

Jeffrey W. Arndt
4141 Fundistown Road
Trafford, PA 15085

October 31th, 2018

VIA ELECTRONIC FILING

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street, 2nd Floor
Harrisburg, PA 17120

RE: Jeffrey W. Arndt v. Duquesne Light Company
Docket No. C-2018-3003482

Dear Secretary Chiavetta:

Enclosed for filing is my written response to Duquesne Light's First Set of Discovery Requests in the above-referenced proceeding. Copies will be provided as indicated on the Certificate of Service.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jeffrey W. Arndt", with a stylized flourish at the end.

Jeffrey W. Arndt

Certificate of Service

Jeffrey W. Arndt vs. Duquesne Light

C-2018-3003482

I, Jeffrey W. Arndt, hereby certify that a true and correct copy of my Responses to the First Set Discovery Requests of Duquesne Light has been served upon the following in the manner indicated, in accordance with the requirements of 52 Pa Code, Section 1.54 (relating to service by a participant).

Via Email

Council of record for Duquesne Light Company:

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Counsel for Respondent

October 31, 2018

Jeffrey W. Arndt

facts that support my claim. I will list a few of the reasons I believe the installation of a smart meter will negatively affect my health if installed on my home:

- In May 2011, the World Health Organization (WHO), the International Agency for Research on Cancer, classified radiofrequency EMF sent and received by smart meters as a class 2B carcinogen, meaning it is possibly carcinogenic to humans.
- In 2010 in California, over 8,000 people had filed health complaints with the state Public Utility Commission (CPUC) due to smart meters. The Commission has received more than 8,000 complaints about [JUST] PG&E Smart Meters. Statewide, the Commission has received more than 2,000 complaints during two months (August 15 - October 15, 2010). Many of the complaints include health, safety and environmental concerns (Sandi Maurer, EMF Safety Network).
- Rf radiation is so potent that it has been developed by the military for use in warfare to harass, harm, or to potentially kill human beings. Rf radiation is exactly what smart meters produce.
- According to the Swedish government, Electro sensitives alone are approx. 35% of the population, with up to 3.1% in the severe range.
- The U.S. National Toxicology Program study results found that exposure to wireless radiation significantly increased the prevalence of highly malignant heart and brain cancers in rodents. This is alarming since Smart Meters run on the same microwave frequencies as cell phones, cell towers and Wi-Fi.
- The NTP study was recently released https://ntp.niehs.nih.gov/ntp/about_ntp/trpanel/2018/march/actions20180328_508.pdf and concluded "clear evidence of carcinogenic activity".
- The American Academy of Pediatrics, which includes over 60,000 pediatricians, has issued specific recommendations to reduce wireless cell phone exposure. They have updated their online resources for parents concerning cell phones and wireless devices. "The findings of brain tumors (gliomas) and malignant schwann cell tumors of the heart in the NTP study, as well as DNA damage in brain cells, present a major public health concern because these occurred in the same types of cells that have been reported to develop into tumors in epidemiological studies of adult cell phone users," stated Ronald L. Melnick, PhD, the National Institutes of Health toxicologist who lead the NTP study design and senior advisor to the Environmental Health Trust.

Duquesne Light to Complainant-

2. Produce all Documents, including but not limited to hospital and/or medical records and studies, that relate to Your answer to Discovery Request No. 1.

ANSWER:

See attached confidentiality agreement which must be properly executed before any records can be obtained.

Duquesne Light to Complainant-

3. State all facts that support Your claim that Duquesne Light's installation of a Smart Meter at the Property will negatively affect Your wife's health.

ANSWER:

- My wife's health could be negatively affected by the smart meter is answered in the answer to number 1.
- My wife's health could also be negatively affected by the smart meter because she has a metal implant in her mouth. Research shows the presence of metal in or near the body can significantly increase a person's wireless exposure. Metal can reflect and refocus wireless radiation, this will result in much higher SAR absorption rates into the body. The FCC, states, "Electrically conductive objects in or on the body may interact with sources of RF energy in ways that are not easily predicted. Examples of conductive objects in the body include braces, orthodontics and implanted metallic objects."
- Published research shows that eyeglasses with metal frames and metal jewelry can affect the SAR levels. For example, a study by pubmd.gov can be found at: ncbi.nlm.nih.gov/pubmed/7748204 found the SAR measured in the eye closest to the phone increased up to almost 30% when metal glasses were a part of the calculation. Similarly, publications have reported that the peak SAR can be up to 25% higher when a 900 MHz phone is pressed up to an ear pierced with a metallic object such as an earring. Another study looked at the SARs into the leg and reproductive organs when a cell phone was placed in a pocket alongside a keychain with a metal ring and found that the presence of a metallic ring significantly increases the averaged 10g SAR inside the testicle by more than 20% at 1.8 GHz. Metallic implants inside the body have been found to increase the SAR levels in several studies. Increased SAR levels in the brain from implanted metal is a serious concern that regulatory agencies have not addressed.

