

E-01345A-13-0069 ORIGINAL



Arizona Corporation Commission
1200 W. Washington
Phoenix, AZ 85007-2996

RECEIVED

2013 JUL -3 P 4 22

AZ CORP COMMISSION
DOCKET CONTROL

Commissioners,

The time has come to recall "Smart" automated AMI meters and their mesh network infrastructure. It is a fiasco that can only get worse based on a faulty science of lies and corruption. Call it a "Safety Recall."

A 'Safety Recall' is your responsibility: it is the Law. You know the law.

Be assured that APS can obtain a million analog meters. I obtained a box of 4 beautiful refurbished Elster meters for \$15. each. Vision Metering LLC told me APS *is one of their best customers.*

The following video interviews by British microwave expert Dr. Barrie Trower and by Dr. Dietrich Klinghardt, present a side quite different from what APS presents.

- <http://www.youtube.com/watch?v=PtfxnMFxMYk>
- <http://takebackyourpower.net/tag/dietrich-klinghardt/>

"Were these population-wide exposures to smart meters to be part of a project carried out in a medical setting, to test the risks and benefits of a new technology on human health and well being, it would be rejected by a Medical Institutional Review Board on ethical grounds as an unethical exercise in human experimentation."¹

Elihu D Richter MD, MPH

Patricia Ferre

Arizona Corporation Commission

DOCKETED

JUL 03 2013

DOCKETED BY

¹<http://sagereports.com/smart-meter-rf/?p=278>

MKUltra Style 'Smart' APS Meter Experimentation

Supreme Court Justice Sandra Day O'Connor and William Brennan Affirm Nuremberg Code Principles

Dissenting opinions by Supreme Court Justices Sandra Day O'Connor and William Brennan affirmed Nuremberg Code Principles.¹ In 1987, the Supreme Court affirmed this defense in a 5-4 decision that dismissed Stanley's case: *United States v. Stanley*. The majority argued that "a test for liability that depends on the extent to which particular suits would call into question military discipline and decision making would itself require judicial inquiry into, and hence intrusion upon, military matters."

"In dissent, Justice William Brennan argued that the need to preserve military discipline should not protect the government from liability and punishment for serious violations of constitutional rights:

The medical trials at Nuremberg in 1947 deeply impressed upon the world that experimentation with unknowing human subjects is morally and legally unacceptable. The United States Military Tribunal established the Nuremberg Code as a standard against which to judge German scientists who experimented with human subjects... .[I]n defiance of this principle, military intelligence officials ... began surreptitiously testing chemical and biological materials, including LSD."

We now have APS, with the apparent consent of the Arizona Corporation Commission (ACC), embarking on the experimentation of all humans within the context of its unsafe and possibly lethal "Smart" meters and AMI mesh networks: an experiment on a grand scale without proof of safety and without a NEPA Environmental Impact Study! APS also deceptively

¹ http://en.wikipedia.org/wiki/Project_MKUltra#Legal_issues_involving_informed_consent

misinforms the public, a violation of A.R.S. 40-202.C.1.

"Justice Sandra Day O'Connor, writing a separate dissent, stated:

No judicially crafted rule should insulate from liability the involuntary and unknowing human experimentation alleged to have occurred in this case. Indeed, as Justice Brennan observes, the United States played an instrumental role in the criminal prosecution of Nazi officials who experimented with human subjects during the Second World War, and the standards that the Nuremberg Military Tribunals developed to judge the behavior of the defendants stated that the 'voluntary consent of the human subject is absolutely essential ... to satisfy moral, ethical, and legal concepts.' If this principle is violated, the very least that society can do is to see that the victims are compensated, as best they can be, by the perpetrators."²

This is the only Supreme Court case to address the application of the Nuremberg Code to experimentation sponsored by the U.S. government. Although the suit was unsuccessful, **dissenting opinions put the Army—and by association the entire government—on notice that use of individuals without their consent is unacceptable.**³

I would like to add here that it is my opinion that the 'Smart' AMI experimentation of humans by APS, with the apparent support of the Arizona Corporation Commission, is similarly unacceptable!

