

Thomas Aguirre
1561 Sunset Drive
Mifflintown, PA 17059

August 2nd, 2019

VIA CERTIFIED MAIL

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

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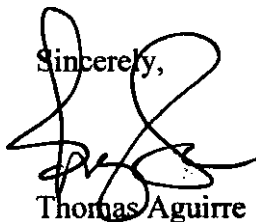
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

Re: Thomas Aguirre V. PPL Electric Utilities Corporation
Docket No. C-2018-3005352

Dear Secretary,

Enclosed, please find written comments labeled: 'Exceptions' along with certificate of service addressed to Devin T. Ryan Esquire.

Sincerely,

A handwritten signature in black ink, appearing to be 'Thomas Aguirre', written over the word 'Sincerely,'.

Thomas Aguirre

Enclosures

cc: Office of Special Assistants (OSA) at: ra-OSA@pa.gov
Devin Ryan Esquire

**BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Thomas Aguirre

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v.

C-2018-3005352

PPL Electric Utilities Corporation

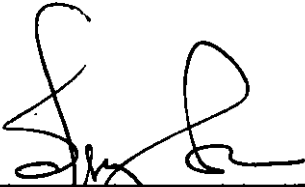
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PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU

**EXCEPTIONS OF
THOMAS AGUIRRE
COMPLAINANT**

August 2, 2019



**Thomas Aguirre
Complainant**

FINDINGS AND FACT

Pg 5 No. 26

Underwriters Laboratories also certified:

96,000 smart meters by the Peco Energy Co. (Pennsylvania)
Recalled due to fire and safety hazards in 2012

70,000 smart meters by Portland General Electric (Oregon)
Recalled due to fire and safety hazard in 2014

10,000 smart meters by the city of Lakeland (Florida)
Recalled due to fire and safety hazards in 2014

Pg 6 No. 30

Dr. Davis' study does not include specific studies on the Landis+Gyr Focus AXR-SD meter- the very one requested for installation on my residence.

Pg 6 No. 31

“Plausible link between EMF’s and Autism”
Harvard Neurology Professor; Martha Herbert Pathophysiology 2013

“The nervous system is an electrical organ”
Long term exposure to EMF’s
Bioengineering Professor; Henry Lai PhD 2011
Dept of Bioengineering, University of Washington, Seattle WA 98195

“Ion-channel’s (VCCGS) in our cell can be over stimulated by pulsed RF with oxidative genotoxic highlighting smart meter pulsed density”
Biochemist Professor; Martin Pall 2016

Pg 6 No. 32

Complainant has exercised his voluntary right to eliminate said items in his private living environment- which leaves only the forced involuntary installation of PPL Utility Corporations proposed smart meter and it’s accompanying RF fields. Additionally complainant has shut off all non essential house circuits to reduce electrical magnetic exposure. This reduction in usage is reflected by recorded billing schedules for a 2,200 square foot home. (See exhibit H)

Pg 6 no.34

It is well established that switching power supplies can generate spikes of Electromagnetic Interference (EMI) or High Frequency Transients. These transients can radiate through all wiring in the home.

All meters measured so far- including the Landis GYR emit noise on the customer's electrical wiring in the form of high frequency voltage spikes (up to 60,000 Hz).

Pg 7 No. 36

Updated information released by the FDA and the EPA have long expressed concerns as far back as 1993.

FCC exposure standards as; "Seriously Flawed" *EPA 1993*

"FCC rules do not address the issue of long-term chronic exposure to RF fields"
FDA 1993

Pg 7 No. 37

"There are very large differences in different national guidelines."

Kenneth R. Foster

Department of Bioengineering, University of Pennsylvania- Philadelphia PA

Applies to far field exposure.

US (FCC)	10 w/m ²
Switzerland	0.1w/m ²
China	0.1w/m ²
Russia	0.1w/m ²

The US limit (IEEE C95.1-1999 and ICNIRP) 100x greater

The designing of the IEEE C95.1 was based on the disruption of ongoing behavior associated with an increase in body temperature (ionizing) - in the presence of EMF's or electrical magnetic fields. The hazards in the study are thermal in nature. Another words, non-thermal or non ionizing effects were not taken into consideration. The following is a compilation of studies emphasizing the concern of these standards.

