follow-up reporting by one news outlet (the *Bucks County Courier Times*) that an electric meter was responsible for an apartment building fire brought to light the fact that a smart meter caused the events described in this blog

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posting. One wonders how many other fires have been caused by smart meters but were never reported as such. In fact, in many cases, fire investigation is basically done to rule out arson and the average investigator is not trained or qualified to determine conclusive origin and cause of electrical fires.

Many laypersons don't know what smart meters are, and during the first video above, it could be heard in the background that a woman was calling for help because a "transformer blew," not knowing that what was housed in the outdoor shed were smart meters, not transformers.

#### Social Media Reports:

A review of social media in the Bensalem, PA area during the timeframe of the fire and subsequent to the fire reveals reporting by both the fire department and from residents. High praise was given to the firefighters.

From Fire Department:

Company has been transmitted to Thunder Hollow Apartments for an apartment fire. ... Heavy smoke showing, going in service.

... Last nights fire at Thunder Hollow displaced 14 families; 5 apartments had fire damage while 11 apartments had smoke and water damage. 1 FF suffered a minor injury on the fireground. All crews did a great job as did Bensalem EMS, Bensalem Police and Bensalem Fire Police.



From Resident:

One building away. Hearing electrical [as cause] but no body is sure. ... Thank you [firefighters] for making the Thunder Hollow Fire much less than it could have been.

From One Local Celebrity (as posted on Facebook page):

Hey everyone, I have something important to share: You may have heard about this big fire which caused 30 of my neighbors to lose their homes ... <http://abclocal.go.com/wpvi/story?section=news%2flocal&id=9422638>  
The cause of this and many other fires around the world is related to the new electrical "Smart Meter". These new meters, typically if installed in older homes with older wiring can cause problems. So please, everybody, check the meters at your house or apartment, no matter where you live, and if you do have a "Smart Meter", ask for a professional inspection. Share this with as many of your friends and lets get the word out.

Comments on Newspaper Reports:

I thought they changed all those bad meters.

... My thoughts exactly. ... I would like to know if theses were the upgraded meters. My fear is pecco putting my old house at risk; it would burn up fast.

Editor's Update on Fire Aftermath, May 7, 2014:



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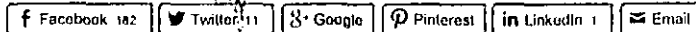
Officially, this smart meter-related fire is still under investigation. The company involved with insuring the Bensalem apartment buildings reportedly requested an independent evaluation of all smart meters installed for the burned building. Current smart meters were removed/ replaced for such an evaluation. It is hoped that another update can be provided at future date as to the results of the independent evaluation and any actions taken as a result of the Bensalem apartment building fire. [It is possible, however, that the

results will not be made public.]

Also, as a matter of public record, there was a Pennsylvania Legislative House Policy meeting held on April 14, 2014 on the subject of "Security in Installation of Smart Meters." Presentation materials for that meeting indicate: "The meter itself is the cause of the Bensalem fire, not arcing and not the wires, per the Bensalem Fire Marshal."

Testimony presented at the above mentioned meeting indicates that the "fire was definitely started by the Landis Smart Meter. The smart meter was located in the utility shed. Not sure where it started in the meter, but it definitely started inside the meter."

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Smart Meters Increase the Risk of Fires! In "Smart Grid, Smart Meters, and RF Emissions"

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About SkyVision Solutions

Raising public awareness and finding solutions for smart grid concerns related to invasions of privacy, data security, health and societal impacts, as well as the potential hazards related to radiofrequency (RF) radiation emissions from all wireless devices, including smart meters.

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9 Responses to Smart Meter "Malfunction" Causes Pennsylvania Apartment Building Fire

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**Norm** says:

February 17, 2014 at 13:46

There appears to be many issues in regard to the so called smart meters including costs, health, privacy and fires. One suggestion I can offer in regard to the fire potential is to place the back of your hand on the meter box and test for heat. There should not be any! If there is, contact the hydro supplier. Take note of the time and day. If they do not respond, call the fire department.

