

OPEN MEETING AGENDA ITEM



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ORIGINAL

William Wittkoff, Elizabeth Wittkoff

[REDACTED]

Payson, AZ 85541-6177

By _____

AZCC Docket No. E-00000C-11-0328

Arizona Corporation Commission

DOCKETED

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DOCKETED BY [Signature]

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AZ CORP COMMISSION
DOCKET CONTROL

Mr. Donald E. Brandt, Chairman & CEO
APS – Arizona Public Services
P.O. Box 53933, Sta. 3200
Phoenix, AZ 85072-3933

February 11, 2013

Re: APS Account [REDACTED], at above address

NOTICE OF NO CONSENT TO TRESPASS AND SURVEILLANCE, NOTICE OF LIABILITY

Dear APS and all agents, officers, employees, contractors and interested parties,

If you intend to install a "Smart Meter" or any activity monitoring device at the above address, you and all other parties are hereby denied consent for installation and use of all such devices on the above property. Installation and use of any activity monitoring device (AKA "smart meter") is hereby refused and prohibited. Informed consent is legally required for installation of any surveillance device and any device that will collect and transmit private and personal data to undisclosed and unauthorized parties for undisclosed and unauthorized purposes. Authorization for sharing of personal and private information may only be given by the originator (me!) and subject of that information (me!). That authorization is hereby denied and refused with regard to the above property and all its occupants.

So-called "Smart Meters" violate the law and cause endangerment to residents by the following factors:

1. They individually identify electrical devices inside the home and record when they are operated causing invasion of privacy.
2. They monitor household activity and occupancy in violation of rights and domestic security.
3. They transmit wireless signals which may be intercepted by unauthorized and unknown parties. Those signals can be used to monitor behavior and occupancy and they can be used by criminals to aid criminal activity against the occupants.
4. Data about occupant's daily habits and activities are collected, recorded and stored in permanent databases which are accessed by parties not authorized or invited to know and share that private data by those who's activities were recorded.
5. Those with access to the so-called "Smart Meter" databases can review a permanent history of household activities complete with calendar and time-of-day metrics to gain a highly invasive and detailed view of the lives of the occupants.

6. Those databases may be shared with, or fall into the hands of criminals, blackmailers, corrupt law enforcement, private hackers of wireless transmissions, power company employees, and other unidentified parties who may act against the interests of the occupants under metered surveillance.
7. So-called "Smart Meters" are, by definition, surveillance devices which violate Federal and State wiretapping laws by recording and storing databases of private and personal activities and behaviors without the consent or knowledge of those people who are monitored.
8. It is possible for example, with analysis of certain so-called "Smart Meter" data, for unauthorized and distant parties to determine medical conditions, activities, physical locations of persons within the home, vacancy patterns and personal information and habits of the occupants.
9. Your company has not adequately disclosed the particular recording and transmission capabilities of the smart meter, or the extent of the data that will be recorded, stored and shared, or the purposes to which the data will and will not be put.
10. Electromagnetic and Radio Frequency energy contamination from so-called "Smart Meters" exceeds allowable safe and healthful limits for domestic environments as determined by the W.H.O. and others.
11. Your legal easement to my property stops at the meter. Your easement *does not include* my house's wiring which I bought and paid for myself and is my property, not yours. Be clear on this: My house's wiring is my own and you do not have my permission or my consent to use my house's wiring to send any sort of radio frequency along it for any purpose whatever. You cannot use my wiring for surveillance purposes.

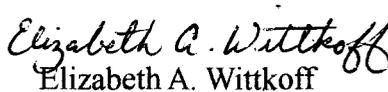
I forbid, refuse and deny consent of any installation and use of any monitoring, eavesdropping, and surveillance devices on my property, my place of residence and my place of occupancy. That applies to and includes so-called "Smart Meters" and activity monitoring devices of any and all kinds. Any attempt to install any such device directed at me, other occupants, my property or residence will constitute trespass, stalking, wiretapping and unlawful surveillance and endangerment of health and safety -- all prohibited and punishable by law through criminal and civil complaints. All persons, government agencies and private organizations responsible for installing or operating monitoring devices directed at or recording my activities, which I have not specifically authorized in writing, will be fully liable for any violations, intrusions, harm or negative consequences caused or made possible by those devices whether those negative consequences are justified by "law" or not.

This is legal notice. After this delivery the liabilities listed above may not be denied or avoided by parties named and implied in this notice. Civil Servant immunities and protections do not apply to the installation of so-called "Smart Meters" due to the criminal violations they represent.

Notice to principal is notice to agent and notice to agent is notice to principal. All rights reserved.

Sincerely,


William C. Wittkoff,


Elizabeth A. Wittkoff

Cc: AZCC, 1200 West Washington, Phoenix, AZ 85507-2996

Arizona Corporation Commissioners, Docket No. AZCC Docket No. E-00000C-11-0328