References:

1 IEEE Standards Coordinating Committee 28 on Non-Ionizing Radiation Hazards: Standard for Safe Levels With Respect to Human Exposure to Radio Frequency Electromagnetic Fields, 3 KHz to 300 GHz (ANSI/IEEE, 1999), The Institute of Electrical and Electronics Engineers, New York, 1992

(2)

- 2 International Commission on Non-Ionizing Radiation Protection (1996) Health issues related to the use of hand-held radiotelephones and base transmitters. *Health Phys.* 70:587-593
- 3 Foster KR, Lozano-Nieto A, Riu PJ, Ely TS (1998) Heating of tissue by microwaves: a model analysis. *Bioelectromagnetics* 19: 420-428
- 4 McRee DI (1979) Review of Soviet/Eastern European research on health aspects of microwave radiation. *Bull N Y Acad Med* 55:1133-1151
- 5 Szmigielski S (1989) Eastern European RF protection guides and rationales. In Lin JC (ed) *Electromagnetic interaction with biological systems*. Plenum Press: New York, pp. 221-244
- 6 Sliney DH, Wolbarsht ML, Muc AM (1985) Differing radiofrequency standards in the microwave region --implications for future research. (Editorial) *Health Phys* 49:677-683
- 7 Gajšek P, Pakhomov AG, Klauenberg BJ (2002) Electromagnetic field standards in Central and Eastern European countries: current state and stipulations for international harmonization. *Health Phys.* 82: (April 2002).
- 8 Grigoriev Yu (1998) The Russian standards. In: *Inaugural Round Table on World EMF Standards Harmonization*, 18 Nov. 1998, Zagreb, Croatia, published by the WHO International EMF Project (available on the Internet at http://www.who.int/peh-emf/publications/standards_harmonization/zagreb_minutes_1998.pdf)
- 9 Marha K (1971) Microwave radiation safety standards in Eastern Europe. *IEEE Trans Microw Theory Tech* MTT-19:165- 168
- 10 Grigoriev YuG, Grigoriev OA, Nikonova KV, Pal'tsev YuP, Stepanov VS, Tischenko VA (1998) Standardization of EMFs from mobile radio communication systems: the state of the problem and rationale. *Electromagnetic Fields: Biological Effects and Hygienic Standards*. Abstracts of the International Meeting, 18-22 May, Moscow, Russia, p. 68
- 11 Bielski J (1994) Bioelectrical brain activity in workers exposed to electromagnetic fields. *Ann NY Acad Sci* 724:435-437
- 12 Vasilevskii NN, Suvorov NB, Sidorov YuA, Zueva NG (1994) Neurophysiological mechanisms of ecological stability: prognosis and biorhythm correction. *Vestn Ross Akad Med Nauk* (2):40-44
- 13 Huai C (1983) Assessment of health hazard and standard promulgation in China. In: *Biological effects and dosimetry of nonionizing radiation. Radiofrequency and microwave energies*. Grandolfo M, Michaelson SM, Rindi A (eds) Plenum Press: New York, pp. 627-644

- 14 Suvorov IM (1989) Clinical variants of the disease caused by exposure to radio-frequency electromagnetic fields. Gig Tr Prof Zabol 10:19-22
- 15 Gluszcz M (1979) Difficulties in the certification of microwave disease. Med Przemyslowa 30:147-150
- 16 Djordjevic Z, Kolak A, Djokovic V, Ristic P, Kelecevic Z (1983) Results of our 15-year study into the biological effects of microwave exposure. Aviat Space Environ Med 54:539-42
- 17 Sanitary Rules and Norms (SanPin 2.2.4/2.1.8.055-96) (1996) Radiofrequency electromagnetic radiations (2.2.4. physical factors of industrial surroundings. 2.1.8. physical factors of the environment) p. 28
- 18 Foster KR, Vecchia P, Repacholi MH (2000) Science and the precautionary principle. Science 288: 979-980
- 19 World Health Organization (March 2000) Electromagnetic fields and public health cautionary policies (available on the WWW at http://www.who.int/peh-emf/publications/facts_press/EMF-Precaution.htm).
- 20 Foster KR, Vecchia P, Repacholi MH (2000) Science and the precautionary principle. Science 28

Pg 7 No. 38

This number represents average power levels and does not accurately reflect a fair measurement of the spiked pulse itself.

Pg 7 No. 40

Such a claim is simply misleading as the 84 seconds represents condensed time averaging of pulsed emissions- rather than the frequency and strength of the pulsed emissions. Each meter is transmitting millisecond blasts 24/7. Considering that there are 1000 milliseconds in a second one must conclude that these spikes are happening up to 84,000 times through out the course of the day and night.

Pg 7 No.41

Complainant is yet unaware of the instruments used in Doctor Davis' study, or why he feels that the instruments used by electromagnetic field consultant Matt Fisker would be suspect in assessing equivalent smart meter values. HF-35C and those in its classification have been a popular favorite and industry standard.