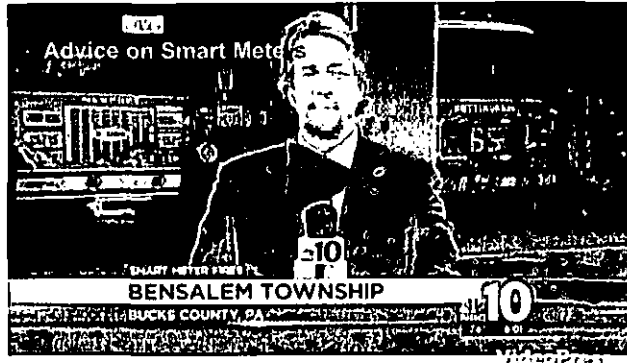
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**SkyVision Solutions** says:

February 17, 2014 at 15:30

The problem is that smart meters can likely fail at any time without warning. Possibly there will be a build up in temperature which might be felt or could more likely be sensed through thermographic type equipment. ... According to fire officials, however, as shown in the video below, "don't touch your meter." ... What have we come to that we have to consider surveillance systems and techniques to monitor the "temperature" of our smart meter to help assure our house doesn't burn down?



[Reply](#)



**bcfreedom** says:

February 16, 2014 at 12:12

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**ivimanan1** says:

February 14, 2014 at 16:23

For everybody's sakes,

In Pennsylvania and in the rest of America and in Canada do get rid of the dopy Electrical so-called Smart Meters. Please demand that these Greedy Electric Power Companies [be] forced to reinstall the Safe and Passive Analog Electric Meters you once had. This must be done at the entire expense to the Electric Power Companies who stole and took the Safe Analog Electric Meters from you, then installed these now proving to be far from Smart Electric Meters which are proving to be INCENDIARY Electric Meters, as well as human and animal sickness making dopy smart meters.

Here in Victoria Australia we have a fast growing number of Electric Power Customers, me included which is now well over 220,000 of us, who refuse to allow the Safe and Passive Analog Electric Meters to be taken from our Private Electric Meter Boxes as we have securely padlocked our Electric Meter Boxes and gotten our Legal Commonwealth of Australia \$167,0000 Dollar Fine Notices erected on our Electric Meter Boxes and on our front fences.

I have also sent as have many of us the \$1.1 Million Dollar A.C.C.C NOTICE OF PROHIBITION OF UNDUE HARASSMENT OR COERCION FOR SMART METER INSTALLATION. from our Canberra Head of the Australian Government to the Chief Executive Officer, C.E.O of Powercor Australia Ltd, to stop them stealing my Safe and Passive Analog Electric Meter from my property. Here is the Notice below. You should have something like it to protect your peoples' Safe and Passive Analog Electric Meters in Pennsylvania and the rest of America as well as it's equivalent in Canada.....

(DATE)

(INSERT OWN NAME)

(ADDRESS)

(Insert name and  
Address of Power Distributor)

**NOTICE OF PROHIBITION OF UNDUE HARASSMENT OR COERCION FOR SMART METER INSTALLATION**

This notice is provided to \_\_\_\_\_ and any persons, entities,

(Insert Power distributor name and ACN no off letter you received)

Employees, associates, corporations, sub-contractors and agents of the fore mentioned (herein referred to as Your Company).

Notice to agent is notice to principal.

Follow

Note: This notice is provided in addition and following a NOTICE OF PROHIBITION FOR SMART METER INSTALLATION (date of your first letter) and NOTICE Your Company's INTENTION TO DISHONOUR AND VIOLATE PROHIBITION FOR SMART METER INSTALLATION NOTICE (date of your letter received from Power Distributor after) served on Your Company.

Your Company is prohibited and forbidden from communication in any manner, with the intent to solicit for the installation of a "smart meter" or meter containing wireless communication function(s) at the following (service) address: (Insert your address). Such an act is herein referred to as a PROHIBITED ACT.

I have lawful and legal standing and claim of right to make such a demand.

Any PROHIBITED ACT will be considered an act of undue harassment or coercion with the supply or possible supply of goods or services as defined by the Competition and Consumer Act 2010 (CTH) Vol. 3, Ch. 4, PT> 4-1, Div. 5 Sec. 168; such an offence carries a penalty of \$1,000,000:00 One point one Million Dollars. If Your Company is in any way directed by the Government (State of Victoria) and State of Victoria Corporation to perform such an offence, the Government and individual members are liable under tort may in addition be held vicariously liable.

Any PROHIBITED ACT remains prohibited unless I provide a NOTICE OF CESSATION OF PROHIBITION explicitly annulling this notice, or following a sale of property and change of property title holder for the property in question.