"The limited application of the Nuremberg Code in U.S. courts does not detract from the power of the principles it espouses."⁴

Project MKUltra is the code name for a covert research operation

² Ibid

³ Ibid

⁴ Ibid

experimenting in the behavioral engineering of humans (mind control) through the CIA's Scientific Intelligence Division. The program began in the early 1950s, was officially sanctioned in 1953, was reduced in scope in 1964, further curtailed in 1967 and "officially halted" in 1973.[1] The program engaged in many illegal activities;[2][3][4][5] in particular it used unwitting U.S. and Canadian citizens as its test subjects, which led to controversy regarding its legitimacy.[6][7][8][9] MKUltra involved the use of many methodologies to manipulate people's individual mental states and alter brain functions, including the surreptitious administration of drugs (especially LSD) and other chemicals, hypnosis, sensory deprivation, isolation, verbal and sexual abuse, as well as various forms of torture. [10] The scope of Project MKUltra was broad, with research undertaken at 80 institutions, including 44 colleges and universities, as well as hospitals, prisons and pharmaceutical companies. The CIA operated through these institutions using front organizations, although sometimes top officials at these institutions were aware of the CIA's involvement. MKUltra was allocated 6 percent of total CIA funds. [13]⁵

There is additional information on Wikipedia about Unethical human experimentation in the United States:
http://en.wikipedia.org/wiki/Unethical_human_experimentation_in_the_United_States#Irradiation_experiments

'MKUltra' seems to be the most famous name for the general class of human experimental projects carried out by the US Government and is the name used in this document to signify all secret US human experimental projects, carried out on a grand scale, without informed consent, in the sense used by the Nuremberg Code. Since the projects are by nature defined as 'secret', it is difficult for a private citizen, such as I am, to name them otherwise. Because most MKUltra records were deliberately destroyed in 1973 by order of then CIA director Richard Helms, it has been difficult, if not impossible, for investigators to gain a complete understanding of the more than 150 individually funded research sub-projects sponsored by

⁵ Ibid

MKUltra and related CIA programs. [22]⁶

I do not claim that either APS, nor the ACC, are specifically linked with MKUltra per se, or that they necessarily have specific knowledge of their association with a national or global MKUltra style organization or affiliate: but I do definitely consider that by their negligence to scrupulously abide by certain statutes that provide for the protection of the Arizona population in their care, including, but not limited to **A.R.S. 40-361.B, A.R.S. 40-321.A and A.R.S. 40-202.C.1; APS and the ACC have left open the opportunity for sociopathic, unscrupulous elements of our society to take advantage of multiple opportunities afforded by APS and the ACC to cause the experimental injury, sickness and death of APS customers, without their voluntary fully informed consent! The general human population is being affected by APS' unceasing, ubiquitous pulsed microwave radiation.** Does anyone know the real cause of this bizarre and heinous choice?

There is a rumor that certain oligarchs are interdependently looking for ways to depopulate our planet by an astounding 90%. In such an atmosphere, the negligence and lack of caution of the ACC, can give a reasonable person cause to wonder if the ACC has in some way allied itself with these international criminals because the ACC has allowed the removal of our perfectly good and safe analog meters and permitted APS to install experimental, untested, bio-toxic pulsed microwave continuous radiation!

APS has been allowed to install a million 'smart' AMI meters without APS even pretending to care about its deceitful, false advertising! APS' misinformation, bullying behavior, and disinterest in the health and wellbeing of its customers and of the public at large, totally annuls any consideration that the APS captive population has been properly informed and cared for! The average router range is said to be 5 square miles and collector areas are said to extend an average of 125 square miles! These are very large experiments, exposing unprotected humans animals and plants, without any assurance of safety!

⁶ http://en.wikipedia.org/wiki/Project_MKUltra#Legal_issues_involving_informed_consent

**U.S. Department of Health & Human Services
The Nuremberg Code**

1. The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved, as to enable him to make an understanding and enlightened decision. This latter element requires that, before the acceptance of an affirmative decision by the experimental subject, there should be made known to him the nature, duration, and purpose of the experiment; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon his health or person, which may possibly come from his participation in the experiment. The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.
2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.
3. The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study, that the anticipated results will justify the performance of the experiment.
4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.
5. No experiment should be conducted, where there is an *a priori* reason to believe that death or disabling injury will occur; except, perhaps, in those experiments where the experimental physicians also serve as subjects.
6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.
7. Proper preparations should be made and adequate facilities

provided to protect the experimental subject against even remote possibilities of injury, disability, or death.

