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2019-01-02

c/o Geoff Day
(412)-867-6081
1699 Suburban Ave.
Pittsburgh, Pennsylvania

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SECRETARY'S BUREAU

Via Registered Mail

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
Keystone Bldg. 2nd Floor W
400 N. Street
Harrisburg, Pennsylvania
17120

RE: Geoff Day vs. Duquesne Light Company
Docket No. C-2018-3003960

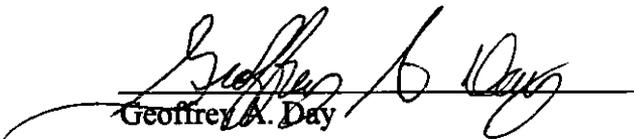
Dear Secretary Chivetta,

Enclosed please find Geoff Day's response to the Discovery Request by the counsel of the Duquesne Light Company.

Sincerely,

Geoff Day
Complainant

Cc: Tucker Arensberg Attorneys


Geoffrey A. Day

Dated 2019/01/02 (YYYY/MM/DD)

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

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GEOFF DAY,

Complainant,

VS.

No: C-2018-3003960

DUQUESNE LIGHT COMPANY,

Respondent.

Response to Discovery Request

1. Do you contend that the installation of a Smart Meter at the property will negatively affect your health?

Answer:

Yes, I do contend that the installation of a Smart Meter at my property will negatively affect my health.

On May 31st, 2011 The World Health Organization classified radiofrequency electromagnetic fields as a Class 2B Carcinogen to humans. (exhibit A)

The switching-mode power supplies contained within the Smart Meters can create voltage transients, also known as dirty electricity, on existing electrical wiring, at levels that are harmful and damaging to all biological organisms. Ground voltage has also been measured to be increased in areas where Smart Meters have been deployed. This is also harmful to all biological organisms. Smart meters can also cause home fires, **which have already resulted in deaths of men and women**, in Vacaville (California), Dallas (Texas), and Reno (Nevada).

Smart Meters transmit pulsed microwave radiation into and throughout private property, including but not limited to the bodies of living men and women, without first acquiring their explicit consent. According to a vast body of published science, microwave radiation is proven to be harmful and damaging to all biological organisms, down to the cellular and molecular level, at relatively low power densities. Electromagnetic frequencies, when emitted from microwaves and x-ray machines, are shielded from human contact. Even cell phone manuals state a required separation between one's body and the device. Smart Meters have been measured to emit pulsed radiation between

hundreds and tens of thousands of times greater intensity than cell phones, and as a direct result, there are at least thousands of reports of individuals suffering functional impairment and or illness since the installation of Smart Meters where they live. Because Smart Meters are known to emit radiation without any warnings and without any shielding, this exposes all occupants to undisclosed electromagnetic radiation emissions and puts them in tangible and high risk of harm and injury.

Industry claims that Smart Meters are “safe” or “harmless” are false and misleading; and are based on training, propaganda techniques, and the time-averaging of pulsed emissions, rather than the emission values of the pulses. Such claims of industry are not based on science. In addition, the problem of harm from voltage transients remains, significantly, unaddressed by power companies. Several thousand scientific studies have concluded there are biological effects from exposure to electromagnetic frequencies at power densities lower than is emitted by Smart Meters. Claims by power company and government employees that Smart Meters are harmless, are self-serving and fraudulent.

A significant number of government agencies have released statements confirming that agencies such as the US Federal Communications Commission (FCC), Health Canada and the international commission on Non-Ionizing Radiation (ICNIRP) have “safety” guidelines for microwave radiation exposure which are insufficient for functioning as a guideline, because they are based solely on thermal effect, and do not take into account any of the body of several thousand published, peer-reviewed scientific studies showing harmful non-thermal effects. These include, but are not limited to:

- a. Environmental Protection Agency (EPA), 1993: The FCC’s exposure standards are “**seriously flawed.**” (Official comments to the FCC on guidelines for evaluation of electromagnetic effects of radiofrequency radiation, FCC Docket ET 93-62, November 9, 1993.)
- b. Food and Drug Administration (FDA), 1993: “**FCC rules do not address the issue of long-term, chronic exposure to RF fields.**” (Comments of the FDA to the FCC, November 10, 1993.)
- c. National Institute for Occupational Safety and Health (NIOSH), 1994: The FCC’s standard is inadequate because it “**is based on only one dominant mechanism – adverse health effects caused by body heating.**” (Comments of NIOSH to the FCC, January 11, 1994.)
- d. Amateur Radio Relay League Bio-Effects Committee, 1994: **The FCC’s standard does not protect against non-thermal effects.** (Comments of the ARRL Bio-Effects Committee to the FCC, January 7, 1994.)
- e. Environmental Protection Agency (EPA), 2002: Norbert Hankin of the EPA’s Office of Air and Radiation, Center for Science and Risk Assessment, Radiation Protection Division, wrote: “**The FCC’s current [radio frequency/microwave] exposure guidelines, as well as those of the Institute of Electrical and Electronics Engineers (IEEE) and the International Commission on Non-ionizing Radiation Protection, are thermally based, and do not apply to chronic, non-thermal exposure situations... The generalizing by many that the guidelines protect human beings from harm by any and all mechanisms is not justified... There are reports that suggest that potentially adverse health effects, such as cancer, may occur... Federal**

health and safety agencies have not yet developed policies concerning possible risk from long-term, non-thermal exposures.”