A copy of this notice will also be provided for their records to (via regular mail):

1. Customer Relations, DPI,
2. Minister Nicholas Kotsiras, Government in the State of Victoria.

If a response to this notice containing any dispute of facts or CLAIM OF RIGHT based on lawful claim of right is not received within fourteen days from Your Company, it shall be fact that you accept as fact this notice and facts contained within, and will honour this notice; such requiring no further action on your behalf.

Sincerely

\_\_\_\_\_  
(Your SIGNATURE) (Witness to your Signature) Print Witnesses name)

Reply

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**Stop Smart Meters!**

*Fighting for health, privacy, and safety*

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**When 'Smart' Meters Kill: The Story of Larry Nikkel — Details Emerge of Vacaville, CA Smart Meter Fire Death**

Posted on [June 21, 2013](#) by [antheloveitblog](#)



Larry Nikkel

*By Joshua Hart, Director StopSmartMeters.Org*

Details have come to light of a man killed by a Pacific Gas and Electric (PG&E) Smart Meter that caught fire in Vacaville, CA on July 9<sup>th</sup>, 2010. Larry Nikkel of 230 Arbor St. died from a suspicious electrical fire that consumed his home the day after Wellington Energy, contractors for PG&E, installed a Landis & Gyr "smart" electric meter. A wrongful death suit lawsuit filed by the family against the utility, subcontractor, and meter manufacturer has now been settled for an undisclosed sum.

The circumstances surrounding Mr. Nikkel's death add a grave and tragic chapter to the growing human cost of the 'smart grid.' The following account is based on interviews with his brother Walter, as well as details obtained by the fire incident report, investigation, and coroner's report.



Larry Nikkel worked for more than 30 years as the groundskeeper at Solano Community College, and was well liked in Vacaville by those who knew him. He was in a rock band in the Seventies called The Panties who played gigs all over the East Bay. Larry loved his rock music and he loved his 1958 Gretsch guitar (the same kind as Chuck Berry played). The guitar- worth thousands- was given to



Larry by a co-worker at the College, underscoring how much he was loved and admired by those who knew him.

Larry was diagnosed with throat cancer in early 2010 and had just finished his chemotherapy treatment at the time of his death. The day before he was killed, he had submitted the paperwork to retire from his job at the Community College. On July 8<sup>th</sup>, 2010, according to neighbors, Wellington Energy came through and deployed electric smart meters all along the street, including on Larry's house. Less than 48 hours later, Larry was dead- killed by smoke inhalation and burns from an unexplained electrical fire that consumed his home.

According to his brother Walter, who had spent time with Larry at his house the morning before the fire (and only hours after the smart meter was installed), there were serious electrical problems in the house that day. Larry had tried to boot up his laptop to watch a DVD that evening, but the computer would not function. The cable box did not work either. Walter and Larry both heard a very loud, high pitched "snap" coming from the wall. Later that night, after Walter had returned home, he received a call from Larry, who said that the 'house was humming.' He regrets to this day not coming over immediately to investigate what was wrong.

At about 10:30pm on July 9<sup>th</sup>, a man walking down Arbor St. saw flames coming out of Larry's house. The man opened the garage door to see if anyone was inside but this caused the fire to "flash" and so he was forced to retreat and call the fire department. By 10:40, fire fighters were on the scene. After battling the fire, crews entered the house and found Larry's body in the hallway bathroom, under a dresser (which Walt speculates he may have pulled on top of himself to shield against the heat). He had shoved towels under the door, and the water was running in the sink. He was on the floor, having succumbed to smoke inhalation and burns. Larry had placed his beloved guitar in the bathtub, where perhaps he hoped it would survive the flames (it did).

HAD HIM LYING IN THE DRIVEWAY  
IN A BAG, I FREAKED AND STARTED  
TO UNZIP THE BAG, BUT THE POLICE  
STOPPED ME, I WAS YELLING WHY DON'T  
THEY WORK ON GETTING YOU WOULD THINK  
THERE WOULD BE AN AMBULANCE AT  
THE SCENE. HE STAYED IN THE DRIVEWAY  
UNTIL I AM SAT, WHILE THEY DID THEIR INVEST  
IGATION, MY BROTHER STEPT ON A MATTRESS

Walter remembers hearing a lot of fire engine sirens that night and wondering whether there was a large grass fire in the area. He received a call from Larry's neighbor at about the same time, and immediately got a bad feeling. He got in his car and when he arrived at his brother's house, the house was charred and blackened and Larry's

body was already in a bag. Walter was distraught and started to open the bag but was stopped by the police. "Why aren't you working on him??" he remembers yelling at the emergency responders.

