

Before the PA Public Utility Commission

Lynn Force

v.

Docket No. C-2017-2634987

West Penn Power Company

Reply to Preliminary Objection to the Formal
Complaint of Lynn Force

RECEIVED

I. Introduction

DEC 23 2017

PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

1. Denied in part. Again, Company mischaracterizes and minimizes my allegation. I have 3 allegations in my complaint. Please refer to those as a correct characterization of what I am alleging. Much of my area remains with analog meters at this time. The next door neighbor's meter has already been installed on my apartment, and much of my day is spent just 2 1/2 feet from it, since it is on the outside of my kitchen wall beside the sink. Even under the current FCC standards, which there seems to be a scientific consensus that these standards are very outdated and biologically irrelevant - but even under them, it is highly questionable that being that close to one meter for a few hours in the day - since it is right beside my

Kitchen sink where I have to wash dishes and prepare food - it is questionable that the emissions I will receive fall within the current FCC guidelines. There are many reflective surfaces in the kitchen, which make exposure more dangerous - see enclosed Sage Associates Letter of Comment on Smart Meter Report, enclosure pages 10-15.

If they install my wireless smart meter as well - right next to the other one - I will be subjected without my consent to having to work 2 1/2 feet from 2 wireless microwave radiation emitting meters, with many reflective surfaces in my kitchen.

Moreover, I am not objecting to installation of a smart meter, only to the installation of a smart meter that works with wireless microwave technology. Much safer alternatives are available.

2. Admitted - But much of the area is still using analog meters. They are ahead of schedule it appears. (I thought I read that they don't need to have this done until 2023.)
3. Denied in part - we have received all of our other mail. Just not their letter of October 10, 2017.

There was the knock on the door at 8 something by a man saying he was here to install my smart meter "you got a letter." I said "what letter, we didn't get a letter." I was simply responding to a knock at the door and he ~~would~~ wouldn't take the time, other than to say ~~we~~ "you got a letter" a second time. We got no letter, and the conversation was as I described in my complaint. Company repeats over and over that I refused the smart meter because I had not received notification. I am only describing how this encounter unfolded. The failure to get a letter is not the problem with the wireless smart meter as I have stated in my Complaint and reply to answer and new matter.

In my opinion, they are hoping you never answer the door. These things are so dangerous based on the materials I've included in my complaint and reply to answer and new matter, that they can't deal with this any other way than to beat people into submission with threats of almost immediate shut off so they can carry out their mission.

When the man handed me the door tag and said he didn't have time to talk to me that "you'll get a letter giving you 10 days to comply," I was left with thinking did this really just happen that this man knocks at my door at

this time and then tells me he doesn't have time to talk to me. Anything I knew about smart meters up to this point was that they were something you could opt out of.

My husband David knew we would be getting a letter - not a message by phone about the smart meter. David says he got no message. The Company's characterization of my complaint that I refused the smart meter because I received no prior notification does not speak to my allegations in the complaint. Threatening people with shut off upon a knock at the door when they are blindsided by this and begin asking questions is not acceptable. In fact, it indicates that something is highly wrong with this product they are deploying, which I have found to be true since looking into this beginning October 31, 2017, as a result of this encounter at my door. The comply within 10 days or you'll be shut off is the method by which Company is accomplishing this. That is the reason why you don't have more complaints at your doorstep.

Sherry's characterization of our discussion is not true. She simply stated that deployment

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could not be delayed and my service would be shut off. Only then did I tell her I was going to file a formal complaint with the PUC. - It was only then that she said you can file an informal complaint. I said no, I'm filing a formal complaint. So yes, she provided me with dispute rights as their motion says, but only after I told her I was filing a formal complaint. Things happened in the order I am stating. She said they would give me a 10 day reprieve from shut off to file my complaint. But she said if the PUC does not ~~notify~~ notify us, then the process continues. My complaint states an accurate accounting. Their motion does not. As the call was ending she said the meters were tested by the California Council on Science and Technology.