Pg 7 No. 42

Again this claim is misleading as we are dealing with time averaging of pulsed emissions rather than the emission values of the pulses.

Pg 7 No. 43

The signals from television broadcast towers are much lower simply based on the distance from the residence. The amount of energy decreases rapidly as the distance from the antenna increases. This is why the transmitted signal is projected away from the tower almost horizontally so that as much area as possible is covered. This is also done to minimize the signal strength at ground level near the tower. The higher level RF occurs at a height not accessible to the general public. This is standard procedure.

In contrast, the smart meter has the highest risk to health because it has the highest PEAK radio frequency output at a low ground level and without sufficient distance to nullify its caustic effects.

Pg 8 No.45

Ionizing radiation should not be confused with lower energy non-ionizing radiation. Original FCC studies now over 30 years old, addressed only ionizing radiation. Yet there has been a plethora of recent published peer reviewed scientific studies over the concerns of non-ionizing radiation.

“The standards used by the FCC continue to be based on thermal heating, a criterion now nearly 30 years out of date and inapplicable today”
The US Dept of Interior 2014

Pg 8 No. 46, 47, 48, 49, 50

No mention as to whether Dr. Davis has performed any studies related to smart meter technology in a patient cohort study-along with the details of such study which have not been presented to the court.

“This paper argues that the prevailing official narrative in New Zealand concerning the relationship between public health and the radio frequency emissions (RF) from cellphone technology, WiFi and electricity **smart meters** is scientifically and ethically flawed”

Pubmed

N Z Med J. 2018 Dec 14;131(1487):97-107

It is also important to recognize that science is not static but evolutionary and sometimes a bit political- cigarettes were once “physician” tested and approved as a counter to public health concerns.

Pg 9 No. 51

The medical definition for the term ‘idiopathic’ does not discredit the validity of the disease itself but simply describes the *origin* as; “yet unknown”.

Electromagnetic Hypersensitivity is a term used to help describe the symptoms of the disease itself and not specifically the origin of those symptoms.

According to the Centers for Disease Control (CDC) one can be diagnosed with Multiple Chemical Sensitivities MCS without specifically describing the origin of those symptoms. Equally, one can have a medical condition known as “Idiopathic Pulmonary Fibrosis” without an identifiable cause.

Pg 9 No. 52

The term “Idiopathic Environmental Intolerance” is not a medically established term. EMF or EHS are much more widely used and accepted, and for good reason as it specifically describes symptomology. Even the World Trade Organization (WHO) has embraced the term Electrical Magnetic Fields (EMF) in whole or part to better describe this paradigm. One need only to review studies and literature to observe the universal acceptance of EHS and EMF terminology.

Pg 9 No. 52

Over 220 scientific peer reviewed published reports on the effects of non-ionizing radiation to date. This includes its potential short term and long term biological effects on human health. Although greater corroboration is needed among researchers the evidence continues to compound.

This does not diminish the efficacy of the studies but simply emphasizes the evolutionary process of discovery as with any other illness.

Pub Med:

Scand J. work environ health 2002 Feb,28 (1): 133-41

Scand J. work environ health 2002 Oct,28 (5): 349-57

Pg9 No.53

Again regardless of the term used, ‘idiopathic’ as medically defined, relates to causes yet unknown. The medical definition ‘idiopathic’ neither confirms nor denies its origin.

Subsequently, to unequivocally state that those symptoms related to EMF *are not* attributed to the exposure of RF fields is by its mere intent contraindicated.

Pg9 No.54

Smart Meters use basically the same wireless technology as cell phones. Unfortunately, the WTO failed to recognize maximum emissions during each transmission instead of an emission standard averaged over time.

“Emissions given off by smart meters as possible human carcinogen”

The WHO intervention agency for research on cancer (IARC)

“Wireless radiation emitted from Smart Meters is only part of the overall problem. The Smart Meter also has what they call a switch mode power supply-dropping 240v alternating current to 2-10v direct current. This stepping down produces massive electromagnetic interference over the homes electrical wiring system”

American Academy of environmental medicine Jan 19, 2012

Pg 9 No.56 & 57 Pg10 No.58, 59, 60, 61 & 62

“The following illnesses are known for their levels of oxidative stress on tissues throughout the body. EMF exposure is known to increase free radical concentration, exacerbating preexisting conditions”