The official Pathology Report notes that the cause of death was smoke inhalation and thermal injuries (burns):



Gary R. Stanton  
Sheriff / Coroner

(707) 421-7000

Autopsy

Name: Larry Wayne Nikkel

Case No: 2010-0645

Postmortem Date: July 12, 2010

Time: 10:01

Place of Death: Residence

Date: July 9, 2010

Time: 23:04

Age:

54

Sex:

M

Race:

W

#### PATHOLOGIC DIAGNOSES

##### I. Smoke Inhalation and Thermal Injury.

###### A. Smoke inhalation.

1. Soot in the nose, mouth and ears.
2. Soot in the larynx, trachea and respiratory tree.
3. Small amount of soot in the esophagus.
4. Viscera and blood bright cherry red.
5. Blood co saturation 50%.

###### B. Thermal Injuries.

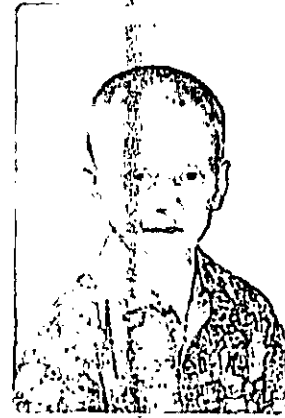
1. First degree burns on left upper chest.
2. First degree burns on upper back, right and left.
3. First degree burns right and left shoulders and upper arms.
4. Small first degree burns anterior right arm.
5. Small first degree burn, back of right forearm.

Larry Nikkel was officially pronounced dead at 11:04pm on July 9<sup>th</sup>, 2010.

The official cause of the fire- according to the Vacaville Fire Department's Investigation was "*undetermined, but was most likely caused by an electrical problem*"

About a month after the fire, Walter met Ken Burton at the house. Ken was the former bass player in Larry's band, a friend of the family and also a retired fire fighter. Walter had noticed that his brother's swamp cooler had fallen to the ground from the window, and was not burned except that the motor was charred, and the belt was melted to the pulley. The two speculated that something had caused the power cord to become so hot that it caught the plywood that fit in the window on fire, and this quickly spread throughout the house.

While they were talking, a fire truck pulled up and Vacaville Fire Dept. Battalion Chief Jansen came up to them. He asked how they were doing, and walked back to the charred breaker box, where two of the breakers were found tripped right after the fire. He asked them if they were aware that the "smart" meter was installed on Larry's house the day before the fire. It turned out that PG&E had hurriedly removed the meter following the fire.



Young Larry Nikkel

A month later, Walter was clearing the neighbor's grape vine out of his tree. That night he started hearing loud buzzing and humming sounds coming from his wall. He immediately called PG&E, who sent a lineman out and discovered that the neutral wire was off the pole. (Walt figures he accidentally pulled the wire off). As a result, 2 TV's, and a DISH DVR player were fried because of over voltage.

Suddenly, it clicked for Walter. The humming and popping noises. The electrical problems. The "smart" meter having been installed the day before the fire. **His brother Larry had died because of PG&E's smart meter.** He did an internet search for "smart meter hazards" and put two and two together, finally grasping what likely killed his brother.

According to electrical engineers, the popping, humming, and appliance damage are all telltale signs of an electrical problem caused by arcing, possibly from a meter that was not installed properly. Arcing can lead to fires and explosions. (As we documented in late 2010 in our interview with a whistleblower from Wellington Energy, workers were encouraged to ignore safety hazards and only had 20 hours of training, violating FCC requirements that smart meters be installed by a professional electrician). Larry's death appears to be a direct result of the kind of violations



uncovered by the whistleblower, whose reports were summarily ignored by the CA Public Utilities Commission.

On June 10th, 2012, the Nikkel family filed a lawsuit against Pacific Gas and Electric, Wellington Energy, and Landis & Gyr meter manufacturers, alleging negligence and wrongful death.

