

April 14, 2019

Via Electronic Filing

Rosemary Chiavetta, Secretary
Pennsylvania Public Utilities Company
Keystone Bldg. 2nd Floor W
400 N. Street
Harrisburg, PA 17120

Re: Michal Bruce v. Duquesne Light Company
Docket No. C-2018-3005754

Dear Secretary Chiavetta,

Enclosed please find my response in opposition to Duquesne Light Company's Motion to Compel Discovery Responses.

I hereby state that the facts set forth are true and accurate in accordance with the requirements of 52 Pa. Code § 1.36.

Sincerely,



Michal Bruce

167 Holt Road
Aliquippa, PA 15001
724-622-8980

C: Paul Shane Miller (with enclosure)

**RESPONSE IN OPPOSITION TO RESPONDENT'S MOTION TO COMPEL
DISCOVERY RESPONSE**

1. Per Duquesne Light's Motion to Compel Discovery Responses, I agree with the factual background provided.
2. I oppose the following arguments provided by Duquesne Light, Paragraph #17 under "Argument" section. Duquesne Light provided the following response:

"The information sought by Duquesne Light in these Requests is relevant because Complainant contends that radiofrequency emitted from a smart meter will cause himself or his family members to suffer bodily harm. See Response to Duquesne Light's Answer and New Matter. Duquesne Light is entitled to know if Complainant uses other devices that emit radiofrequency radiation (such as a cell phone), and how often Complainant uses such devices."

3. We have already provided information to Duquesne Light stating that we do have devices in our home that emit radiofrequency. As stated, our appliances are all older and contain no "smart" technology. We are committed to reducing our exposure to radiofrequency in areas that are within our control. However, providing records of use for these devices (i.e. cell phones) does not provide accurate information regarding RF exposure. Simply providing usage records does not take into account: how these devices were used, what kind of EMF protection was used while operating these devices, and/or the distance that our bodies were from these devices while in use.

With a personal cell phone, I am able to control how the device is used. I am able to turn a cell phone off, I can place it on airplane mode, and I can also have conversations on speaker phone without holding this device next to my head, or while using headsets specifically designed to keep RF exposure away from the head.

4. In addition, I would argue that the level of exposure from a smart meter is not lower than exposure from a cell phone, as cited in cases under paragraph #18 under the "Argument" section. In my Discovery Response to Duquesne Light, I cited information provided by them stating that, "the average number of transmissions in a 24-hour period is approximately 1,268 (less than 1 time/minute) and the maximum number of transmissions in a 24-hour period is approximately 25,916 (18 times/minutes or about once every 3.3 seconds)."

In this scenario, although the actual amount of time that a transmission happens is small, transmissions are happening on a 24 hour/7 day per week schedule. The pulse intensity and frequency is disguised by providing only time-averaged data. Our exposure from a smart meter is 24/7 with transmissions happening frequently. My concern is not only the

amount of time that each transmission takes, but also the continuous, pulsing frequency of transmissions, which does not exist with cell phone and other device usage.

For further consideration, Daniel Hirsch, radiation expert and instructor at University of California, San Diego (UCSD), published a paper refuting the findings of the California Council on Science and Technology (CCST). The CCST had concluded that smart meters were generally safer than cell phones. Mr. Hirsch's paper exposed inconsistencies in the study done by the CCST. He found that, "the cumulative whole body exposure from a Smart Meter at 3 feet appears to be approximately two orders of magnitude higher than that of a cell phone, rather than two orders of magnitude lower."¹

In his full report, Mr. Hirsch takes into consideration full-body exposure and calculates exposure from both cell phones and smart meters. He concludes that a smart meter would, "produce 50 times the cumulative whole body exposure as a cell phone."

http://www.committeetobridgethegap.org/pdf/110212_RFrad_comments.pdf

5. We are also being exposed to RF frequencies from all of our neighbors. Although the range is farther, we continue to be concerned by the compounding effects of the "MESH" network and our inability to remove ourselves from this exposure. This type of exposure is much different than exposure from a cell phone or other device used in the home. With personal devices, we have options for usage and opportunities to lessen our exposure. With the mandatory implementation of a smart meter, our personal choice has been removed from the equation and we do not even have the opportunity to opt out of a smart meter installation.

6. Discovery Responses for questions 13 and 16 will not provide an accurate depiction of RF exposure to myself or at my residence, as they do not take into account usage information and measures taken to avoid exposure. Because I do not feel that the outstanding Discovery Requests (13 and 16) are relevant for the reasons that Duquesne Light is suggesting, it seems that I would be forced to provide unnecessary data that infringes on my personal privacy.

¹ "Smart Meters Radiation Exposure Up to 160 Times More Than Cell"
<http://www.electrosmogprevention.org/public-health-alert/smart-meters-radiation-exposure-up-to-160-times-more-than-cell-phones-hirsch/>. Accessed 14 Apr. 2019.

7. For the foregoing reasons, I respectfully request that the Commission deny Duquesne Light's Motion to Compel Discovery Responses to Discovery Request numbers 13 and 16.

Respectfully submitted,



Michal Bruce

167 Holt Road
Aliquippa, PA 15001
724-622-8980
April 14, 2019

CERTIFICATE OF SERVICE

I certify that on this day, April 14, 2019, a true copy of the foregoing document has been provided to the Respondent listed below via email, as has been agreed upon by both parties for prior communications:

Paul Shane Miller, Esquire

E-mail: smiller@tuckerlaw.com

A handwritten signature in blue ink that reads "Michal Bruce". The signature is written in a cursive, flowing style.

Michal Bruce