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March 11, 2012

E-00000C-11-0328

Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007-2927

TO: Steven M. Olea
Director
Utilities Division

Arizona Corporation Commission
DOCKETED

MAR 16 2012

FROM: Monica A. Joyner
APS Payson, AZ "consumer"
9127 W. Stageline Rd.
Payson, AZ 85541

DOCKETED BY

Dear Mr. Olea:

This letter is drafted with the intent to protect myself and my neighbors from the many-faceted threat posed by APS' installation of Smart Meters. Many American communities, cities and states are forming alliances after finding Smart Meters have been installed without their knowledge and/or consent. In short, they are waking up to the fact that APS is installing Smart Meters to financially enrich their company and further the government's energy conservation agenda. As with most "green agenda/conservation" items forced on American consumers, Smart Meters are installed at the risk and expense of the consumer and taxpayer. This is not a shared responsibility with the utility company. In essence, it creates a massive **conflict of interest** through government subsidy and incentive alliance with APS.

Large corporations such as APS can financially enrich themselves by charging "peak" rates. Without any sort of Federal mandate curtailing such activities, they have the potential to become abusive to the consumer. This provides the ability for APS to micromanage or cut off service to its consumers by utilizing the connection between "smart" appliances and a Smart Meter. There currently is no legislation empowering a utility company in concert with the government to determine my electrical usage.

Smart meters represent an **unconstitutional invasion** of privacy through monitoring of occupancy times and appliance usage. Associated transmissions can be intercepted by unauthorized and unknown parties. This also gives APS the option to sell this information to unauthorized and unknown parties. Although a reassurance letter from APS that I received states this will not happen, I hardly believe any so-called "facts" contained therein. APS has proven itself to be untrustworthy by installing Smart Meters without the consent or presence of the consumer. As a "consumer"; i.e., someone who will consume "ill-effect" as well as "positive-effect" of Smart Meters, should we not know what it is we are consuming before forced consumption?

I do, however, trust in the rights ensured by the 4th Amendment. They are the only reason this mass deception and forced consumption have not been further perpetrated.

Smart Meter **usage harm** is daily being reported as consumers become aware that they have one installed. Difficulties such as symptoms of insomnia, headaches, dizziness, nausea and other symptoms are reported. Subsequent litigation often ensues. Precedent is being set in other communities as to how dangerous they are. In short, the evidence is mounting as to the unsafe nature of these monitoring devices, both in terms of health and privacy. Other annoyances, such as Wi-Fi interruption and corruption have also been reported.

I have a grandchild and insomnia. I mention this because it is a well known fact that children and the elderly generally have a decreased immune system response than other populations. As such we are at greater risk for the potential hazards posed by Smart Meters. It should be my educated decision as to whether I expose myself or my family to Smart Meters or any other health risk!

In short, smart meters should never have been installed at the homes of unwitting consumers. Consumers should not be bullied into having a "smart" meter installed. Our community is keeping in touch with one another and many incidences of out-right "bullying", and misinformation have been noted. Interactions between consumers and people working at the counter of our local APS office have been derisive on the part of APS. Statements such as "it'll cost a lot to opt out"... Overall, remarks that are very condescending, non-reassuring and often containing misinformation for the consumer who pays the bill.

In summary, APS paints a rosy picture of lowered rates, energy conservation, consumer control and safety through Smart Meter usage. Since the opposite is proving to be the case, Smart Meters should be completely outlawed. At the very least, consumers should be able to opt-out free of charge and bullying. This is worst case scenario since I believe in the saying, "my freedom ends where yours begins." Stated differently, our neighbor's EMF, RF waves effect us.

I am in total opposition to any usage whatsoever of Smart Meters.

Sincerely,



Monica A. Joyner
9127 W. Stageline Rd.
Payson, AZ 85541

- Enclosures: 1) Ltr. dtd. 1/11/11 to APS from Monica A. Joyner
RE: NOTICE OF NO CONSENT TO TRESPASS AND/OR
CONDUCT SURVEILLANCE; NOTICE OF LIABILITY
- 2) 13 copies of this letter dtd. 3/11/12 to Arizona Corporation
Commission from Monica A. Joyner

3) Questions RE: Docket No. E-00000 C-11-0388

TO: Steven M. Olea
Director
Utilities Division

FROM: Monica A. Joyner
9127 W. Stageline Rd.
Payson, AZ 85541

Date: March 11, 2012

RE: WORKSHOP ON METER GUIDELINES - REQUEST FOR SERVICE LIST
AND MEETING NOTICE (DOCKET NO. E-00000C-11-0328)

Questions that I have formulated regarding proposed guidelines for Smart Meter

1. What types of circumstances will be considered or approved by the Commission for a "specific tariff"? Explain what this means in laymen's terms.
2. Who is the "authorized agent." What legally binding assurances does the "consumer" have that individual or aggregate usage data will never be sold? Why are Smart Meters not considered to be "wire-tapping" devices as per the 4th Amendment to the United States Constitution? More specifically, please provide clarification as to what legal recourse is available to the "consumer" in lieu of abusive "Smart Meter" information usage on the part of APS (or it's "agents")? Please address the possibility that a "consumer" may need to file suit against APS and whoever they are in alliance with through government incentive/subsidy. Please state forthrightly who these entities are. In other words, if a "consumer" needs to fight for their Constitutional rights legally, who will they be up against?
5. What legally binding assurances does the "consumer" have that individual appliances will not be shut off as per ACC rules? Please formulate a response keeping #2 in mind.
6. What legally binding assurance does the "consumer" have that APS will not shut off electric services regardless of ACC rules? Please formulate response keeping #'s 2 and 5 in mind.
8. What legally binding assurances does the "consumer" have that individual usage data gathered will be available only to the customer, the utility, and its duly authorized agent? Please formulate response keeping #'s 2, 5 and 6 in mind.
9. What legally binding assurances does the "consumer" have that only aggregate, anonymous data for system planning purposes will be used by APS? Please formulate response keeping #'s 2, 5, 6 and 8 in mind.