The case was settled out of court earlier this year, showing that the utilities and meter manufacturers were alarmed about the potential to lose the case, as well as more terrible publicity related to their meter program. The settlement- though not ideal as it avoids a verdict that might force the utilities to compensate others who have suffered smart meter fires or even recall the meters- has nonetheless provided a sense of closure to the family, who would have had to live through the pain of Larry's loss once again during a trial.



A Stamford CT house fire where 5 people died. The evidence leads to a smart meter as the culprit.

Meanwhile, the number of smart meter fires has continued to grow. Last year, a Stamford CT woman lost five members of her family after a fire likely started by their 'smart' meter. Twenty-four hours later, her home was bulldozed, eliminating any evidence that could have been collected showing why the deadly fire started (and preventing future fires) In August 2012, Peco Energy of Pennsylvania was forced to suspend its deployment after at least 26 separate incidents where newly installed smart meters had caught fire or exploded. The EMF Safety Network has tracked many of these fires here, and we have documented a number of these incidents at StopSmartMeters.Org.

A June 15th 2012 presentation by the Ontario Fire Marshal analyzes the numerous smart meter fires being reported in Canada and abroad and states:

*"We encountered an unusual amount of fire incidents involving smart meters...**prior to any proper investigation the utility company had removed and replaced the meters from the affected areas**...New meters may have defects that cause electrical failures (or they may be caused by) careless installation during change over..."*

It's fairly clear by now that there is another major safety problem with smart meters- aside from RF radiation pulses. Hundreds of fires, explosions, and other electrical problems have been documented. Pre-market safety testing simply did not happen in the rush to harvest stimulus funds and corporate profits. The process of third party safety testing might have uncovered these problems before they ended up killing people, but unfortunately UL certification was never sought. In cases of fire, the utility's strategy has been to blame faulty household wiring, a candle, hot ashes, anything to take the focus away from the smart meter. Homes with old or vulnerable wiring seem to be especially at risk, and surely the utilities know this by now. But they do not warn, and they do not inspect.

If we had responsible utility companies that prioritized health and safety, smart meter deployments could have included a safety check of the socket and wiring. Unfortunately such caution would have required professional technicians to work longer hours- a cost the utility company refused to bear. They can't seem to have anything get in the way of their guaranteed 11.5% annual returns on shareholder investments (in the case of PG&E). Sadly, for whatever reason most fire departments have failed to investigate smart meter fires as a systemic problem that requires a systemic solution. Meanwhile more homes burn and more people die.

When the Nikkel case came to the attention of Stop Smart Meters! we immediately connected the family with a lawyer and started to try and obtain documents from the Vacaville Fire Dept. Unfortunately, multiple attempts to get a copy of the investigation failed, even when requested by members of Larry's own family. The attorney for the case- David Kyle- who won his own small claims court case against SCE- said he's never seen such reluctance to release these kinds of documents. It finally took a subpoena and legal threats to obtain the investigation, something that a bereaved family should not have to go through simply in order to understand why their loved one died.

Unfortunately despite pledges of safety and reform from PG&E and the CPUC following the horrific explosion in San Bruno that killed a dozen people and razed an entire neighborhood, the same decisions are still being made-

trading people's lives for shareholder profit. You needn't live near a gas pipeline to be at risk. This time it is a device that is being installed on most everyone's home, in every neighborhood.

While PG&E and other utilities install unsafe devices that are costing some their homes and their lives, the CPUC-led by the industry itself in the form of Mr. Michael Peevey- looks the other way. Such inaction in the face of overwhelming evidence of mortal risk is truly criminal. Let's make sure that Larry, and others who have lost their lives in the name of the 'smart grid' are not forgotten, and that we honor their memory with action and political change.

Larry's obituary can be found [here](#).

Larry's guitar pick survived the fire

This entry was posted in [California](#), [Cancer](#), [CPUC](#), [Fires](#), [legal issues](#), [PG&E](#), [Smart Grid](#). Bookmark the [permalink](#).

## 20 Responses to *When 'Smart' Meters Kill: The Story of Larry Nikkel — Details Emerge of Vacaville, CA Smart Meter Fire Death*

Pingback: [MeterFreedom.org | When 'Smart' Meters Kill](#)



**elena says:**

June 25, 2013 at 8:39 am

Thank you for these updates. I have a question concerning a new so called " demonstration project" . I live in Montana, Philipsburg. I haven't any idea as to the extent or even if these Smart meters are being installed here. I know that the town not to long ago had to get water meters(never had them B4), but I have no idea what kind they are.

