

January 6, 2015

From:
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Payson, AZ 85547

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AZ CORP COMMISSION
DOCKET CONTROL



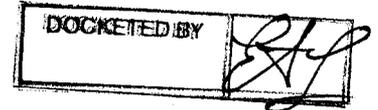
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Arizona Corporation Commission
DOCKETED

JAN 06 2015

To:
Arizona Corporation Commission (ACC)
Docket Control Center
1200 West Washington Street
Phoenix, AZ 85007-2996

ORIGINAL



Per A.R.S. 40-253, as an intervener in docket E-01345A-13-0069, I now appeal your Decision #74871 that apparently intends to selectively discriminate and harm solar customers more than all non-solar customers.

Additionally, as an intervener in docket E-01345A-13-0069, I fully support the January 5, 2015 Appeal of Arizona Corporation Commission (ACC) Decision # 74871 by intervener Warren Woodward. I support the 36 pages of his docket, am included in some of them, have supplied some information at Warren's request and agree to include the entire document as fully as if it is written here. All points made by Warren Woodward are as if made by me, here, right now.

According to John LeSueur, from the Utilities office, the ACC-APS solar customer **nondiscrimination** conversation settled at a 50% reduction of exposure:

- 1 standard non-detent meter and
- 1 'smart' solar distribution meter.

No mention has been made about fees. Nothing is yet written.

Time is running out to appeal. APS and the ACC have not published their decision relating to their potential discrimination against solar customers and their ability to 'opt-out,' as discussed on camera, at the 12/12/2014 Open Meeting on AGENDA ITEM NO. 34.

After 25 days, a ***nondiscriminatory 'opt-out' agreement for solar customers***, is not yet finalized nor seen the light of day. The best I can do at this time, is speak to principles.

Honorable people would normally feel kindness and the wish to protect the health of the Arizona public in their care, as Arizona statutes provide. When that does not happen, our Arizona Statutes are clear:

- **40-334.Discrimination between persons, localities or classes of service as to rates, charges, service or facilities prohibited.**
- **A.** *A public service corporation shall not, as to rates, charges, service, facilities or in any other respect, make or grant any preference or advantage to any person or subject any person to any prejudice or disadvantage.*
- **B.** *No public service corporation shall establish or maintain any unreasonable difference as to rates, charges, service, facilities or in any other respect, either between localities of between classes of service.*
- **A.R.S.40-361. A, B and C**
- **A.R.S.40-321.A** - *provides for the ACC to rectify what is unjust, unreasonable, unsafe, improper, inadequate or insufficient!*
- **A.R.S.40-202.C.1**
- **A.R.S. 44-1522**

At the December 12, 2014 Open Meeting for this docket, I framed the presentation to include the normal human desire for health and safety, which is being denied by the APS discriminatory position. I framed the Discrimination issue in terms of how I personally perceive, but there may be other value systems that are equally important to human beings with different concerns and value systems from my own. One may wish not to be the victim of hacking or spying. Another may have a sincere wish not to harm sensitive neighbors with pulsed microwave radiation. I open the door to include all reasons for 'opting-out' so that people may enjoy equal freedom of choice.

It is not the business of an electrical service provider to harm its patrons: to imprison them in a harmful pulsed microwave mesh network environment. It is also wrong for APS to deceive and entrap its victims further by offering a sham extortionary 'opt-out' program that ***does not even come close to offering back to customers and to the public the freedom that has been stolen from them.***

Although I am sure that we should recall AMI, NOW, as a shameful technology that is harmful and dangerous, before it does more harm; as a temporary measure I respect the right of choice for those who would rather pay an extortion 'opt-out' fee to have a little bit more safety and protection from harm. However unsavory, it is the least harmful option for them.

August 5, 2013 ACC Open Staff Meeting - 2 versions

I compared two transcriptions that were interesting to me. The sections underlined and in bold were transcribed by Nancy Bayer from the audio. The regular typing was the Commission staff paraphrased sections that they call 'minutes' - considerable sections are lobbed off .

The point here is that Commissioner Robert Burns is understandably concerned about the logic of continuing to install 'smart' meters when the Commission did not know if they are safe!

Commissioner Brenda Burns speaks clearly enough about customer freedom to not have installed smart meters. Solar customers were not selectively excluded. I was at that ACC staff meeting and was amazed that solar customers were not being excluded from having an analog meter.

I used this transcription information to encourage Commissioner Gary Pierce to get APS to install as standard non-detent analog meter on my solar system home!