f. **The U.S. Department of the Interior, 2014: “Study results have documented [bird] nest and site abandonment, plumage deterioration, locomotion problems, reduced survivorship, and death... The electromagnetic radiation standards used by the Federal Communications Commission (FCC) continue to be based on thermal heating, a criterion now 30 years out of date and inapplicable today.”**

In the FCC’s mission statement, there is no indication whatsoever of any jurisdiction or mandated protection of men, women and children for biological and medical harm caused by radiofrequencies.

2. Documents containing the Studies referenced and referred to in part 1 are not in my control, and belong to Bio Initiative Report. They can be found at:
<https://www.bioinitiative.org/table-of-contents/>
3. Identify all medical conditions that you contend make you vulnerable to, or that would be aggravated by, proximity to a Smart Meter.

Answer:

I have been experiencing some of the common noticeable effects since a Smart Meter was installed at my property, including but not limited to: insomnia, anxiety, digestive issues, diminished ability to concentrate, restlessness, muscle fatigue and cognitive impairment. I often need to leave the house to reduce my anxiety, and to eat, as my appetite is nearly non-existent while I am at home. My refusal to accept a second Smart Meter, and the demand for the removal of the already installed Smart Meter, are in self-defense in order to prevent further harm, and to protect myself and my family from the well documented effects of chronic exposure to radiofrequency radiation.

4. Documents containing the Studies referenced and referred to in part 3 are not in my control, and belong to Bio Initiative Report. They can be found at:
<https://www.bioinitiative.org/table-of-contents/> I have not yet seen a physician regarding the symptoms I have experienced since the installation of the Smart Meter at my residence.
5. Documents containing the Studies referenced and referred to in part 3 are not in my control, and belong to Bio Initiative Report. They can be found at:
<https://www.bioinitiative.org/table-of-contents/>

6. Identify all physicians and/or healthcare providers that you currently receive treatment from.

Answer:

This question does not have any applicable relevance, as I have not claimed to have been treated for the aforementioned symptoms. It is also irrelevant because my right to safety, equitable contracts and privacy is not subject to, or dependant upon this information.

7. To the extent not previously requested, produce all documents, including but nit limited to hospital and/or medical records, from your treating physicians and/or healthcare professionals that relate to any condition identified in your response to Discovery Request No. 3

Answer:

This is a redundant question, and also has no relevance in the matter, as my right to safety, equitable contracts and privacy is not subject to, or dependant upon this information.

8. Is it your contention that Duquesne Light is not permitted by law to install a Smart Meter at the property? If so, identify the specific law and/or regulation that you contend supports your position.

Answer:

Yes, state and federal laws as well as the Constitution of United States prohibit the installation of devices capable of surveillance upon private structures, without the explicit consent of the occupants, or a court order or warrant issued based upon probable cause.

Smart Meters do harvest data about the activities of men and women in private dwellings without their consent. In January 2015, it was stated by Miles Keogh, a director of the National Association of Regulatory Utility Commissioners, that:

“I think the data [from “smart” meters] is going to be worth a lot more than the commodity that’s being consumed to generate the data.”

(Originally published at <http://www.politico.com/story/2015/01/energy-electricity-data-use-113901>)

Smart Meter Technology is designed with the explicit capability and intention to extract information from within private dwellings and or workplaces, about specific appliance usage details and other data pertaining to activities of living occupants.

- a. A U.S. Congressional Research report entitled "*Smart Meter Data: Privacy and Cybersecurity*" (February 3, 2012) states, **"With smart meters, police will have access to data that might be used to track residents' daily lives and routines while in their homes, including their eating, sleeping, and showering habits, what appliances they use and when, and whether they prefer the television to the treadmill, among a host of other details."**
- b. A Senior official with the National Association of Regulatory Utility Commissioners (NARUC) admitted in an interview with Politico.com (January 1, 2015), **"I think the data [of in-home activities, harvested via so named "smart meters"] is going to be worth a lot more than the commodity that's being consumed [electricity] to generate the data."**
- c. In 2016, a major "smart" meter data aggregator with Onzo Ltd (UK), released a marketing video which stated, **"We use this characterized profile to give the utility ... the ability to monetize their customer data by providing a direct link to appropriate third-party organizations based on the customer's identified character."**

The express consent of the living occupants is not being attained, as required under the 4th Amendment of United States Constitution. Smart Meter Technology therefore is in direct contravention of the Constitutional privacy rights of the living occupants within their own private dwellings and or workplaces.

Smart Meter Technology and related infrastructure is either mounted on or is adjacent to private property, including but not limited to the bodies of living men and women, without first acquiring their explicit consent.

Living occupants in private dwellings and or workplaces are not being justly compensated, nor consulted, nor even informed, of their private property being utilized as a relay station for the networks related to Smart Meter and Smart Grid Technology.