Recently, NorthWestern Energy has conducted a Smart Grid demo project here in MT (see article below). Do you have any idea what this means? I don't think they've been changing the existing meters . but I know they have with the poles. One such pole down the street starting throwing off sparks so bad that nearby home owners heard the sound B4 realizing what it was. At the same time a major fire broke out about 10-15 miles away destroying several homes and acres. The cause supposedly was a tree falling on the wires connected to the new poles. We have been experiencing several problems with our own home ever since NorthWestern has been doing major pole replacements and additions, testing and planned blackouts.

I know you must be busy, but I hope you can answer my question. I don't think that people are connecting the dots if they are experiencing the same problems as others which can be attributed to the same cause. A number of us are concerned and would be interested in your answer.

Thank you in advance for your time.

Elena Gagliano  
Philipsburg MT

[http://www.northwesternenergy.com/display.aspx?Page=Smart\\_Grid&Item=429](http://www.northwesternenergy.com/display.aspx?Page=Smart_Grid&Item=429)

## Testimony Regarding Smart Meter Fires

I would like to thank Representative Dave Reed and Kerry Benninghoff for giving me this opportunity to present information on an extremely important issue, smart meter fires.

Smart meters continue to cause fires, home explosions and power surges, causing major destruction to homes, businesses and lives.

This is an example of what happened to a home in Yardley, PA. Mary was initially given a Sensus smart meter in January despite the fact that this smart meter had been recalled two weeks earlier. A few minutes after the smart meter was installed, the homeowner heard an explosion. The lights in her house exploded, her computer exploded, her refrigerator and all other appliances exploded, and the computer surge protector melted onto the floor. As a result of this explosion, her walls and floors needed to be replaced, as well as all the wiring. Her heater needed to be replaced. The microwave and double oven also needed to be replaced.

In February, while Mary's house was being repaired, she was given a Flexall Smart Meter. This smart meter also exploded. As a consequence of this smart meter explosion, she had no electricity to her home, which resulted in basement flooding due to frozen pipes. Tragically, her house sustained major structural damage because of the installation of these smart meters. And this is just one case. There are thirty additional cases.

Electrically initiated fires can be caused by old wiring as well as new wiring.

This and other smart meter fires could have been prevented if the roll-out of smart meters had been discontinued. If the smart meter roll-out continues, more homes and lives will be destroyed, as was the case in California and Canada, where deaths occurred as a result of smart meter fires.

You might think that homeowner's insurance would cover smart meter damage, but that is not the case. Insurance companies consider smart meter technology advanced and therefore will not cover damages if they feel homes are not smart

meter- compliant. For a home to be smart compliant, the home needs to be completely rewired so that it is compliant with the demands of the smart grid. It is prohibitively expensive for the hard-working public to make their homes smart-compliant.

Houses that are currently up-to-code are no longer considered to be up-to-code by the PUC, electric companies, grid subcontractors and insurance companies once a smart meter is placed in the home because smart meters are built with future technologies in mind and are not built to communicate with existing home technology. Given that the grid modernization technology sphere is dynamic and rapidly evolving, our homes will never be smart meter compliant. It is an unreasonable expectation placed on consumers by the utility companies, PUC, insurance companies and the government to require our homes to be smart compliant.

In addition, when PA adopted the smart grid program, Underwriters Laboratories stated that "the meters are owned by the electric companies, while the consumers own and are responsible for the meter box and consumers are responsible for any damage that results from fires, short circuits and power surges."

This means that all the responsibility is placed on the homeowner. Unfortunately, the government, PUC and electric companies never discussed this responsibility with homeowners. And through HB 2200 and Act 129, citizens are forced to comply with the demands of the grid by accepting a smart meter, without being aware that these smart meters may cause home fires. The electric companies know that they can continue to roll- out smart meters because they will not be responsible for the fires due to smart grid program policies. And the insurance companies know they will not have to pay for fire damages because the smart meter grid program puts all the responsibility on the homeowner.

So who is responsible?

The responsibility lies with every person who does nothing to stop the roll-out of these smart meters. The responsibility for the fires and the devastation caused by smart meters is in your hands.

Unfortunately, the individuals who lack an understanding of smart meters and the smart grid are the same individuals who have the most to lose - the citizens of Pennsylvania.

