

E-01345A-13-0069

ORIGINAL



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ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

Investigator: Richard Martinez **Phone:** **Fax:**

Priority: Respond Within Five Days

Opinion No. 2013 - 114121 **Date:** 12/5/2013

Complaint Description: 01H Billing - Smart Meter
N/A Not Applicable

Complaint By: **First:** Donald **Last:** Mesaros

Account Name: Donald Mesaros **Home:** (000) 000-0000

Street: 890 Calle Figueroa **Work:**

City: Clarkdale **CBR:**

State: AZ **Zip:** 86324 **is:**

Utility Company: Arizona Public Service Company

Division: Electric

Contact Name: For assignment **Contact Phone:** (

Nature of Complaint:

Docket No. E-00000C-11-0328
Docket No. E-01345A-13-0069

Arizona Corporation Commission

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AZ CORP COM
DOCKET CONTROL

Donald Mesaros
890 Calle Figueroa
Clarkdale, AZ 86324

APS - Arizona Public Services
PO Box 53933, Sta. 3200
Phoenix, AZ 85072-3933

Ref: Account 632280286; 890 Calle Figueroa, Clarkdale, AZ 85324

To: APS and all agents, officers, employees, contractors and interested parties:

If you intend to install a "Smart Meter" or other digital utility meter 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:

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- oThey can individually identify electrical devices inside the home and record when they are operated causing invasion of privacy.
- oThey monitor household activity and occupancy in violation of rights and domestic security.
- oThey 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.
- oData 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 whose activities are recorded.
- oThose databases may be shared with, or fall into the hands of criminals, blackmailers, corrupt law enforcement, private hackers of wireless transmission, power company employees, and other unidentified parties who may act against the interests of the occupants under metered surveillance.
- oSo-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.
- oFor example, it is possible with analysis of certain so-called "Smart Meter" data for unauthorized and distant parties to determine medical conditions, sexual activities, trades secrets, and physical locations of persons within the home, vacancy patterns and person information and habits of the occupants.
- oSo-called "smart" meters - and digital meters- cause, by intentional transmission and/or incidental disruption of house current, cancer-causing electromagnetic radiation to be emitted in proximity of the installed location and property in violation of laws against public endangerment, assault and commission of bodily harm.
- oSo-called "smart" meters are designed to transmit using microwave radio transmitters or any networking equipment. Any such installation will be considered a violation of private property and illegal takings - in other words, trespass and theft. Protections do not apply to the installation or so-called "Smart" or digital meters due to the criminal violations they represent.

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 kind and all kinds as well as digital utility meters in general. Any attempt to install any such devices directed to 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

Further, I refuse to acknowledge the imposition of any penalty fees or so-called extra charges by the utility for this "Opt-Out" choice notice which are not specifically authorized by the Arizona Corporation Commission.

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. These terms and conditions apply without regard to status or existence of any so-called "opt-out" contract. Civil Servant immunities do not apply to the installation of so-called "smart" or digital 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,

Donald Mesaros

ARIZONA CORPORATION COMMISSION
UTILITY COMPLAINT FORM

cc: Arizona Corporation Commission
Docket # DE-00000-11-0328; E-01345A-13-0069
cc: Yavapai County Board of Supervisors
cc: Clarkdale City Council
End of Complaint

Utilities' Response:

Investigator's Comments and Disposition:

12/05
Emailed to the Phoenix ACC office for docketing.
FILE CLOSED.
End of Comments

Date Completed: 12/5/2013

Opinion No. 2013 - 114121