Smart Meter Technology creates a previously non-existent vulnerability and diminishes private dwelling and or workplace security by functioning as an unsecured wireless digital gateway into the private dwelling and or workplace. The living men and women occupying the private dwelling and or workplace become subject to whatever desires of a utility, government, or hacker who wishes to remotely interrupt or control the supply of energy to appliance(s) within the private dwelling and or workplace, or to the entire private dwelling and or workplace itself. Unauthorized access, and all of its consequences, becomes fully the liability of the utility – for the unauthorized installation and all resulting harm, damage, injury and loss of rights.

U.S. Constitution, Amendment IV

The **right** of the people to be secure in their persons, **houses**, papers, and effects, **against unreasonable searches and seizures, shall not be violated**, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. [emphasis added]

U.S. Constitution, Amendment XIV Section 1.

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. 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 any person within its jurisdiction the equal protection of the laws.

When Congress makes a law which is outside the scope of its enumerated powers, it is no “law” at all, but is **void**; and American **men and women have no obligation to comply**. Alexander Hamilton says this repeatedly in the Federalist Papers. Here are a few examples:

“...If the federal government should overpass the just bounds of its authority and make a tyrannical use of its powers, **the people**, whose creature it is, **must appeal to the standard they have formed, and take such measures to redress the injury done to the Constitution as the exigency may suggest and prudence justify...**” (Federalist No. 33, 5th para). [emphasis added]

“...acts of ... [the federal government] which are NOT PURSUANT to its constitutional powers ... will [not] become the supreme law of the land. **These will be merely acts of usurpation, and will deserve to be treated as such...**” (Federalist No. 33, 6th para). [emphasis added]

“...every act of delegated authority, contrary to the tenor of the commission under which it is exercised, **is void**. **No legislative act ...contrary to the Constitution can be valid**. To deny this, would be to affirm ... that men ... may do not only what their powers do not authorize, but what they forbid.” (Federalist No. 78, 10th para). [emphasis added]

When it is proven, by tacit agreement or otherwise, that Smart Meter Technology, being implemented worldwide, originates from outside the republic of the United States of America; and or proven tacitly or otherwise that the “smart grid” agenda is an assault on the men, women and children of the Republic, their real or other properties, wild and domestic livestock, pollinating insects which effect agriculture/food supply, right of privacy, well-being, liberty, or right to equitable contracts; and or proven tacitly or otherwise that any Smart Meter Technology or other various “legal” actions used to implement it are contrary to, and a collateral or direct attack upon, the United States Constitution, **there may be grounds for a grand jury indictment for treason, to wit:**

U.S. Constitution, Article III Section 3

Treason shall consist only in levying War against them, or in adhering to their **Enemies, giving them Aid** and comfort. No Person shall be convicted of Treason unless on the **Testimony of two witnesses** to the same overt Act, or on Confession in open Court. The Congress shall have the Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attained. [emphasis added]

18 U.S. Code § 2382 – Misprision of treason

Whoever, owing allegiance to the United States and **having knowledge of the commission of any treason** against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, **is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.** [emphasis added]

I hereby accept the Oath of Office under which Administrative Law Judge Jeffrey A. Watson is sworn.

Upon receiving notification regarding the installation of Smart Meter Technology at my residence, I sent Duquesne Light Notice of my refusal, denial and non-consent for them to install any such devices at or near my private property. They responded acknowledging my non-consent, (exhibit B) and proceeded to install one Smart Meter in direct violation of my property rights. They also ignored a posted sign at the property which is prominently displayed explicitly forbidding the installation of Smart Meter Technology. (exhibit C) It is a fact that Duquesne Light does **NOT** have my consent, therefore they are in direct violation of federal laws, and United States Constitution by installing, and or attempting to install such devices at or near my private property.

9. Provide your age and educational background, including but not limited to all colleges or universities that you attended and all degrees and/or certifications you have received.

Answer:

This question has no relevance, as my rights to safety, liberty, equitable contracts and privacy are not subject to the level of my education, degrees or certificates obtained, or my age. I will say only, that I am an adult, of legal age and of sound mind.

10. Produce a copy of your resume and/or curriculum vitae.

Answer:

This request has no relevance, as my rights to safety, liberty, equitable contracts and privacy are not subject to my employment history, or employability.

11. Have you ever performed work or been employed in the scientific or medical fields?

Answer:

This question has no relevance, as my rights to safety, liberty, equitable contracts and privacy are not subject to my employment history.

- 12. If the answer to the preceding request was in the affirmative, state:**
- a. the name of each employer that you performed work for 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 these duties.**

Answer: These questions have no relevance, as my rights to safety, liberty, equitable contracts and privacy are not subject to my employment history. This request also represents an extremely burdensome and unnecessary amount of effort to compile.

13. 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, cell phones, microwave ovens, wireless internet, and WI-FI routers.

Answer:

This request has no relevance as the devices in my home, or use in my daily life are by my choosing. It is alleged that the Smart Meters being forced upon me, are not subject to my choice, therefore these facts are not suitable to be compared.