Duquesne Light to Complainant-

4. Produce all Documents, including but not limited to hospital and/or medical records and studies, that relate to Your answer to Discovery Request No. 3.

ANSWER:

See answer to number 2.

Duquesne Light to Complainant-

5. State all facts that support Your claim that Duquesne Light's installation of a Smart Meter at the Property will infringe upon Your privacy and/or violate Your rights under the Fourth Amendment to the United States Constitution.

ANSWER:

Irrelevant now that the Judge has ruled.

Duquesne Light to Complainant-

6. Produce all Documents that relate to Your answer to Discovery Request No. 5.

ANSWER:

Please see answer to number 5.

Duquesne Light to Complainant-

7. Provide Your educational background, including but not limited to all colleges or universities that You attended and all degrees and/or certifications You have received.

ANSWER:

I graduated from Penn Hills High School.

Duquesne Light to Complainant-

8. Produce a copy of Your current resume and/or curriculum vitae.

ANSWER:

Irrelevant to my formal complaint, but I am self-employed and do not need a resume.

Duquesne Light to Complainant-

9. Have You ever performed work or been employed in the scientific or medical fields?

ANSWER:

No, I have not worked in the scientific or medical fields.

Duquesne Light to Complainant-

10. If the answer to the preceding request was in the affirmative, state:

- a. The name of each employer that You performed work for in the scientific or medical fields;
- b. Describe, in as much detail as possible, the specific duties that You performed for each employer; and
- c. State the dates on which You performed those duties.

ANSWER:

Not applicable.

Duquesne Light to Complainant-

11. Identify the type (with make and model) of all devices, appliances, and equipment used in Your home or by You in Your daily life that produce radio frequency or low frequency fields, including, but not limited to, cell phones, microwave ovens, wireless internet, and WI-FI routers.

ANSWER:

We do not own a microwave by choice since it gives off radiation. Below I will list the appliances in my home that might give off low frequency fields:

- Netgear- Wifi Router (It is hardwired and not wireless)
- Comcast- Internet (It is hardwired and not wireless)
- Iphone 5 (It is in Airplane mode, wifi is turned off, and is hardwired in our home)
- Iphone SE (It is in Airplane mode, wifi is turned off, and is hardwired in our home)
- Kenmore- Washer 2 speed motor (It is not a smart appliance)
- Kenmore- Dryer 70 series (It is not a smart appliance)
- Frigidaire- Refrigerator (It is not a smart appliance)
- Kenmore- Electric Range Stove (It is not a smart appliance)
- Siemens- Dishwasher (It is not a smart appliance)

- GE- 40 gallon hot water tank (It is not a smart appliance)
- Goodman- furnace (It is not a smart appliance)
- Samsung- TV 55" (hardwired, on 7 hours a week & unplugged when not in use)
- Samsung- DVD player (hardwired)
- Concord- Air conditioner (It is not a smart appliance)
- HP- Computer (It is hardwired and not wireless)
- HP- Printer (It is hardwired and not wireless)

Duquesne Light to Complainant-

12. For each cell phone identified in response to the preceding request, produce the last six months of bills or other usage records for the phone with sufficient detail to show Your actual usage for that period.

ANSWER:

Irrelevant, we no longer use cell phones in the house. Our cell phones are hard wired and we use landlines.

Duquesne Light to Complainant-

13. Produce all Documents, including, but not limited to, user manuals and instructional materials, relating to each device identified in response to Discovery Request No. 11.

ANSWER:

This question is answered to the best of my ability. Some appliances are at least 15 years old and I do not have the instructional materials and user manuals I have either thrown away the manuals over the years or lost most of them.

