

RESPONSE OF JUDITH HENDIN TO PRELIMINARY OBJECTION

9.7.18

Docket No. C-2018-3003324

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Response to Preliminary Objection

I have responded to specific sections which I felt warranted a response. I am not sure if my responses are perfectly in alignment with the issues raised in the numbered paragraphs in the Preliminary Objection, but the content still applies overall.

I. Introduction

I.3 – Though I was told that there is no opt-out available, I have learned that opt-outs are available in more than half the states of this country. That tells you that more than half of this country sees value in giving individuals the choice of whether to have a smart meter or to retain their analog meter.

A small note: On July 11, 2018, the company was not electronically served with the Formal Complaint. The Complaint was mailed through the post.

I.4 – I am not trying to say that the Commission is violating a law per se. I am saying that they need to take into account the fact that they are knowingly causing harm to individual health.

Attached is a letter from Dr. William Kracht, my physician, explaining that I need to opt out of the smart meter for health reasons.

The EMF Safety Network reports:

“The World Health Organization classifies RF as a 2B carcinogen, same as DDT and lead. Military studies here and here show pulsed radiation can cause serious health problems, including tinnitus, memory loss and seizures. Thousands of studies link biological effects to RF radiation exposure, including increased cancer risk, damage to the nervous system, adverse reproductive effects, DNA damage, and more. The top public health official in Santa Cruz County, California prepared this report, confirming Smart Meters pose a health risk. The American Academy of Environmental Medicine (AAEM) sent this letter to the CPUC calling for a halt to wireless smart meters. See also this letter from Dr. Carpenter, endorsed by 50+ experts.”

I have attached all of the articles referred to here, as well as the letter from my physician:

1. Letter from Dr. William Kracht, my physician, dated September 7, 2018. Also included is a brief biography showing that he is, among other things, an active member of the American Academy of Environmental Medicine.
2. Air Force study: Radiofrequency / Microwave Radiation Biological Effects and Safety Standards: A Review, June 1994.
3. Army study: Bioeffects of Selected Nonlethal Weapons, Regraded Unclassified, December 6, 2006.
4. Report from the top public health official in Santa Cruz County, California, confirming Smart Meters pose a health risk, January 13, 2012.

5. Letter from the American Academy of Environmental Medicine (AAEM) to the California Public Utilities Commission, calling for a halt to wireless smart meters, January 19, 2012.
6. Letter from physician David O. Carpenter, former founding dean of the University at Albany's School of Public Health, "Correcting the Gross Misinformation" about smart meters, June 11, 2012. This letter is endorsed by more than 50 international experts.

The older studies referenced above, conducted by the Air Force and the Army, show early research into the deleterious health effects of RF, radio frequencies, which are emitted by smart meters. The newer studies conclusively confirm this.

I am aware that I am bringing to you materials from places other than Pennsylvania. Human health knows no state boundaries.

One naturopath doctor said to me, "Today our understanding of the effects of RF and EMF radiation are akin to what our understanding of the effects of tobacco used to be. In the early years, no one knew that tobacco was bad for your health. Then they found out how bad it actually was. It is the same with RF and EMF radiation now."

It is unconscionable that FirstEnergy continues to install smart meters even in the face of overwhelming evidence of the deleterious effects on health that many people experience after the installation.

I first filed the Formal Complaint solely for the purpose of protecting my health. Since then I have learned more about smart meters, and I would like to bring some of this information to your attention.

1. The smart meter is being called a trespassing technology. The EMF Safety Network, like many other organizations, reports: “Smart Meters are a surveillance device. They are a search without a warrant. They collect detailed energy usage, for instance: when you cook, watch TV, whether you are home or not, when you turn on a light, or if you have guests. This data is very valuable because it can reveal patterns about what you do and when. Utility companies are admitting that they are providing smart meter data to the government and third parties.”

Politico wrote in 2015: “The next Big Data threat to our privacy may come from the electricity we consume in our homes. ‘Smart’ online power meters are tracking energy use — and that data may soon be worth more than the electricity they distribute....” (Full article is attached.) That data would be valuable to retailers and marketing firms who want to profile neighborhoods.

2. Smart meters are known for causing fires and destroying homes.
3. After smart meters are installed, utility bills sometimes increase, and sometimes substantially.
4. Smart meters are highly susceptible to hacking.

In a world sorely lacking in moral and ethical conscience, smart meters are a good example of an area where moral and ethical improvements could be made.

I would like to make reference to the Constitution of the United States, Amendment XIV, Section 2: *No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.*

A smart meter deprives me of a healthy life. It also abridges my right to privacy. Also, smart meters famously cause fires, which, if that were to happen, would deprive me of property.

I.5 – I completely disagree with this. My objection to the smart meter is legitimate.

II. Background

No need for comment.

III. Argument

III.12 – “A preliminary objection ... will be granted only where relief is clearly warranted and free from doubt.”