14. 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:

This request has no relevance, since the devices in my possession are by my choice. It is alleged that the Smart Meters being forced upon me, are not subject to my choice, therefore these are not suitable for comparison.

15. Produce all documents, including, but not limited to, user manuals and instruction materials, relating to each device identified in response to discovery request no. 13.

Answer:

This request has no relevance, since the devices in my possession are by my choice. It is alleged that the Smart Meters being forced upon me, are not subject to my choice, therefore these are not suitable for comparison.

16. Outside of the documents and pleadings already produced in connection with your formal complaint, produce any documents that you have prepared in whole or in part that relates to the subject of radio frequency, Smart Meters, and/or your formal complaint.

Answer:

I have nothing further to submit at this time, everything I have is already within this document, and in previously submitted documents.

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

Answer:

This question has no relevance, as my rights to safety, liberty, equitable contracts and privacy are not subject to the level of my education or employment history.

18. Produce all documents that relate to your response to the preceding request.

Answer:

This request has no relevance, as my rights to safety, liberty, equitable contracts and privacy are not subject to the level of my education or employment history.

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

Answer:

This question has no relevance, as my rights to safety, liberty, equitable contracts and privacy are not subject to the level of my education or employment history.

20. 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:

I have nothing further to submit at this time, everything I have is already within this document, and in previously submitted documents.

21. 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:

At this time, I currently do not have anyone that will testify. If that will change, prompt notification will be presented.

22. 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 grounds for each expert opinion.

Answer:

At this time, I do not have any expert witness.

23. Produce the report of any expert you intend to call to testify on your behalf at trial.

Answer: Trial? It is my understanding that this is in reference to a formal hearing, not a trial. This question and request is enormously inapplicable.

24. Produce the curriculum vitae of any expert that you intend to call to testify on your behalf at trial.

Answer: Trial? It is my understanding that this is in reference to a formal hearing, not a trial. This question and request is enormously inapplicable.

25. State all facts that support your claim that Duquesne Light's installation of a Smart Meter at the property will infringe upon your privacy.

Answer:

State and federal laws as well as the Constitution of United States prohibit the installation of devices capable of surveillance upon private structures, without the explicit consent of the occupants, or a court order or warrant issued based upon probable cause.

Smart Meters do harvest data about the activities of men and women in private dwellings without their consent. In January 2015, it was stated by Miles Keogh, a director of the National Association of Regulatory Utility Commissioners, that:

"I think the data [from "smart" meters] is going to be worth a lot more than the commodity that's being consumed to generate the data."

(Originally published at <http://www.politico.com/story/2015/01/energy-electricity-data-use-113901>)

Smart Meter Technology is designed with the explicit capability and intention to extract information from within private dwellings and or workplaces, about specific appliance usage details and other data pertaining to activities of living occupants.

- a. A U.S. Congressional Research report entitled "*Smart Meter Data: Privacy and Cybersecurity*" (February 3, 2012) states, **"With smart meters, police will have access to data that might be used to track residents' daily lives and routines while in their homes, including their eating, sleeping, and showering habits, what appliances they use and when, and whether they prefer the television to the treadmill, among a host of other details."**
- b. A Senior official with the National Association of Regulatory Utility Commissioners (NARUC) admitted in an interview with Politico.com (January 1, 2015), **"I think the data [of in-home activities, harvested via so named "smart meters"] is going to be worth a lot more than the commodity that's being consumed [electricity] to generate the data."**
- c. In 2016, a major "smart" meter data aggregator with Onzo Ltd (UK), released a marketing video which stated, **"We use this characterized profile to give the utility ... the ability to monetize their customer data by providing a direct link to appropriate third-party organizations based on the customer's identified character."**

The express consent of the living occupants is not being attained, as required under the 4th Amendment of United States Constitution. Smart Meter Technology therefore is in direct contravention of the Constitutional privacy rights of the living occupants within their own private dwellings and or workplaces.

Smart Meter Technology and related infrastructure is either mounted on or is adjacent to private property, including but not limited to the bodies of living men and women, without first acquiring their explicit consent.

Living occupants in private dwellings and or workplaces are not being justly compensated, nor consulted, nor even informed, of their private property being utilized as a relay station for the networks related to Smart Meter and Smart Grid Technology.

Smart Meter Technology creates a previously non-existent vulnerability and diminishes private dwelling and or workplace security by functioning as an unsecured wireless digital gateway into the private dwelling and or workplace. The living men and women occupying the private dwelling and or workplace become subject to whatever desires of a utility, government, or hacker who wishes to remotely interrupt or control the supply of energy to appliance(s) within the private dwelling and or workplace, or to the entire private dwelling and or workplace itself. Unauthorized access, and all of its consequences, becomes fully the liability of the utility – for the unauthorized installation and all resulting harm, damage, injury and loss of rights.

U.S. Constitution, Amendment IV

The **right** of the people to be secure in their persons, **houses**, papers, and effects, **against unreasonable searches and seizures, shall not be violated**, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. [emphasis added]

U.S. Constitution, Amendment XIV Section 1.

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. 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 any person within its jurisdiction the equal protection of the laws.

26. Produce all documents that relate to your answer to discovery request no. 25.

Answer:

References to documents were provided within my response to discovery request no. 25.