Duquesne Light to Complainant-

14. Do You claim there has been a privacy, data, or security breach to Duquesne Light's customers caused by an Itron SK9AMI7 HW 3.1 OpenWay CENTRON Singlephase Smart Meter? If so, for each such breach, state:

- a. The date of each breach;

- b. The nature of information breached; and
- c. All facts that support Your contention or belief that the breach was caused by an Itron SK9AMI7 HW 3.1 OpenWay CENTRON Singlephase Smart Meter.

ANSWER:

Duquesne Light is in possession of all this material which will be asked by me in interrogatories.

Duquesne Light to Complainant-

- 15. Produce all Documents that relate to Your response to the preceding request.

ANSWER:

See answer to number 14.

Duquesne Light to Complainant-

- 16. Outside of the Documents and pleadings already produced in connection with Your Formal Complaint, produce any Document(s) that You have prepared in whole or in part that relates to the subject of radio frequency or Your Formal Complaint.

ANSWER:

It is premature and these documents have not been prepared yet. I am still working on it. In the meantime, refer to answer to number 1.

Duquesne Light to Complainant-

- 17. Have You ever performed any job responsibilities or engaged in a course of study specifically relating to radio frequency or low frequency radiation? If so, describe each job responsibility and/or course of study in detail.

ANSWER:

No, I have not. This is irrelevant to my formal complaint. I'm not offering myself as an expert in this radiofrequency or low frequency radiation.

Duquesne Light to Complainant-

- 18. Produce all Documents that relate to Your response to the preceding request.

ANSWER:

See answer to number 17.

Duquesne Light to Complainant-

19. Are You a certified electrician? If so, state the date of certification.

ANSWER:

No, I am not a certified electrician. I would like to state the employees that are switching out the smart meters are not licensed electricians either.

Duquesne Light to Complainant-

20. Identify all medical conditions that You contend make You vulnerable to, or that would be aggravated by, proximity to an Itron SK9AMI7 HW 3.1 OpenWay CENTRON Singlephase Smart Meter.

ANSWER:

See answer to number 2.

Duquesne Light to Complainant-

21. Produce all Documents, including but not limited to hospital and/or medical records and studies, demonstrating that You suffer from the medical condition(s) identified in Your response to Discovery Request No. 20.

ANSWER:

See answer to number 2 and number 20.

Duquesne Light to Complainant-

22. Produce all Documents, including but not limited to hospital and/or medical records and studies, demonstrating the relationship between the medical condition(s) identified in Your response to Discovery Request No. 20 and Your proximity to an Itron SK9AMI7 HW 3.1 OpenWay CENTRON Singlephase Smart Meter.

ANSWER:

See answer to number 2 and 20.

Duquesne Light to Complainant-

23. Identify all medical conditions that You contend make Your wife vulnerable to, or that would be aggravated by, proximity to an Itron SK9AMI7 HW 3.1 OpenWay CENTRON Singlephase Smart Meter.

ANSWER:

See answer to number 2 and number 20.

Duquesne Light to Complainant-

24. Produce all Documents, including but not limited to hospital and/or medical records and studies, demonstrating that Your wife suffers from the medical condition(s) identified in Your response to Discovery Request No. 23.

ANSWER:

See answer to number 2 and number 20.

Duquesne Light to Complainant-

25. Produce all Documents, including but not limited to hospital and/or medical records and studies, demonstrating the relationship between the medical condition(s) identified in Your response to Discovery Request No. 23 and Your wife's proximity to an Itron SK9AMI7 HW 3.1 OpenWay CENTRON Singlephase Smart Meter.

ANSWER:

See answer to number 2 and number 20.

Duquesne Light to Complainant-

26. To the extent not previously requested or produced, produce all Documents that You intend to offer into evidence at any hearing in this matter.