8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of the experiment of those who conduct or engage in the experiment.

9. During the course of the experiment, the human subject should be at liberty to bring the experiment to an end, if he has reached the physical or mental state, where continuation of the experiment seemed to him to be impossible.

10. During the course of the experiment, the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him, that a continuation of the experiment is likely to result in injury, disability, or death to the experimental subject.

"Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10", Vol. 2, pp. 181-182.

Washington, D.C.: U.S. Government Printing Office, 1949.⁷

It is of some concern that The Arizona Corporation Commission (ACC) did not request a NEPA Environmental Impact Study when it embarked on its DECISION NO. 69736 ORDER, DOCKET NO. E-00000A-06-0038 in 2007. In fact, there is no mention at all of *any independent, impartial environmental impact study!*

Before a large portion of Arizona citizens is experimentally exposed to continuously pulsed microwaves, one would think that in the interest of **DUE DILIGENCE**, the ACC would have done ***something other than totally abandon its responsibility!*** The ACC, by its negligence in not doing the job it is legally required to do, has left the door open to the possible use of the people it is required by law to protect, by sociopathic, unethical elements that may choose to experimentally abuse large populations for their own heinous reasons. The ACC left the door open to a monopoly public service corporation to use a technical system on its captive population that sounds like it is much more lethal than the Russian military pulsed microwaves used on our

⁷ <http://www.hhs.gov/ohrp/archive/nurcode.html>

US Embassy in Moscow during the Cold War, that apparently caused the death of three consecutive US ambassadors. Virtually all of the staff became sick from breast cancer, immune system disorders, high white blood cell counts, chromosomal breaks, chronic fatigue, blurred vision, cataracts and muscle aches. Staff was rotated every 2 to 4 years. The Russians only irradiated the US Embassy with pulsed microwaves, at 1/100th of what we allow, 6 to 8 hours a day, 5 days a week, (not continuously without any days off, like APS does).⁸

ACC DECISION NO. 69736 ORDER included this sentence: "However, both the benefits and the costs of Advanced Metering and Communications should be considered **before requiring full-scale implementation.**" Has that cost benefit analysis been accomplished? If not, I suggest you bring further implementation to a screeching halt, pending a full investigation.

The ACC seems to have delegated its responsibility to do an environmental impact study to the public at large, by requesting the public to post personal comments on a generic docket. Fine, some of us did that, but *that is definitely not a replacement for a stringent professional environmental impact study! The general public is not trained to do an environmental impact study at the stringent levels one can expect when a population is constantly going to be radiated for how many years?*

- AMI is HUMAN EXPERIMENTATION, without an independent environmental test study for the length of time 'Smart' AMI is expected to be deployed!

It is said the guideline used by the FCC, is based on the microwave exposure **thermal effects for 6 minutes** of a 6' man in prime condition with a 10 pound head, weighing 200 pounds! We know about ionizing radiation and non-ionizing radiation, but *that is not included in any guidelines that APS needs to follow!*

ACC DECISION NO. 69736 ORDER also included this sentence: "Utilities should investigate their needs and those of their customers to determine if the benefits of AMI outweigh the costs

⁸ Jerry Flynn - <http://takebackyourpower.net/tag/jerry-flynn/>

and which AMI technology would be most appropriate to use.”

What is the cost of infanticide, and genocide to the people that are terminated and their families? What is the cost of destroying the healthy human genome for future generations? What are the health costs of increasing cancer and neurological damage?

AMI looks like it is in violation of A.R.S. 40-361.B and A.R.S. 40-321.A, with regard to **health** and **safety**. APS “AUTOMATED METER AND RADIO FREQUENCY (RF) flier (Attachment #1), violates A.R.S. 40-202.C.1. The **deceptive** Automated Meter flier does not replace a stringent Environmental Impact Study that would specifically evaluate AMI environmental impact on the health and safety of humans and their living environment.

