

PUC

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February 17, 2017

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Chairman Correspondence 2017.051
for: Francis Hriadil
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RE: Correspondence to Governor Wolf on Smart Meters in PA

Cc: Deputy General Counsel Howell; Attorney General Shapiro; PA Representative Markosek; PA Representative Reese; PA Senator Brewster; PA Senator White; Monroeville Mayor Erosenko; Monroeville City Council Members: Gaydos, Gresock, Caliari

Dear Governor Wolf:

I received a letter from Deputy General Counsel Thomas Howell, dated December 22, 2016. I am writing in response to that letter, and would have written sooner; but, I am very busy continuing with my effort to prevent the installation of a flawed and dangerous Smart Meter on our residence.

What Mr. Howell stated, with regard to my appeal to you for help, was the following,

"Please understand that the PUC is an independent agency. The Governor is unable to intervene in your situation. Please know that certain state laws prohibit this office, and the Governor, from offering legal advice or counsel to any individual or legal entity in matters of criminal or personal litigation."

I simply cannot believe this statement. It is inconceivable that you are refusing to act on such an important public safety matter. This IS a serious public safety issue, and to simply ignore it would be an act of negligence on the part of you and your administration.

You are the Governor of the state of Pennsylvania. The Constitution of the State of Pennsylvania quite directly states that:

§ 2. Duties of Governor...

The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed; ...

It is a matter of record that the PA-PUC created an Implementation Order for the mandatory deployment of Smart Meters in the state of Pennsylvania that violates

1. the Federal Energy Bills of 2005 and 2007 which stipulated that participation in the Smart Meter program is voluntary.
2. Act 129, as passed by the General Assembly and signed by Governor Rendell, in which specific language is provided stipulating that Smart Meters shall be furnished "at the request of the customer, who agrees to pay for the meter at the time of that request." [Reference: § 2807 (f) (2) (i)].
3. the stated intent of the Legislators as documented in the Legislative Record, in Senate Journal Pages 2626-2631, Oct. 8, 2008. I sent you a copy of that record taken right off of the General Assembly website, in which, State Senators Tomlinson, Boscola, Fumo, etc. state emphatically that they did not mandate smart meters, but ... made them optional.

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CHAIRMAN'S OFFICE

Subsequent to the passage of Act 129, the PA PUC wrote an Implementation Order that "mandates" deployment throughout the state. So, the fact of the matter is that the PA PUC is NOT doing its duty to faithfully execute Act 129 as written and intended, and the 2005 and 2007 Federal Energy Bills. This is an undeniable fact.

Furthermore, the pulsed RF radiation transmitted by Smart Meters has been established to be a dangerous contaminant. It has been recognized as such by the World Health Organization (WHO), which has declared it to be a "Group 2B" class pollutant, such as lead, engine exhaust, and DDT. And, as such, it is an agent that represents a "carcinogenic hazard". In 2016, the National Institutes of Health (NIH) released conclusive, peer reviewed, experimental evidence verifying that this pulsing RF radiation damages DNA and does produce cancer. This study was praised by the American Cancer Society (ACS), and others. It has been characterized as being good science. And, its results have been recognized as having broad implications for public health.

The ACS made a point of comparing the current situation with pulsed RF radiation from devices such as Smart Meters, etc. directly to that of the tobacco industry and its efforts to hide and discredit any link between lung cancer and smoking. The cost in human suffering and the loss of lives due to that deliberate obfuscation "just to make a buck" was immense, and the whole circumstance is universally viewed with disdain. And, that was a situation where the choice of smoking was a voluntary one made by adults. The current "mandated" deployment of flawed and dangerous Smart Meters under the direction of the PA PUC is far worse than that. According to the PA PUC, there "is no choice." That is factually untrue and a complete misrepresentation. And, the resulting repercussions will be devastating to the health and well-being of the citizens of the state. Furthermore, as was the case with the tobacco industry, the state and those officials who are complicit with this sham, will not escape their culpability and liability here, and will be faced with significant legal consequences. The Implementation Order is putting the state and its citizens in jeopardy.