27. Do you claim that there has been a fire(s) caused by an Itron SK9AMI7 HW 3.1 OpenWay Centron single phase Smart Meter installed by Duquesne Light or it's contractors? If so, for each such fire, state:
- The date of the fire;
 - The address of the location where the fire happened; and
 - All facts that support your contention or belief that the fire was caused by an Itron SK9AMI7 HW 3.1 OpenWay Centron single phase Smart Meter installed by Duquesne Light or it's contractors.

Answer:

Based on the large number of reported incidents regarding fires associated with Smart Meters of various kinds, it is my position to consider them all potentially dangerous and hazardous. Duquesne Light has not given any disclosure about testing or research certifying the safety and reliability of the Itron SK9AMI7 HW 3.1 OpenWay Centron single phase Smart Meter. Therefore I am not assured that it is safe, and that it is not a fire hazard. Furthermore, many documented fires associated with Smart Meters were the result of being installed incorrectly. Smart Meters of all types transmit at as high as 2.4 GHz, on existing wiring, which is rated for not more than 60 Hz.

Smart Meters can cause home fires, which have already resulted in deaths of men and women, in Vacaville (California), Dallas (Texas), and Reno (Nevada).

Due to fire and safety risks, PECO ENERGY CO (Pennsylvania) announced removal of 96,000 so named "Smart Meters" in 2012; the PROVINCE OF SASKATCHEWAN (Canada) announced removal of all of their 105,000 so named "Smart Meters" in 2014; PORTLAND GENERAL ELECTRIC (Oregon) announced removal of 70,000 so named "Smart Meters" in 2014; and the CITY OF LAKELAND (Florida) announced removal of more than 10,000 so named "Smart Meters" in 2014. In 2015, thousands of so named "Smart Meters" simultaneously exploded in Stockton (California).

28. Produce all documents that relate to your response to the preceding request.

Answer:

I do not have control of the following document; it is the property of EMF Safety Network. The document can be found at: <http://emfsafetynetwork.org/wp-content/uploads/2016/01/Summary-of-Evidence-on-Smart-Meter-Fires.pdf>

29. Do you claim that there has been a privacy, data, or security breach to Duquesne Light's customers caused by an Itron SK9AMI7 HW 3.1 OpenWay Centron single phase Smart Meter? If so, for each breach, state, 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 single phase Smart Meter.

Answer:

Duquesne Light has not disclosed or obtained consent from customers with regard to what data will be collected by its digital meters (Smart Meters) on personal and private activities on private property, where that data will be stored, who will have access to that data, how that data will be shared and managed, how subjects of that data can be assured of their privacy, how they can review and correct any errors, how that data will be secured, how victims of privacy invasion or mishandling of private data will be compensated and restored and how Duquesne Light claims to have gained the unconstitutional authority to record, collect, store and distribute private and personal data taken from utility customers without full informed consent. Utility customers have generally not granted permission for such surveillance, nor have they been properly and fully informed of it. Even if Duquesne Light may claim to keep data "safe" which statistically is not possible, Duquesne Light itself has no consent to collect and hold personal information, so personal information is not "safe" having been exposed to parties within Duquesne Light who have not been permitted by the customer to collect and view that data.

- a. Since full informed consent is not being obtained from each customer, the breach is occurring continuously, anywhere Smart Meters have been deployed. Providing the dates of each breach is overly burdensome, due to the large number of occurrences, and the continuing occurrences.
- b. The nature of the breach(s) is that any information collected by Duquesne Light about activities within private dwellings and or workplaces, are not authorized by full informed consent of the subjects of that information.
- c. The Itron SK9AMI7 HW 3.1 OpenWay Centron single phase Smart Meter, is capable of collecting and recording detailed data in real-time about activities within private dwellings and or workplaces.

30. Produce all documents that relate to your response to the preceding request.

Answer:

I do not have control of the following document; it is the property of the Itron Corporation. It can be found at: <https://www.itron.com/na/-/media/itron/integration/specsheet/101441sp06openwayrivacentronmeternamweb.pdf>



31 May 2011

**IARC CLASSIFIES RADIOFREQUENCY ELECTROMAGNETIC FIELDS AS
POSSIBLY CARCINOGENIC TO HUMANS**

Lyon, France, May 31, 2011 -- The WHO/International Agency for Research on Cancer (IARC) has classified radiofrequency electromagnetic fields as possibly carcinogenic to humans (Group 2B), based on an increased risk for glioma, a malignant type of brain cancer¹, associated with wireless phone use.

Background

Over the last few years, there has been mounting concern about the possibility of adverse health effects resulting from exposure to radiofrequency electromagnetic fields, such as those emitted by wireless communication devices. The number of mobile phone subscriptions is estimated at 5 billion globally.

From May 24–31 2011, a Working Group of 31 scientists from 14 countries has been meeting at IARC in Lyon, France, to assess the potential carcinogenic hazards from exposure to radiofrequency electromagnetic fields. These assessments will be published as Volume 102 of the IARC *Monographs*, which will be the fifth volume in this series to focus on physical agents, after Volume 55 (Solar Radiation), Volume 75 and Volume 78 on ionizing radiation (X-rays, gamma-rays, neutrons, radio-nuclides), and Volume 80 on non-ionizing radiation (extremely low-frequency electromagnetic fields).