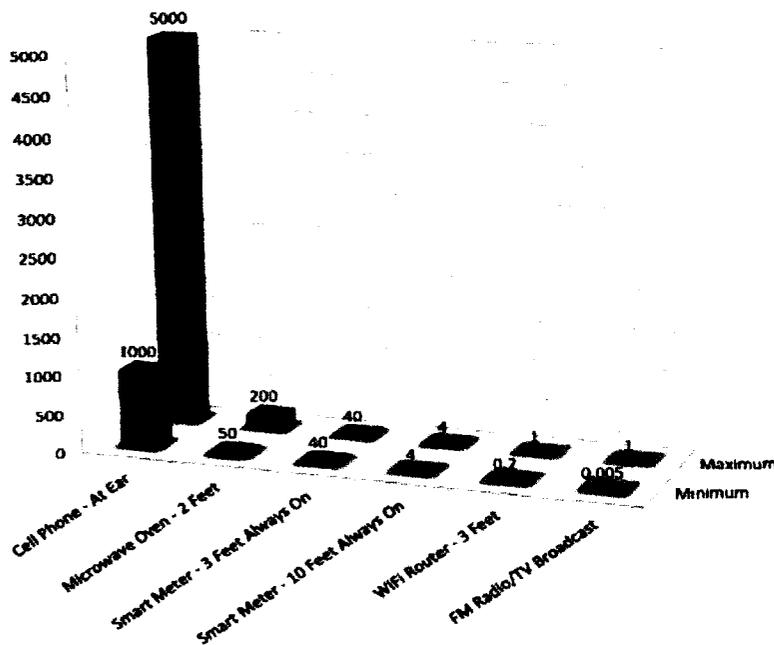
I view the APS Automated Meter **insulting misinformation** on its website and in fliers it mails to the public, **a very serious violation of A.R.S. 40-202.C.1.** and of **The Nuremberg Code**. APS misrepresents whole body cumulative exposure in order to distort its charts, which look like they are as similarly biased as the CCST page 9 chart in the first illustration. APS proves its disinterest in serving and protecting the public, *it instead chooses to abuse with unsafe pulsed microwaves*. Daniel Hirsch, Senior lecturer on Nuclear Policy at UCSC, corrects for similar CCST mistakes in his Comments on the Draft Report by the California Council on Science and Technology “Health Impacts of Radio Frequency from Smart Meters” in his January 31, 2011 Abstract.⁹

The two following CCST and APS misinformation charts demonstrate a similar pattern that needs to be corrected. To illustrate how the similar CCST and APS “FUZZY MATH” charts misrepresent the facts, I then show the corrected cumulative exposure whole body Daniel Hirsh on CCST chart, (page 10).¹⁰

Smart Meters are at least 100 times more powerful than cell phones! “APS Cell phone at ear” chart **blatantly misleads the public – a violation of A.R.S. 40-202.C.1**

⁹ http://www.committeetobridgethegap.org/pdf/110212_RFrad_comments.pdf

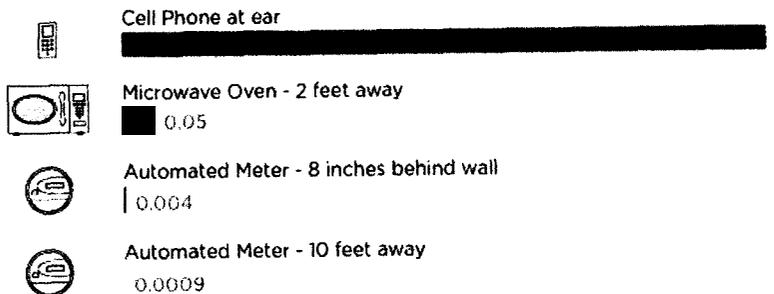
¹⁰ <http://stopsmartmeters.org/2011/04/20/daniel-hirsch-on-ccsts-fuzzy-math/>



The CCST report mixed units and published this highly misleading chart, which was presented as fact by many media outlets. Why is our state legislature allowing their 'independent' health study to be hijacked by industry? We learned in 6th grade math class never to compare different units of measurements on one chart - perhaps the industry 'scientists' who prepared this chart never completed grade school?