ANSWER:

Not fully prepared yet. I'm still working on this, here are a couple of topics I can offer now:

- Refer to Complainant's **Exhibit A**. Duquesne Light was threatening shut off to my electricity because I do not consent to the smart meter. To administer the consequence of removal of electric supply is unreasonable. There was never any mention of this in any legislation regarding the smart meter. This is a morphing of the original intention of the law and it can be categorized as

bullying and in so doing is not in compliance with many governing laws. Duquesne Light's notice to shut off my service was a violation as shown in Chapter 14 of the Public Utility Code (Responsible Utility Customer Protection Act) and in 66 Pa CS SS 1406 (b) (i) (Notice of termination service) that states utility company "shall provide written notice of the termination to the customer at least ten days prior to the date of the proposed termination. The termination notice shall remain effective for 60 days". I was given only a 3 day shut off notice. On July 18, 2018 my wife spoke to a representative from the PUC to verify the legality of the 3 day shut off notice. The representative from the PUC stated Duquesne Light was not wrong in issuing a 3 day shut off notice since Duquesne Light has their own standards. Not being satisfied with the treatment I received or the discrepancy of information, my wife called the following day to address the matter again. A different representative of the PUC did not address the issue either, although was helpful and relayed concern. Concern was not enough, I needed resolutions and for the truth to be represented. Clearly, Duquesne Light is not alone in misrepresenting these matters to utility customers. This is an example of how Pa PUC is assisting utility companies in breaking the very regulations they have sworn to uphold. Violating the whole purpose of establishing this entity to begin with.

- The criteria for shut off according to the Public Utility Code is as follows: Your utility company can shut off your service if you fail to do the following "Pay your Bill, follow through on payment arrangements, pay a deposit, if required, allow company access to equipment, I have not violated any of the criteria. Therefore the notice was unfounded and unlawful. This can be found in complainant's **Exhibit B**, which is found on the first page of the PUC's Responsible Utility Customer Protection Act, please refer.

Duquesne Light to Complainant-

27. State the full name, address, and telephone number of each person who You expect to call to testify at any hearing of this matter.

ANSWER:

Premature, not prepared yet.

Duquesne Light to Complainant-

28. State the full name, address, and telephone number of each person who You expect to call to testify as an expert witness at any hearing of this matter and, for each expert witness, state:

- a. The subject matter on which the expert is expected to testify;
- b. The substance of the facts and opinions to which the expert is expected to testify; and
- c. A summary of the grounds for each expert opinion.

ANSWER:

See answer to number 27.

Duquesne Light to Complainant-

29. Produce the report of any expert You intend to call to testify on Your behalf at trial.

ANSWER:

See answer to number 27.

Duquesne Light to Complainant-

30. Produce the curriculum vitae of any expert that You intend to call to testify on Your behalf at trial.

ANSWER:

See answer to number 27.

Duquesne Light to Complainant-

31. Admit that the photograph attached as Exhibit A is a fair and accurate depiction of the "constructive contract" referenced in paragraph 4 of Your Complaint.

Admit _____

Deny _____

ANSWER:

Admit.

Duquesne Light to Complainant-

32. If Your answer to preceding interrogatory was anything other than an unqualified admission:

- a. State all facts that support Your answer; and
- b. Produce all Documents, Communications, and ESI that support Your response.

ANSWER:

See answer to number 31.

Duquesne Light to Complainant-

33. Admit that You placed a “no Trespassing” sign near Your Property’s current meter.

Admit _____

Deny _____

ANSWER:

Deny.

Duquesne Light to Complainant-

34. If Your answer to preceding interrogatory was anything other than an unqualified admission:

- a. State all facts that support Your answer; and
- b. Produce all Documents, Communications, and ESI that support Your response.

ANSWER:

a. Duquesne Light attorneys should be fully aware of what a “Constructive Contract Public Notice” defines. Furthermore, it is enforced by all Federal and State laws, policies and local ordinances including but not limited to U.S.C. Title 47, Chap. 5, Subchapter VI, Sec. 605, U.S.C. Title 42, Chap. 82, Subchapter VII, Sec. 6973. Private property owner. It is a Public Notice stating that no smart meter or any similar device may be installed anywhere on the private property without consent. Refer to Respondent’s **Exhibit A** for further details.

b. Please see answer to 34 a and Respondent’s **Exhibit A**.

Duquesne Light to Complainant-

35. Admit that You installed a padlock at the meter currently located at Your property.

Admit _____

Deny _____

ANSWER:

Deny.

Duquesne Light to Complainant-

36. If Your answer to preceding interrogatory was anything other than an unqualified admission:

- a. State all facts that support Your answer; and
- b. Produce all Documents, Communications, and ESI that support Your response.