Well, homeowners do not want to be responsible for the horrific consequences of a smart meter fire, either. We did not ask for these meters and we were not made aware of the consequences of installing these meters. I guarantee that no one would want a smart meter if they knew that they can cause fires and deaths. Also, as stated earlier, homes are not adapted for smart meter technology.

Smart meters are not UL-Certified. The Underwriters Laboratories has indicated that only consumer products need to be UL-Certified. A smart meter is considered a "utility product," sold only to utility companies, so they are not required to have testing done by Underwriters Laboratories. Therefore, meters have not passed an important safety test by an independent safety expert such as Underwriters Laboratories.

Tests of smart meter construction specifications in Canada have verified accuracy, but have not guaranteed safe operation over the lifespan of the meter. We can reasonably assume that this is also true for smart meters used in the United States, since Canada uses some of the same meters as the United States.

Electric companies and subcontractors are willfully negligent, reckless and careless for ignoring the requests of citizens to stop putting smart meters in their homes, even though they are well aware that smart meters are continuing to cause fires.

Fires have occurred in the following states and provinces: Michigan, California (a case of one death from a smart meter fire was settled out of court), Florida, Tennessee, Texas, Illinois, Georgia, Vermont, Maine, Nevada, Oregon, District of Columbia, British Columbia, Quebec (where there were 3 deaths before Christmas), and Australia.

Electric companies and subcontractors have clearly been engaging in unfair and deceptive practices.

We believe that electric companies and their subcontractors violated the Unfair Trade Practices and Consumer Protection Law, 73 P.S. 201-1 et seq., for the following reasons:

1. Failure to notify customers of the fires and hazards caused by smart meters.
2. Engaging in fraudulent and deceptive practices which created consumer confusion and caused citizens to believe that smart meters are safe.

In addition, the PUC and electric companies have failed to comply with HB 2200, amending Title 66 (Public Utilities of Pa Consolidation Statutes). Specifically, they have failed to "insure the health, safety and prosperity of all citizens of this commonwealth" by coercing citizens to accept a smart meter or have their electricity shut off. In addition, the PUC and electric companies are well aware that smart meters cause fires and other physical ailments.

Wal-Mart and Sam's Club, recently stated that they "simply cannot participate in programs requiring any type of direct load control by the utility for safety reasons", per Docket No. M-2009-2092655 – Commonwealth of Pennsylvania Public Utility Commission, Smart Meter Technology Procurement and Installation Plans.

If it is not safe for a major corporation, then how can it be safe for us? Pennsylvania citizens simply cannot participate in the smart meter roll- out due to safety concerns!

Support to stop smart meter roll- outs includes the following:

Hawaii State Representative Kaniela Ing introduced bill HR 146 "Expressing support for an immediate moratorium on the installation and promotion of smart meters until they are proven safe to public health and the environment, economy, and security of the state."

The Governor of Illinois vetoed the smart grid.

The Fairfield, Iowa Water Department proposed to halt implementation of smart water meters and to reimburse citizens for opt-out fees for smart water meters.

Ventura County developed an "opt out" program.

Palo Alto has been installing smart meters since 2009 but recently stopped the installation of smart meters since they had complaints of health problems and increased electric costs. They concluded that it makes no economic or functional sense to install smart meters now. They found that savings were only 1% for residential and ½% for commercial structures.

Solutions to this extremely important problem include:

- Remove the smart meter mandate. Stop the roll-out.
- Remove smart meter charges from our monthly electric bill. We are being forced to pay, through Act 129, to have the electric company roll-out smart meters, which is a serious fire hazard. It is disgraceful that people are being forced to pay for a service that may kill them.
- Manufacturers, subcontractors and the PUC must be held accountable with a mandatory fine of up to \$10,000 per day for a smart meter that is not removed from a home or business after a 3 day recall notification is given to the public.
- The public should be educated about the dangers of smart meter fires.
- There should be no charge for smart meter removal or re-installation of an analog meter.
- A bill should be introduced which establishes the responsibility of electric providers, manufacturers and fire companies to report all smart meter fires. This information should be easily accessible to the public.

In conclusion, we believe that we should not be required to install or pay for a smart meter because the meters represent a serious and potentially deadly fire hazard. Ensuring the safety of the public should be of paramount importance.

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