RF Exposure

Milliwatts per square centimeter (mW/cm²)



Wireless meters send signals at brief intervals throughout the day, averaging just a few minutes exposure over a 24-hour period. The comparisons on the chart above are based on an assumption of an APS automated meter's radio running 100 percent of the time.

12

¹² [http://apsmeters.com/pdfs/0-Automated-Meters-Radio-Frequency\(1\).pdf](http://apsmeters.com/pdfs/0-Automated-Meters-Radio-Frequency(1).pdf)

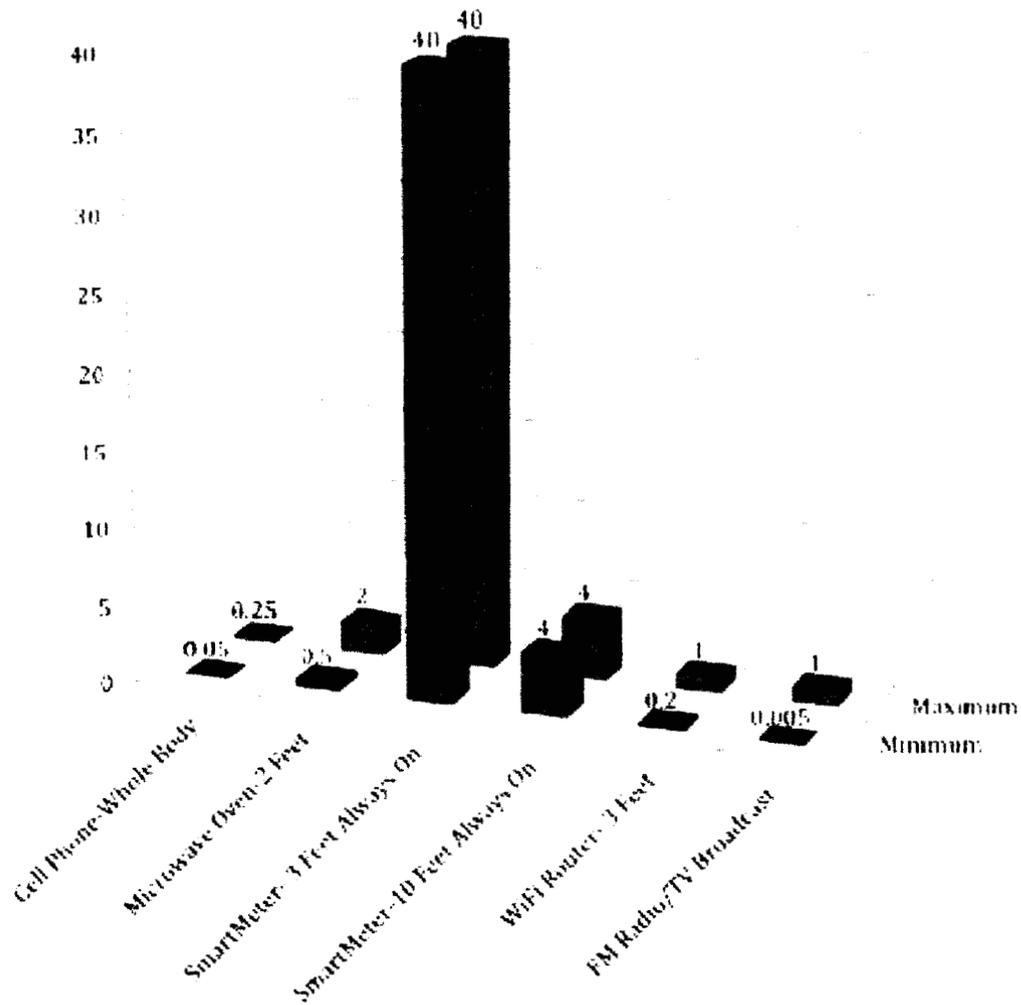


Chart produced by Daniel Hirsch, corrected to represent cumulative, whole body exposure. When the chart is corrected to reflect the same units of measurement, it appears that smart meters are at least 100x more powerful than cell phones, which are increasingly being linked with brain tumors.