ANSWER:

a. There is a padlock on the meter socket which belongs to the complainant. I have an active complaint against Duquesne Light to not install a smart meter on my home. I know of numerous scenarios where a smart meter was installed at a homeowner's property without their consent since a lock was not on their meter. These technicians that exchange the meters are not certified electricians and have been known to do a "hot install" which damages appliances and can cause damage to occur to the wiring in a home. I do not consent to the weapon commonly known as a smart meter, therefore, a lock is on my meter socket. Duquesne Light should not breach the contract I have with them with my current meter without my permission.

b. Not applicable.

Duquesne Light to Complainant-

37. Admit that Exhibit B is a fair and accurate depiction of the padlock You placed on the meter currently in use at Your Property.

Admit _____

Deny _____

ANSWER:

Deny.

Duquesne Light to Complainant-

38. If Your answer to preceding interrogatory was anything other than an unqualified admission:

- a. State all facts that support Your answer; and

b. Produce all Documents, Communications, and ESI that support Your response.

ANSWER:

a. There is no padlock on the meter, the padlock is on the meter socket. The fact that my wife and I watched a woman employee from Duquesne Light Company come on our property to take pictures of our meter while we were home and we made no attempt to stop her, is proof that Duquesne Light Company has not been denied access to read my meter.

b. See answer to number 36 b.

Duquesne Light to Complainant-

39. Admit that Exhibit C is a true and accurate copy of a letter dated July 6, 2018 that You received from Duquesne Light.

Admit _____

Deny _____

ANSWER:

Admit.

Duquesne Light to Complainant-

40. If Your answer to preceding interrogatory was anything other than an unqualified admission:

a. State all facts that support Your answer; and

b. Produce all Documents, Communications, and ESI that support Your response.

ANSWER:

Not applicable.

Duquesne Light to Complainant-

41. State all facts supporting Your claim that a Smart Meter will be "constantly beaming radiation" throughout Your house, as alleged in paragraph 5 of Your Complaint.

ANSWER:

These facts will be developed and presented at the hearing. It is premature to answer at this time.

Duquesne Light to Complainant-

42. Produce all Documents, Communications, and ESI that support Your response to the preceding request.

ANSWER:

See answer to number 41.

Duquesne Light to Complainant-

43. State all facts that support the contention in paragraph 4 on Your Complaint that the Smart Meter emits “unsafe” amounts of radiation, and identify the specific legal provision or industry standard that You contend supports Your contention.

ANSWER:

I am working on developing this material, it is premature to furnish it now.

Duquesne Light to Complainant-

44. Produce all Documents, Communications, and ESI that support Your response to the preceding request.

ANSWER:

See answer to number 43.

Duquesne Light to Complainant-

45. Specify each way in which You contend the due diligence conducted by Duquesne Light prior to deploying its Smart Meters was insufficient as alleged in paragraph 4 of Your Complaint.

ANSWER:

I am developing the answer to this and it will be revealed by Duquesne light in its answers to my interrogatories.

Duquesne Light to Complainant-

46. Produce all Documents, Communications, and ESI that support Your response to the preceding request.

ANSWER:

See answer to number 45.

Duquesne Light to Complainant-

47. State all facts that support Your contention that Duquesne Light is “funded by smart meter technology.”

ANSWER:

Duquesne Light has the ability to sell granular data to third parties. This data is generated through the use of smart meter technology on customers’ homes.

Duquesne Light to Complainant-

48. Produce all Documents, Communications, and ESI that support Your response to the preceding request.

ANSWER:

Complainants are preparing their support for this assertion. Some of the support will come from Duquesne Light’s answers to complainant interrogatories.

Duquesne Light to Complainant-

49. State all facts supporting Your contention that a Smart Meter is an unlawful surveillance device, as alleged in paragraph 4 of Your Complaint, and identify all specific laws and regulations that You contend render the “surveillance” conducted by the Smart Meter “unlawful.”

ANSWER:

Not applicable due to Judge Watson’s recent ruling.

Duquesne Light to Complainant-

50. Produce all Documents, Communications, and ESI that support Your response to the preceding request.

ANSWER:

See answer to number 49.

VERIFICATION

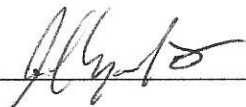
Responses to First Discovery Requests of Duquesne Light Company

Jeffrey W. Arndt v. Duquesne Light Company
Docket No. C-2018-3003432

I, Jeffrey W. Arndt, hereby state that the facts above set forth are true and correct (or are true and correct to the best of my knowledge, information and belief) and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Date:

10/31/2018



Jeffrey W. Arndt