After this call I looked up the report by the California Council on Science and Technology and found that they didn't test anything. They just came up with a report which scientists who were asked to contribute say did not listen to them.

I have enclosed some of those scientific

letters that were requested by the California Council on Science & Technology.

The California Council on Science & Technology (CCST) Executive Committee appointed a Smart Meter Project Team that oversaw development of a response on the issue of whether these were safe. One member of that Team was:

Emir Macari, Dean of Engineering and Computer Science, California State University, Sacramento and Director of the California Smart Grid Center

Another member was Larry Papay, CEO, PQR, LLC, management consulting firm. Papay is currently CEO and Principal of PQR, LLC, a management consulting firm specializing in ~~man~~ managerial, financial, and technical strategies for a variety of clients in electric power and other energy areas. His previous positions include Sector Vice President for the Integrated Solutions Sector, SAIC; Senior Vice President and General Manager of Bechtel Technology and Consulting; and Senior Vice President at Southern California Edison.

4. Denied. As my complaint and reply to answer and new matter state, imposing a smart meter that is a wireless radiation emitting device on a necessary

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service, particularly without the ability to opt out, violates the obligation to provide safe and reasonable service under § 1501 of Title 66 of the Pennsylvania Code. The Company simply cannot state that these wireless meters are safe.

5. Denied. I did not request an exemption. Simply a delay while you continue on with others in the area. The next person here might be ill informed enough to want a wireless meter.

II. Background

6. Admitted

7. Denied in part - I have no evidence that anything was sent to me before the encounter at the door on October 31, 2017. Again, David said he did not get a message. At that point we were waiting for our notice to comply letter spoken of by the installer. True I contacted Company on November 16, 2017 after receiving letter of the 9th that arrived on November 13, 2017. Again Sherry mischaracterized my reason for refusal - but I did ask what were the

Several attempts mentioned in the letter - since we had not received them.

8. Admitted date of filing. As to when they received my complaint, I addressed that in # 12 of my reply to new matter.

9. And I am filing my Reply to Company's Answer and New Matter with my Reply to this Preliminary Objection.

III. Argument

10. I have no knowledge.

11. I have no knowledge.

12. Company's request for judgment on the pleading is not clearly warranted or free from doubt.

13. Denied. Company installing 2 meters together that transmit wireless microwave radiation at levels where many scientists would believe 1 meter alone to be unsafe, where much time must be spent less than 3 ft. away. This cannot be proven by Company to be in compliance even with

the irrelevant FCC guidelines. Additionally, the meters are on the outside of my kitchen which contains many stainless steel and other reflective surfaces increasing the exposure. With no chance to opt out, this is a gross violation of the obligation to provide safe and reasonable service under § 1501 of Title 66 of the Pennsylvania Code. Smart meters could have been done safely using other methods. Additionally, I don't believe Act 129 requires that the smart meter be a wireless microwave transmitting device. Company could have chosen a safer option. And we could have been provided with an opt out. Even the 52 page CCST report which many scientists criticize (see letters in my enclosure), contains in the highlights (p. 1 of enclosure) under OTHER CONSIDERATIONS # 4., which states, "Consideration could be given to alternative smart meter configurations (such as wired) in those cases where wireless meters continue to be concern to consumers."

14. Admitted.

15. Denied. Again, mischaracterizes and minimizes my complaint. I am opposed to the inability

to prove the safety of a wireless microwave smart meter, which can neither be proven safe nor reasonable and which constitutes experimenting upon us without our informed consent.

16. Denied. Commission can do whatever it wants to do. I believe California PUC was overwhelmed with complaints and either crafted an opt out or ordered one to be crafted. I am simply asking for a slight delay of a few months in your implementation at this location - that is all. None of this would have been necessary had Company been willing to engage with me besides just threatening to shut off my service.

17. Denied. Again my complaint - rushed as it was under threat of shut off within days - stands for itself.

18. Denied. I would accept a safe smart meter, but you have no right to impose a wireless microwave emitting device that will send radiation through us at such close proximity. There are safe alternatives.