The IARC Monograph Working Group discussed the possibility that these exposures might induce long-term health effects, in particular an increased risk for cancer. This has relevance for public health, particularly for users of mobile phones, as the number of users is large and growing, particularly among young adults and children.

The IARC Monograph Working Group discussed and evaluated the available literature on the following exposure categories involving radiofrequency electromagnetic fields:

- occupational exposures to radar and to microwaves;
- environmental exposures associated with transmission of signals for radio, television and wireless telecommunication; and
- personal exposures associated with the use of wireless telephones.

International experts shared the complex task of tackling the exposure data, the studies of cancer in humans, the studies of cancer in experimental animals, and the mechanistic and other relevant data.

¹ 237 913 new cases of brain cancers (all types combined) occurred around the world in 2008 (gliomas represent 2/3 of these). Source: Globocan 2008

EXHIBIT A

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IARC CLASSIFIES RADIOFREQUENCY ELECTROMAGNETIC FIELDS AS POSSIBLY CARCINOGENIC TO HUMANS

Results

The evidence was reviewed critically, and overall evaluated as being *limited*² among users of wireless telephones for glioma and acoustic neuroma, and *inadequate*³ to draw conclusions for other types of cancers. The evidence from the occupational and environmental exposures mentioned above was similarly judged inadequate. The Working Group did not quantitate the risk; however, one study of past cell phone use (up to the year 2004), showed a 40% increased risk for gliomas in the highest category of heavy users (reported average: 30 minutes per day over a 10-year period).

Conclusions

Dr Jonathan Samet (University of Southern California, USA), overall Chairman of the Working Group, indicated that "the evidence, while still accumulating, is strong enough to support a conclusion and the **2B classification**. The conclusion means that there could be some risk, and therefore we need to keep a close watch for a link between cell phones and cancer risk."

"Given the potential consequences for public health of this classification and findings," said IARC Director Christopher Wild, "it is important that additional research be conducted into the long-term, heavy use of mobile phones. Pending the availability of such information, it is important to take pragmatic measures to reduce exposure such as hands-free devices or texting. "

The Working Group considered hundreds of scientific articles; the complete list will be published in the Monograph. It is noteworthy to mention that several recent in-press scientific articles⁴ resulting from the **Interphone study** were made available to the working group shortly before it was due to convene, reflecting their acceptance for publication at that time, and were included in the evaluation.

A concise report summarizing the main conclusions of the IARC Working Group and the evaluations of the carcinogenic hazard from radiofrequency electromagnetic fields (including the use of mobile telephones) will be published in **The Lancet Oncology** in its July 1 issue, and in a few days online.

² **'Limited evidence of carcinogenicity'**: A positive association has been observed between exposure to the agent and cancer for which a causal interpretation is considered by the Working Group to be credible, but chance, bias or confounding could not be ruled out with reasonable confidence.

³ **'Inadequate evidence of carcinogenicity'**: The available studies are of insufficient quality, consistency or statistical power to permit a conclusion regarding the presence or absence of a causal association between exposure and cancer, or no data on cancer in humans are available.

⁴ a. 'Acoustic neuroma risk in relation to mobile telephone use: results of the INTERPHONE international case-control study' (the Interphone Study Group, in *Cancer Epidemiology*, *in press*)

b. 'Estimation of RF energy absorbed in the brain from mobile phones in the Interphone study' (Cardis et al., *Occupational and Environmental Medicine*, *in press*)

c. 'Risk of brain tumours in relation to estimated RF dose from mobile phones – results from five Interphone countries' (Cardis et al., *Occupational and Environmental Medicine*, *in press*)

d. 'Location of Gliomas in Relation to Mobile Telephone Use: A Case-Case and Case-Specular Analysis' (*American Journal of Epidemiology*, May 24, 2011. [Epub ahead of print].

IARC CLASSIFIES RADIOFREQUENCY ELECTROMAGNETIC FIELDS AS POSSIBLY CARCINOGENIC TO HUMANS

For more information, please contact

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Link to the audio file posted shortly after the briefing:

http://terrance.who.int/mediacentre/audio/press_briefings/

About IARC

The International Agency for Research on Cancer (IARC) is part of the **World Health Organization**. Its mission is to coordinate and conduct research on the causes of human cancer, the mechanisms of carcinogenesis, and to develop scientific strategies for cancer control. The Agency is involved in both **epidemiological and laboratory research** and disseminates scientific information through **publications, meetings, courses, and fellowships**.

If you wish your name to be removed from our press release e-mailing list, please write to com@iarc.fr.

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IARC CLASSIFIES RADIOFREQUENCY ELECTROMAGNETIC FIELDS AS POSSIBLY CARCINOGENIC TO HUMANS

ABOUT THE IARC MONOGRAPHS

What are the IARC Monographs?