13

The Daniel Hirsh CCST chart demonstrates that Smart Meters are at least 100 times more powerful than cell phones!

“APS Cell phone at ear” chart blatantly misleads the public in a similar fashion – a violation of A.R.S. 40-202.C.1.

¹³ <http://stopsmartmeters.org/2011/04/20/daniel-hirsch-on-ccsts-fuzzy-math/>

We can presume that APS has misinformed at least a million customers with its blatantly false chart. APS has posted the same chart on its website, first under the Smart Meters title and more recently under the Automated Meters title. Customers that do not understand electricity can be heavily influenced by a visual chart.

WE CAN ASSUME THAT BASED ON THE APS FALSE CHART, APS CUSTOMERS THAT HAVE SMART METERS HAVE NOT PARTICIPATED IN 'INFORMED CONSENT' AS DESCRIBED IN THE NUREMBERG CODE PRINCIPLES.

In my view, this single APS chart invalidates all presumption that the APS public has participated in "informed consent."

It is also quite amazing that APS and its misinformation Electric Power Research Institute, have not yet heard about the May 31, 2011 WHO IARC designation of RF MW as a "Class 2B Carcinogen."

Please Ban 'Smart' AMI Meters and Grids and return the customers under your care to as safe and sane analog meter technology!

Respectfully Submitted,



Patricia Ferre

"Were these population-wide exposures to smart meters to be part of a project carried out in a medical setting, to test the risks and benefits of a new technology on human health and well being, it would be rejected by a Medical Institutional Review Board on ethical grounds as an unethical exercise in human experimentation."¹⁴

Elihu D Richter MD, MPH (Assoc Professor)

¹⁴ <http://sagereports.com/smart-meter-rf/?p=278>

Violations of A.R.S. 40-202.C.1 Automated Meters



Since 2005, APS has been replacing traditional customer meters—whose only function has been to measure electricity usage—with advanced metering infrastructure (AMI), also known as “automated” meters.

Already installed to more than a million of APS’s 1.1 million retail customers, automated meters set the foundation for innovative projects to help customers manage their energy use while driving upgrades in overall reliability.

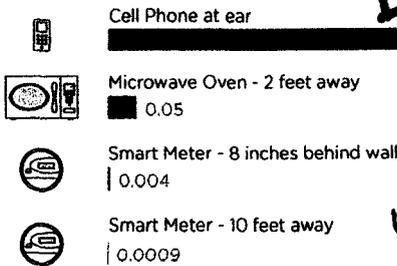
RF EXPOSURE

Automated meters use wireless technology to communicate information about electricity usage to APS. The meters transmit this information through radio frequency (RF) signals.

✓ Wireless smart meters result in much smaller levels of radio frequency (RF) exposure than many existing common household electronic devices.

✓ Significant research on the thermal effects of radio frequency energy has been done over the last 30 years. The World Health Organization has concluded that no known adverse health effects can be attributed to low-level radio frequency.

✓ **RF Exposure**
Milliwatts per square centimeter (mW/cm²)



January 31, 2011
Daniel Hirsch Study

**Smart Meter
100 times more**

**whole body cumulative
exposure than cell phone**

Wireless meters send signals at brief intervals throughout the day, averaging just a few minutes exposure over a 24-hour period. The comparisons on the chart above are based on an assumption of an APS automated meter’s radio running 100 percent of the time.

**RF + MW
WHO IARC “Class 2B Carcinogen”
press release May 31, 2011 and
April 19, 2013**

*Information taken from Electric Power Research Institute Study, February 2011. ✓

Questions?

More information about radio frequency is provided by the following organizations:

- World Health Organization (who.int);
- Federal Communications Commission (fcc.gov); and
- Electric Power Research Institute (epri.com).

For more information about the APS automated meter program, please visit aps.com or call us at 602 371 7171 (Phoenix metro area) or 800 253 9405 (statewide).