The designation by staff seems arbitrary: one minute it is OK to

have an analog meter as a solar customer. Another minute you can't! APS had new reasons for why solar customers could not have an analog meter, at the 12/12/2014 Open Meeting for this docket, that Director Olea had never heard about. APS has lied to me so many times who in the heck can believe anything they say. In my way of thinking, if APS and ACC have to scapegoat and discriminate against solar customers then that is an excellent reason to RECALL AMI. **APS did not do its homework and it is not suitable for all classes of customers.**

Transcribed from the audio transcript:

R. Burns Are 'smart' meters still being installed by the utilities **while we are trying to find out whether or not they're safe?**

B. Burns Chairman Stump, may I add something here?

Stump Sure.

B. Burns They are being installed, however at this point if the customer does not want the 'smart' meter they are not installed, **or if they are installed and they find out they have one and they don't want it, they are being removed and replaced. So, during this period of time unless the Commission does something different people are not getting them if they don't want them.**

(areas selectively underlined and in bold were not included in paraphrase staff 'Minutes of the Meeting' below)

Relative to Bob Burns' full question, in the audio report, do we now know that 'smart' AMI is safe?

The recent PDF version I received from Nancy Bayer

COMMISSION STAFF MEETING

Minutes of the Meeting
Monday, August 5, 2013 at 9:30 a.m.
Agenda item 2 page 2

My current status is as a solar customer with two standard non-detent analog meters. Also, I did not 'opt-in' to and APS 'opt-out' program as a consequence of APS defaulting on my notices.

APS sent police escorts with meter readers, to my home. After some months I found out why. Elizabeth McFall, APS staff, phoned me to negotiate. In exchange for APS discontinuing police escorts for monthly meter reader visits to my home, Elizabeth wanted me to agree to sign a document giving up one of the rights APS had granted me through their default in answering the Certified Notices that APS allowed to default. I declined.

TOTAL RECALL REQUIRED

March 15, 2013 and April 20, 2013 Certified Notices to Donald E. Brandt that speak for themselves. The notices were not answered in a timely manner. Commissioner Gary Pierce later got APS to install a standard non-detent analog meter on my solar home. A photo of my two standard non-detent analog meters is attached on this document.

The cover letter expresses my point of view on June 17, 2013, before installation of 'smart' meters were installed in Payson and before Gary Pierce helped me to have APS install their safe analog meter. Section 12 in the first letter speaks to APS customer service for solar customers. My most recent Certified Letter to Don Brandt is also copied.

NOTICE AND DEMAND FOR REMOVAL OF ALL DIGITAL ELECTRIC METERS, RADIATION EMITTING AND SURVEILLANCE DEVICES, NOTICE OF LOSS OF EASEMENT PRIVILEGE BY CRIMINAL MISCONDUCT

NOTICE OF DEFAULT, WARNING OF LIABILITY

<http://images.edocket.azcc.gov/docketpdf/0000146109.pdf>

My current status is as a solar customer with two standard non-detent analog meters. Also, I did not 'opt-in' to and APS 'opt-out' program as a consequence of APS defaulting on my notices.

APS sent police escorts with meter readers, to my home. After some months I found out why. Elizabeth McFall, APS staff, phoned me to negotiate. In exchange for APS discontinuing police escorts for monthly meter reader visits to my home, Elizabeth wanted me to agree to sign a document giving up one of the rights APS had granted me through their default in answering the Certified Notices that APS allowed to default. I declined.

I am sensitive and I am concerned about the mesh network and Wi-Fi exposure that affects all of us. I look forward to the day when it will be a thing of the past.

A few days ago the Georgia Guide Stones came up in conversation. The population goal depicted on the massive Guide Stones was half a billion. That requires downsizing our planetary population by about 6.5 billion. Microwaves, an Agenda 21 aspect discussed by some participants at the ACC Smart Meter workshop in March 2012, seem an ideal eugenics technology.

I do not consent! Nor should you!

Commission Fantasy – The *real* "Background"

This section is by Warren Woodward

The *real* "Background" of this "matter" is that the commissioners were overwhelmed with customers' health complaints, scientific evidence, and declarations from four Arizona towns asking the ACC to prove "smart" meters safe before installing them, and so the commissioners tried to palm the safety issue off on the Arizona Department of Health Services (ADHS).

It is worth noting here that, in an act of spectacular negligence, the commissioners allowed the continued installation of "smart" meters during the 14 months that the ADHS study was being written.

Despite the ADHS "smart" meter study being a monumental fraud, the ADHS did not find "smart" meters to be safe. ADHS found "smart" meters "not likely to harm."

"Not likely to harm" does not fit the above state statutes that call for actual safety.