Pub Med- *J Microsc Ultrastruct 2017 Oct-Dec 5(4): 167-176*

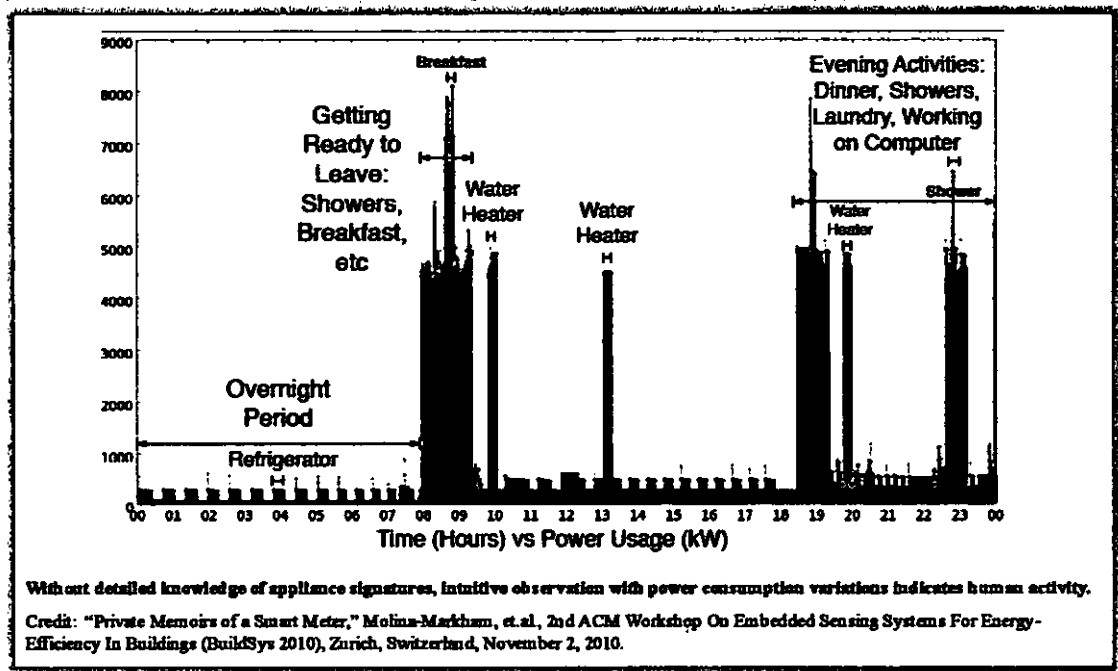
Effects of electromagnetic fields exposure on the antioxidant defense system

“Technological devices have become essential components of daily life. However, their deleterious effects on the body, particularly on the nervous system, are well known. Electromagnetic fields (EMF) have various chemical effects, including causing deterioration in large molecules in cells and imbalance in ionic equilibrium”

NCBI *J Microsc Ultrastruct. 2017 Oct-Dec; 5(4): 167-176.*

Pg 10 No.63

According to *Kyllo v. United States* the court pointed out smart meter data collection provides much deeper insight based on “load signatures”. That not only tells the utility when your home, but precisely what you’re doing. A refrigerator, Light bulb, or television each draws different power levels. This level of energy consumption data can be applied against a library of appliance load signatures.



Also, this created detailed information can be easy accessed with a warrant by Federal Agencies- and sometime without one as what happened when Seattle City Light provided immigration and customs enforcement detailed information on there customer base back in 2017.

Pg 10 No 64

A firewall is not foolproof and can be 'leaky' if its miss configured.

Pg 11 No.66

To assume that PPL will maintain a standard of privacy for its customer base, in light of future deregulation campaigns, maybe unrealistic. Already privacy rollbacks have been rammed through the house which eliminated broadband opt-in rules (see: Congressional Review Act recent changes).

"... Congress has expanded use of controversial legislative tool to 'tear Down' regulations" *ABC News by Cho Park and Alex Hosenball May 4th 2018*

With the furthering of FCC expansions predicted and local utility company's all to eager to market to 3rd parties, it would not be unreasonable to assume that existing promissory statements to the contrary would remain enforced should FCC regulations permit such actions in the future. In addition concerns surrounding the

Zigbee radio device may simply be changed, (with obscure notification) to an opt-out as apposed to the present opt-in policy at the discretion of the local utility company.

“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.”

*Miles Keogh, director of the National Association of Regulatory Utility Commissioners
(Originally published at <http://www.politico.com/story/2015/01/energy-electricity-data-use-113901>)*

Pg 11 No. 67

At present there are no laws prohibiting Utility companies from collecting your information via Zigbee radio device. The reality is that this opt-in provision can change to an opt-out provision at the discretion of PPL Utilities Corporation.