You have failed to prove that a wireless smart

meters emitting microwave radiation from less than 3 feet away from where I spend much of my day and where there are many reflective surfaces, without first getting my consent or giving me the chance to opt out, is providing electricity to me in a safe and reasonable manner. You simply cannot prove this because it is not.

Moreover, you are in violation of the ~~Nuremberg~~ Nuremberg Charter and the Nuremberg Code which resulted from the doctors' trials.

So Company, you may argue that you must do this because of Act 129, but this goes against the Nuremberg Principles and the Nuremberg Code, under which you are responsible. You simply cannot experiment on people without their consent:

"Nuremberg Principle IV The fact that a person acted pursuant to order of his Government or of a superior does not relieve him from responsibility under international law, provided a moral choice was in fact possible to him."

"Nuremberg Principle II The fact that an internal law does not impose a penalty for an act which constitutes a crime under international law does not relieve the person who committed

the act from responsibility under international law."

I don't want to be part of this experiment, and right now, I have no way to opt out. I need electricity to live through the Pennsylvania winter.

The idea of informed consent has been universally accepted and now constitutes Article 7 of the United Nations' International Covenant on Civil and Political Rights. (ICCPR) Article 7 of the ICCPR explicitly includes prohibition on medical and scientific experimentation without consent. Company, you are in violation of Article 7. The Senate ratified ICCPR in 1992, with 5 reservations, 5 understandings, and 4 declarations. One of the declarations was that Article 1 through 27 of the covenant are not self-executing, and in a Senate Executive Report it said that the declaration was meant to "clarify that the Covenant will not create a private cause of action in U.S. Courts." In information about the treaty on Wikipedia it's stated that, "It is also important to emphasize that the 'self-executing' statement was a declaration and

the Courts have held that declarations have no effect upon treaty law and the rights of citizens. As a reservation that is 'incompatible with the object and purpose' of a treaty is void as a matter of the Vienna Convention on the Law of Treaties and international law, there is some issue as to whether the non-self-execution declaration is even legal under domestic law." In my complaint and reply to answer and new matter I have pointed out several doctors and scientists who state that smart meters constitute experimentation without informed consent.

19. Denied. I am not even asking for an exemption, just a slight delay. Company is wasting the Court's time and thinking that it's threats will get everyone to comply out of fear of an almost immediate shut off.

20. The issues I raise are very necessary to the public interest. I am one of the few people who took the risk of shut off in the Pennsylvania cold to file a complaint against Company.

21. No one is immune from the effect of these wireless meters. I'm sure I'm having effects from them, but should we have to place our health history before the public to be free of these meters? To my knowledge neither of the plaintiffs mentioned in these cited cases received help from the court, despite putting their health in the public. I believe I read that Kreider lost and then died, and that the Van Schoycks had to spend over \$100,000 to go solar. I don't know anything more about their complaints, but it should be for company to show that their device is safe, which it cannot. See testimony of Martin Pall on YouTube in the Massachusetts state house regarding a bill to opt out.
22. If you dismiss my complaint, you will have ignored and not heard the science and will have ignored and not heard me.
23. I have no knowledge.
24. Denied. Yes I have. Act 129 does not require the Company to impose wireless smart meters

ON customers. I don't consent to this experiment as stated in my reply to 18. This is all about profit. You will have less if you do this in a manner that is known to be safe, not using wireless microwave radiation. I have submitted lots of evidence to back up my complaint.

IV Conclusion

I do not request an exemption - I will take a wired Fibre optic smart meter or I just ask for a few months delay, which company could have given me and still been well within their deployment timeline but would not, and this could have been settled amicably. But instead they have wasted the court's time. I would have left these arguments for someone better than me to make. But I am all there is right now. I'm here because they have been so unyielding and with a dangerous product and because they are not in the right. They are a dissenting voice to the truth I speak. I am speaking the truth.

I respectfully ask that you deny their motion to strike my request for a delay and that you sustain my Formal Complaint in its entirety.

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I am open to mediation. Their answer says that they are open to mediation also - but have not really acted accordingly.

Respectfully submitted,

Dated: December 23, 2017

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