The *IARC Monographs* identify environmental factors that can increase the risk of human cancer. These include chemicals, complex mixtures, occupational exposures, physical and biological agents, and lifestyle factors. National health agencies use this information as scientific support for their actions to prevent exposure to potential carcinogens. Interdisciplinary working groups of expert scientists review the published studies and evaluate the weight of the evidence that an agent can increase the risk of cancer. The principles, procedures, and scientific criteria that guide the evaluations are described in the Preamble to the IARC Monographs.

Since 1971, more than 900 agents have been evaluated, of which approximately 400 have been identified as carcinogenic or potentially carcinogenic to humans.

Definitions

Group 1: The agent is carcinogenic to humans.

This category is used when there is *sufficient evidence of carcinogenicity* in humans. Exceptionally, an agent may be placed in this category when evidence of carcinogenicity in humans is less than *sufficient* but there is *sufficient evidence of carcinogenicity* in experimental animals and strong evidence in exposed humans that the agent acts through a relevant mechanism of carcinogenicity.

Group 2.

This category includes agents for which, at one extreme, the degree of evidence of carcinogenicity in humans is almost *sufficient*, as well as those for which, at the other extreme, there are no human data but for which there is evidence of carcinogenicity in experimental animals. Agents are assigned to either Group 2A (*probably carcinogenic to humans*) or Group 2B (*possibly carcinogenic to humans*) on the basis of epidemiological and experimental evidence of carcinogenicity and mechanistic and other relevant data. The terms *probably carcinogenic* and *possibly carcinogenic* have no quantitative significance and are used simply as descriptors of different levels of evidence of human carcinogenicity, with *probably carcinogenic* signifying a higher level of evidence than *possibly carcinogenic*.

Group 2A: The agent is probably carcinogenic to humans.

This category is used when there is *limited evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals. In some cases, an agent may be classified in this category when there is *inadequate evidence of carcinogenicity* in humans and *sufficient evidence of carcinogenicity* in experimental animals and strong evidence that the carcinogenesis is mediated by a mechanism that also operates in humans. Exceptionally, an agent may be classified in this category solely on the basis of *limited evidence of carcinogenicity* in humans. An agent may be assigned to this category if it clearly belongs, based on mechanistic considerations, to a class of agents for which one or more members have been classified in Group 1 or Group 2A.

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Group 2B: The agent is *possibly carcinogenic to humans*.

This category is used for agents for which there is *limited evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals. It may also be used when there is *inadequate evidence of carcinogenicity* in humans but there is *sufficient evidence of carcinogenicity* in experimental animals. In some instances, an agent for which there is *inadequate evidence of carcinogenicity* in humans and less than *sufficient evidence of carcinogenicity* in experimental animals together with supporting evidence from mechanistic and other relevant data may be placed in this group. An agent may be classified in this category solely on the basis of strong evidence from mechanistic and other relevant data.

Group 3: The agent is *not classifiable as to its carcinogenicity to humans*.

This category is used most commonly for agents for which the evidence of carcinogenicity is *inadequate* in humans and *inadequate or limited* in experimental animals.

Exceptionally, agents for which the evidence of carcinogenicity is *inadequate* in humans but *sufficient* in experimental animals may be placed in this category when there is strong evidence that the mechanism of carcinogenicity in experimental animals does not operate in humans.

Agents that do not fall into any other group are also placed in this category.

An evaluation in Group 3 is not a determination of non-carcinogenicity or overall safety. It often means that further research is needed, especially when exposures are widespread or the cancer data are consistent with differing interpretations.

Group 4: The agent is *probably not carcinogenic to humans*.

This category is used for agents for which there is *evidence suggesting lack of carcinogenicity* in humans and in experimental animals. In some instances, agents for which there is *inadequate evidence of carcinogenicity* in humans but *evidence suggesting lack of carcinogenicity* in experimental animals, consistently and strongly supported by a broad range of mechanistic and other relevant data, may be classified in this group.

Definitions of evidence, as used in IARC Monographs for studies in humans

The evidence relevant to carcinogenicity from studies in humans is classified into one of the following categories:

Sufficient evidence of carcinogenicity: The Working Group considers that a causal relationship has been established between exposure to the agent and human cancer. That is, a positive relationship has been observed between the exposure and cancer in studies in which chance, bias and confounding could be ruled out with reasonable confidence. A statement that there is *sufficient evidence* is followed by a separate sentence that identifies the target organ(s) or tissue(s) where an increased risk of cancer was observed in humans. Identification of a specific target organ or tissue does not preclude the possibility that the agent may cause cancer at other sites.

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Limited evidence of carcinogenicity: A positive association has been observed between exposure to the agent and cancer for which a causal interpretation is considered by the Working Group to be credible, but chance, bias or confounding could not be ruled out with reasonable confidence.

Inadequate evidence of carcinogenicity: The available studies are of insufficient quality, consistency or statistical power to permit a conclusion regarding the presence or absence of a causal association between exposure and cancer, or no data on cancer in humans are available.