Pg 11 No. 68

Although this statement is “technically” correct it is also somewhat misleading- considering that the roll-out is fairly recent and as of yet still pending completion. It is widely understood that anything connected to the internet has the potential to be hacked as data breaches happen on an almost daily basis.

The following are only the major security breaches from hacking from just January of 2019:

9 Million – Bodybuilding.com, April 22, 2019

Unknown – Microsoft Email Services, April 15, 2019

540 Million – Facebook, April 2, 2019

1.3 Million – Georgia Tech, April 2, 2019

980 Million – Verifications.io, March 29, 2019

2 Million – Earl Enterprises, March 29, 2019

1.8 Million – Federal Emergency Management Agency, March 22, 2019

2 Million – Oregon Department of Human Services, March 21, 2019

600 Million – Facebook, March 21, 2019

1.5 Million – Gearbest, March 14, 2019

2.4 Million – Dow Jones, March 1, 2019

1 Million – UW Medicine, February 20, 2019

42,000 – Advent Health, February 20, 2019

14.8 Million – 500px, February 15, 2019

6 Million – Coffee Meets Bagel, February 14, 2019

Unknown – Dunkin’ Donuts, February 12, 2019

24,000 – EyeSouth Partners, February 6, 2019

Unknown – Huddle House, February 4, 2019

20,000 – Catawba Valley Medical Center, February 4, 2019

Unknown – Houzz, January 31, 2019

23,000 – Critical Care, Pulmonary & Sleep Associates, January 31, 2019

100,000 – Alaska Department of Health & Social Services, January 23, 2019

24 Million – Ascension, January 23, 2019

108 Million – Various Online Betting Sites, January 23, 2019

12,000 – Graeters Ice Cream, January 22, 2019

20,000 – BlackRock Inc., January 22, 2019

773 Million – Collection #1, January 17, 2019

Unknown – Oklahoma Department of Securities, January 17, 2019

Unknown – Fortnite, January 16, 2019

31,000 – Managed Health Services of Indiana, January 11, 2019

Unknown – OXO, January 10, 2019

Unknown – BenefitMall, January 7, 2019

Unknown – DiscountMugs.com, January 4, 2019

7.6 Million – BlankMediaGames, January 3, 2019

2.4 Million – Blur, January 2, 2019

As of this posting, there has been a massive security breach from Capital One of over 100 million people.

“CapitalOne data breach effects 100+ million” WCBS News July 30th 2019 Aimee Picchi

The mere fact that PPL Utilities Corporation uses wireless technology in this form of data collection leaves their sensitive consumer information subject to potentially the same vulnerabilities of cyber attacks.

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CONCLUSION

A few things the court needs to understand.

While the medical community has yet to fully recognize the detrimental effects that EMF's have on human health, I can testify that these effects are VERY REAL.

I have had to give up my home and a successful business career in New York City due to the increased concentration of EMF's. I moved to my present location because of the relief it afforded me - as well as the ability to gain ground in my recovery process. Please see: (Lab Reports exhibit: J, Medical expenditure exhibit: K, Supporting documentation exhibit: L,M,N)

As a utility customer, I recognize my obligation is to provide accurate information and payments, in a timely manner to my provider. And since 2015 I've never been delinquent with either.

I am fully aware of the stages of the roll-out schedule-ending in 2019 and again from 2020 to 2021 (the systems stabilization period). Having relocated to the commonwealth for the sole purpose of avoiding EMF's I respectfully ask the commission, as the only body to grant such requests, the opportunity to maintain my present meter until the end of 2021

As such I'm not asking for an exemption in any shape or form from my obligation to the utility. Rather I am asking for a chance to continue fulfilling my obligation as I've been doing successfully under the current arrangement, thus allowing me the continued ability to remain with my doctors and to progress with a recovery that my present living situation makes possible.

One thing is certain; implementation of this technology to my current home would amount to an eviction.

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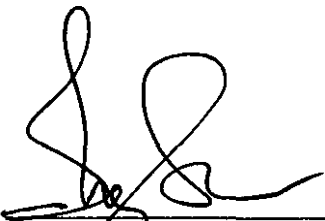
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon the following persons, in the manner indicated, in accordance with the requirements of 52 Pa. Code §1.54 (service by a participant).

VIA FIRST CLASS MAIL

Devin T Ryan Esquire
17 North Second Street 12th Floor
Harrisburg PA 17101-1601



Thomas Aguirre

Date: August 2nd 2019

CERTIFIED MAIL



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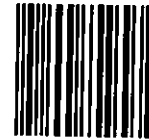
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