As stated in my Formal Complaint, my initial main reason for telling Met-Ed not to install a smart meter is that I previously had a smart meter that was installed by the gas company. I got very sick, without any idea what was causing my symptoms. Then I learned that a smart meter had recently been installed on the house. I contacted the gas company, and was informed that if my doctor would provide a letter requesting removal of the smart meter for the purpose of restoring my health, the meter would be removed. My doctor submitted this letter, the meter was removed, and my health was immediately restored. Therefore, this pleading should be granted because relief is clearly warranted and free from doubt.

Let me add that I followed the option offered by Lauren Lepkoski, attorney for FirstEnergy, to meet with Met-Ed to see if they could relocate the smart meter away from the house. An employee of Met-Ed came out and showed where the smart meter could be relocated. Met-Ed explained that electrical wires would need to be run by an electrician to connect the meter to the house. These wires could either run over the ground, or underground at a depth of at least two feet. But the terrain there is solid rock, and it is on a very sloped hillside, with very limited access, so machinery would not be able to get in to do the job. So, though I tried to have the meter moved from the house, it does not seem possible.

III.14. I do not understand this.

III.15. That's right, I challenge no aspect of the company's provision of electric service other than the installation of a smart meter.

III.16. I completely disagree with this. The company has knowledge that it is directly causing harm.

III. 17 and III.18. I am not claiming that Met-Ed has broken the law. I am saying that they are willfully and knowingly inflicting harm. As well as using private information for personal / corporate gain.

III.19. I completely disagree.

III.20. A hearing is absolutely in the public interest.

III.21. You're a little confused here. I explained that I already had a smart meter installed by a different company and I got very sick (See III.12 above.) —headaches, dizziness, indigestion, nausea, weakness, difficulty breathing, and insomnia, to name some of the symptoms. My case is the same as *Kreider* and *Van Schoyck*.

III.22. This does not apply, for reasons stated above.

III.23. Disagree.

III.24. This does not apply, for reasons stated above.

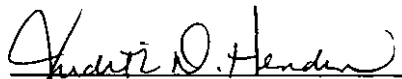
III.25. I have always allowed the company access to the premises. I am only saying that I do not want a smart meter. I have heard of situations in which service was terminated. And I have watched a courtroom video of a judge who heard this in disbelief and immediately reversed the action and had the power restored.

III.26. Again, I am approaching this from a different point, from the concern of harm to health.

IV. Conclusion. WHEREFORE, for the foregoing reasons, I, Judith Hendin, respectfully request that my Formal Complaint be accepted and that I be allowed to opt out of a smart meter.

Respectfully submitted,

Dated: September 7, 2018



Judith Hendin

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1. Admitted.
2. Admitted.
3. Admitted.
4. The company "demands proof." Accompanying the response to the preliminary obligation, I attached a letter from Dr. William Kracht as proof and fact.

Small error here: On July 11, 2018, the company was not electronically served with the Formal Complaint. It was sent through postal mail.

I disagree with the rest of this, for reasons stated in the response to the preliminary objection.

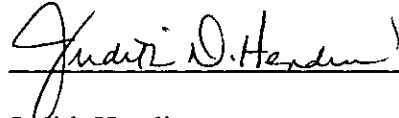
5. Denied. These are not allegations of fact, they are fact.
6. Denied. I had not heard of a Protection from Abuse order. From PALawHelp.org, I learned that "Physical and sexual abuse or the threat of either is against the law. Even if you choose not to bring criminal charges against the abuser, Pennsylvania has a civil law called the 'Protection From Abuse Act' (PFA) that can give you protection through the court system.... The law says that abuse is causing or trying to cause physical harm, whether or not any weapon is involved." That seems to apply here, as the company would knowingly be causing me harm.
7. a. Admitted.

- b. Admitted.
 - c. No response was provided because I was directed by the PUC not to call the electric company directly, but rather to file a Formal Complaint.
8. Not applicable.
 9. Not applicable,
 10. Not applicable.
 11. Not applicable.
 12. Admitted.
 13. That doesn't make it right when it is causing harm.
 14. That doesn't make it right when it is causing harm.
 15. Admitted in part and denied in part. It is true that I did not complain previously. This is because I did not know about the installation of smart meters until I received a notice from the company. I took action immediately. No one I have spoken to, including environmental leaders and environmental advocate lawyers, have heard of smart meters. So this point is not relevant.
 16. Yes, they can. They can always do something that is right.
 17. Admitted in part and denied in part. All this has been addressed in the response to the preliminary objection.
 18. This is circular logic, obfuscating the principles involved.
 19. Denied. I believe there is ample, substantial content in this case to warrant going forward.

WHEREFORE, Judith D. Hendin hereby requests that my Complaint be honored and heard.

Respectfully submitted,

Dated: September 7, 2018



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