Since the ACC's ADHS ploy backfired, the commissioners have now attempted an obvious last minute "Hail Mary" FCC stratagem instead. Clearly a last minute ploy, had the ACC thought of it previously they never would have asked for a health study in the first place. In other words, why ask for a health study if the health issue is out one's hands? However, as I proved above using the FCC's own Report & Order as well as the Maine precedent, the ACC's new FCC stratagem is specious. The FCC preemption is the fantasy of a commission so desperate to dodge their statutory responsibility regarding safety that the commission has become delusional. **There is no FCC preemption for "smart" meters.**

As I told the commissioners after the ADHS study came out, the game is over, "smart" meters are *not safe*, and every day that "smart" meters remain in Arizona the commissioners and their APS pals are in violation of the law.'....

Commission Fantasy – Ignored Issues ~ Solar Customers

This section is by Warren Woodward

It's one thing for someone to vote on something they haven't read; it's quite another for them to vote on something not even written! Yet that is exactly what happened when the commissioners voted unanimously in favor of this Decision. At the December 12, 2014 ACC meeting, Intervener Pat Ferre brought up the fact that, under APS's extortion fee application, customers with grid-tied solar systems were required to have "smart" meters. Pat brought up the fact that this was clearly discrimination under A.R.S. 40-334.A & B.

A.R.S. 40-334.A & B – Discrimination between persons, localities or classes of service as to rates, charges, service

or facilities prohibited

A. A public service corporation shall not, as to rates, charges, service, facilities or in any other respect, make or grant any preference or advantage to any person or subject any person to any prejudice or disadvantage.

B. No public service corporation shall establish or maintain any unreasonable difference as to rates, charges, service, facilities or in any other respect, either between localities or between classes of service.

Intervener Pat Ferre's ten minutes at the microphone turned into about half an hour as round and round the issue went from her to APS, to the commissioners, to the ACC staff, and back and forth. Incredibly, when the commissioners finally voted for extortion fees, the issue was still unresolved.

At the end of the solar discussion, Steven Olea of the ACC staff said he had heard two explanations from APS as to why solar customers could not refuse a "smart" meter. My turn to talk was next and so I said that if APS was asked again they'd probably give a third explanation.

APS was clearly winging it and their explanations do not hold up under scrutiny.

The first explanation given by APS was that, by ACC Decision 73183, APS was bound to keep accurate track of customers' solar production and that the only way to do that was via a "smart" meter. It is worth noting here that there is nothing in ACC Decision 73183 that calls for "smart" meters as the means to accomplish the ACC's directive. Use of "smart" meters not implied in the Decision either.

APS's first explanation was total nonsense. All that is needed to accomplish that task are two analog meters. One keeps track of the solar production going out; the other keeps track of the electricity coming in from APS. Solar systems have been set up that way long before "smart" meters.

Anyone with an ounce of common sense should be able to figure that out, but in case the commissioners had only half an ounce I

explained that to them well over a year and a half ago when APS first made their preposterous claim in their extortion fee application (here: <http://images.edocket.azcc.gov/docketpdf/0000144218.pdf>). But as usual, the ACC did not pay attention to what was sent them.

APS's second explanation was delivered at the meeting by APS's Scott Bordenkircher. At a little after 5:09 on the archived meeting video, he said:

What we also need to consider in this, and this is the reason we specifically changed that interconnection agreement for all solar systems, really relates to the operational characteristics and issues that now could become, especially in areas where we are getting high penetration, high levels of penetration of solar, especially in areas where we may potentially have high densities of this opt-out situation, we need to know what power is being injected back on to the grid. Without a way to measure that, we potentially put the rest of the grid and other customers at risk from an availability and reliability perspective.

More total nonsense! Again, had the ACC done their homework – or least read what I have sent them – they would have known that this second APS explanation is bunk.

On February 12th, 2014 I sent the ACC a submission that Massachusetts' largest utility, Northeast (which has about the same number of customers as APS), mad to the Massachusetts Department of Public Utilities on January 17, 2014 (here: <http://images.edocket.azcc.gov/docketpdf/0000151238.pdf>).

The Northeast statement is highly significant because it echoes what I and others have been saying for years. To wit:

- There are no cost savings to be had from "smart" meters.
- "Smart" meters *do not* reduce outages.
- "Smart" meters are not "grid modernization".
- "Smart" meters are a cyber-security risk.
- Contrary to the bogus claims of "smart" meter boosters, given the choice, few ratepayers will "opt in" and ask for a "smart" meter. They have no use for one.