Evidence suggesting lack of carcinogenicity: There are several adequate studies covering the full range of levels of exposure that humans are known to encounter, which are mutually consistent in not showing a positive association between exposure to the agent and any studied cancer at any observed level of exposure. The results from these studies alone or combined should have narrow confidence intervals with an upper limit close to the null value (e.g. a relative risk of 1.0). Bias and confounding should be ruled out with reasonable confidence, and the studies should have an adequate length of follow-up. A conclusion of *evidence suggesting lack of carcinogenicity* is inevitably limited to the cancer sites, conditions and levels of exposure, and length of observation covered by the available studies. In addition, the possibility of a very small risk at the levels of exposure studied can never be excluded.

In some instances, the above categories may be used to classify the degree of evidence related to carcinogenicity in specific organs or tissues.



6/14/2018

GEOFF DAY
1699 SUBURBAN AVE
PITTSBURGH PA 15216

Re: Advanced Metering Infrastructure

Dear GEOFF DAY,

This letter acknowledges that you have indicated your desire that Duquesne Light not install an advanced digital meter at your address. Our ongoing exchange of meters is part of an overall upgrade of the company's metering infrastructure required by Pennsylvania law called Act 129. Duquesne Light began exchanging meters with new meters in 2014.

As noted in the enclosed Pennsylvania Public Utility Commission (PUC) Q&A: ***"state law does not allow a customer to 'opt out' of their EDC's (electric distribution company's) smart meter program..."*** As a result, the meter at your address will be replaced with a new meter. Duquesne Light will attempt to contact you before this exchange takes place.

In addition, there are circumstances beyond our normal meter exchange deployment plan that may require the exchange of the meter without prior notification. These include, but are not limited to, the failure of the current meter, if the meter at your address is randomly selected for PUC-required accuracy testing, or when the current automated meter reading system for meters is taken offline later this year. Duquesne Light will attempt to contact you before such an exchange takes place.

We ask that you consider, as detailed below, the benefits that our new meters offer, as well as information related to questions you may have about the advanced metering technology:

- Once fully enabled, our new advanced metering infrastructure also will provide access to online tools that can help you manage your electric bill and set up email or phone alerts to warn you of potential high bills. It also will enable an optional Time-of-Use program that may provide benefits to those who can shift portions of their power use to non-peak hours. In the future, the new meter technology, in conjunction with other system improvements, will enable us to provide outage alerts and time-restoration estimates that could help customers make plans during storm-related service interruptions.
- We will continue to keep your billing and account information secure as we do today. Our new advanced metering infrastructure is being deployed with multiple layers of security controls designed to protect the privacy and security of customer data.
- The Radio Frequency (RF) output of the low-power digital meters is consistent with the output of our current meters, which have been measuring and transmitting customers' usage wirelessly for almost 20 years. In addition, the RF from our new meters is significantly less than a cell phone, cordless phone or wireless router commonly found in most homes today.

For more information, visit the Meter Exchange section of our website, DuquesneLight.com, or contact us at MeterExchangeInquiry@duqlight.com.

Thank you,

Dave Defide
Manager, Customer Programs

CONSTRUCTIVE CONTRACT

-- PUBLIC NOTICE --

**NO "SMART METER" OR ANY SIMILAR DEVICE
MAY BE INSTALLED ANYWHERE ON THIS
PRIVATE PROPERTY**

WARNING: MAJOR LIABILITY AND OBLIGATION

Any person who acts or conspires to install or apply any device or system upon this private property for the purpose, or having the effect, of monitoring of any activity, collecting data and/or emitting electromagnetic, radio or microwave radiation or pulses of any kind will be charged and prosecuted to the full extent of the law for trespass, assault, wiretapping, stalking, unlawful surveillance, public endangerment, pollution, damage to property values and willful violation of prior and rightful Notice and Contract. Additionally, any actual or attempted installation described above will cause obligation of One Million Dollars \$1,000,000.00 due upon each installation or attempted installation, owed by, and due from, every individual and agency fully and separately who may be responsible or complicit in approving or causing the unlawful installation. This property owner does NOT consent! By this lawful Constructive Notice, any party installing or attempting to install such device or system without fully announcing himself/herself, without identifying himself/herself and/or without obtaining fully- informed written consent for all such installations from the owner and occupants of the property will be concealing activity known by him/her to be criminal in nature and acting in intentional and willful malfeasance against innocent parties for personal benefit, gain or advantage and will become fully liable and obligated to all terms, conditions, declarations and stipulations herein. Effective October 1, 2012. This is posted as Notice and Offer of Contract and reservation of all legal and natural Rights with full remedies owed for and upon any breach or violation. This notice supersedes and replaces all conflicting contracts, current and prior. Commission of any act described herein is Acceptance of Contract. This Notice is and will be enforced by all applicable 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

From: E/O Geoff Day
1699 Suburban Avenue
PITTSBURGH
PENNSYLVANIA



1000



17120

U.S. POSTAGE PAID
FCM LG ENV
PITTSBURGH, PA
15216
JAN 03, 19
AMOUNT

\$1.84

R2304M115364-22

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Document Mailer

To: ROSEMARY CHIIVETTA, Secretary
Pennsylvania Public Utility Commission
Keystone Bldg. 2nd floor W.
400 North Street
Harrisburg, Pennsylvania
17120