~~The PA PUC acted beyond its legal authority in creating an Implementation Order that exceeded and contradicted the Federal law, the state law, and the intention of the General Assembly.~~ And, it is your responsibility as Governor to step in to right this wrong being perpetrated on everyone, from fetuses in the womb just beginning life to the elderly just trying to live their remaining years the best they can. All are being adversely affected.

You cannot, in good conscience as a human being, simply continue to turn a "blind eye" to this travesty. The consequences are real. The harm is real. You are not fulfilling your constitutional responsibilities if you remain silent and indifferent, and continue to allow this ill-conceived program to continue to steamroll over Pennsylvanians unabated. Doing nothing is the easy thing. Leadership is not doing the easy thing; it is doing the right thing.

Attorneys General and Governors in other states, Illinois, Connecticut, Michigan, etc., have recognized these issues, and have stepped in to protect their residents. They had the courage to do the right thing for their citizens. So, I appeal to you again, to **please use your authority to intervene and help the residents of Pennsylvania.** The law is being usurped for financial and political gain, people are being hurt, and their human rights are being violated.

February 17, 2017

Francis Hriadil

Governor Wolf, you CAN correct this injustice. You only need the will to do so. There are many things you can do:

1. You can direct the PA PUC to follow the letter of the law, and the stated intent of the General Assembly, and correct their Implementation Order.
2. You can direct Attorney General Josh Shapiro to step in to suspend this program, as Attorneys General have done in other states.
3. You can publically call on the General Assembly to end their political machinations and pass a revision to Act 129 which rescinds and corrects the "PA PUC Implementation Order," or at least provides an Opt-Out provision for PA residents, as is available in other states. It is a disgrace that for several years now Smart Meter Opt-Out bills that have been repeatedly introduced by PA Legislators to correct this situation have been repeatedly quashed in committee by one single person, Consumer Affairs Chairman Robert Godshall. This behavior by a State Representative, whose son has a management position with a Pennsylvania electric utility company involved with Smart Meters, is unconscionable and unethical. He has a clear conflict of interest, and should be removed from that committee.
4. You can take a public stand that Pennsylvanians have the right, as provided in the 2005 and 2007 Federal Energy Bills, Act 129, and the state Constitution, to decline to participate in this flawed, ill-conceived, invasive, and costly end-metering Smart Meter program.

And, I am sure there are many other things that can also be done by your office. California, Florida, Maine, Massachusetts, Michigan, Nevada, Texas, Vermont all have Opt-Out provisions for their residents. New Hampshire has an Act 129 like Opt-In requirement.

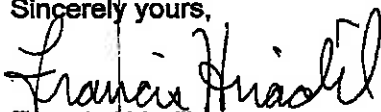
End-metering with Smart Meters is not the way to upgrade the state's and the country's energy infrastructure. It is not technically sound, it increases the vulnerability of the state's energy grid, and the "numbers" used to justify it just don't hold up to scrutiny and reality. The technology is inherently dangerous and insecure, and, economically, it is simply not cost effective. What needs to be done is modernizing and hardening the distribution and storage infrastructure, not forcing this controversial and unwelcome end-metering technology on homeowners.

The letter I received from Deputy General Counsel Thomas Howell is nothing other than a poor excuse to do nothing. I expect more from a Governor than "that" on something as serious as this. Section 2 of the Pennsylvania State Constitution states

§ 2. All power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety and happiness.

It is a sad state of affairs that this is not occurring in Pennsylvania. I just moved back here to retire, from New Hampshire which has a sensible and reasonable program. Under these circumstances, I regret doing so; but, my family is in this area. If you do nothing, and allow this travesty to continue, then you too are responsible.

Sincerely yours,


Francis Hriadil

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