In their discussion of "grid modernization", Northeast puts to rest the specious APS argument that "smart" meters are needed for solar or "distributed energy resources" to be safely integrated into an electrical grid. Quoting from Northeast:

"Meters do not reduce the number of outages; metering systems are not the only option for optimizing demand or reducing system and customer costs; and metering systems are More total nonsense! Again, had the ACC done their homework – or least read what I have sent them – they would have known that this second APS explanation is bunk.

On February 12th, 2014 I sent the ACC a submission that Massachusetts' largest utility, Northeast (which has about the same number of customers as APS), made to the Massachusetts Department of Public Utilities on January 17, 2014 (here: <http://images.edocket.azcc.gov/docketpdf/0000151238.pdf>). The Northeast statement is highly significant because it echoes what I and others have been saying for years. To wit:

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In their discussion of "grid modernization", Northeast puts to rest the specious APS argument that "smart" meters are needed for solar or "distributed energy resources" to be safely integrated into an electrical grid. Quoting from Northeast:

"Meters do not reduce the number of outages; metering systems are not the only option for optimizing demand or reducing system and customer costs; and metering systems are not necessary to integrate distributed resources or to improve workforce and asset management." (p. 4)

"In order to allow for the integration of distributed resources, sensors and systems for advanced load flow models that allow for more distributed resources on a circuit can be installed." (p. 5)

"There is also an important dynamic involved in relation to the integration of widespread distributed energy resources to the electric power grid. Industry study conducted by entities such as the Electric Power Research Institute shows that the electric distribution grid will require substantial investment to be positioned for the integration of distributed energy resources. Therefore, grid-modernization efforts have to be closely coordinated with policies that are encouraging the growth of distributed energy resources. Finite capital resources available for grid modernization should be aimed at this integration effort before any additional monies are expended on metering capabilities that provide limited and/or speculative incremental benefits over current metering technology (following many years of investment in those systems). Moreover, the growth of distributed generation and current subsidies results in the bypass of the electric distribution system by potential electric customers leaving fewer and fewer customers to pay for it. This creates a pricing crisis in practical terms for both residential and business customers remaining on the system. Huge additional investments to the distribution system will only have the effect of exacerbating the issue for customers.

Accordingly, not only is there a flaw in the Department's premise that an advanced metering system is a "basic technology platform" for grid modernization, but also the implementation of a costly, advanced metering system is at odds with policies designed to promote the growth of distributed energy resources. In directing the implementation of AMI, the Department's Straw Proposal does not address or consider this juxtaposition to any degree. However, immense, near-term investments in advanced metering systems should not be mandated without (1) methodical, valid analysis of the associated costs and benefits; and (2) the development of a plan to solve the detrimental impact of cost shifting driven by the pervasive installation of distributed energy resources." (pp. 5 & 6)

Emphatically, with italics in the original, Northeast then states unequivocally:

"There Is No Rational Basis for Department-Mandated Implementation of AMI."

Getting back to the solar discussion at the ACC meeting, APS lawyer Thomas Mumaw had explained (incorrectly) that "smart" meters were needed to measure solar production, and as previously quoted, APS's Scott Bordenkircher had explained (incorrectly) that "smart" meters were necessary for integrating solar production into the grid. The conversation finished thus:

Steven Olea (at the 5:11:32 mark): I heard two slightly different explanations from APS and so what I would suggest at this point is if, you know, you [the commissioners] can go ahead and both decide on the way it is, with, you know, whatever amendments you want. But staff will - staff engineers, and all of my engineers have left, so, so staff engineers will get with APS next week so that they can explain to me so I can understand exactly what is happening, 'cause, what I heard is that, that the, the analog meter, the normal analog meter will spin backwards. So you can get the net metering piece that way. The piece that you can't get, is you have to put in a second meter now, on the photovoltaic system, to know what it produces. An analog meter will do that.

But what APS said in the last explanation was that what they really need is not just to know the output, but when it's happening for operational reasons, for reliability reasons. That's a whole different concern.

That's why I'd like to sit with APS and find out: OK, so what do you mean by "operational" and "reliability" with the AMI meter that's measuring the output from the PV system, not the net metering piece.

And if they can prove to our staff, to my engineers and to me that the AMI meter is the only way to operationally keep the grid safe, to keep the distribution system safe, then we will come back to you and say that. If they can't then we will come back and say that also.

But if you need to change something you can always do that later. You can always bring this item back for this

specific issue, about the, about those customers with solar systems if they want to opt-out.

Bob Stump: OK

Olea: Can they, you know, can they opt-out and still keep their solar system? And we'll check into that in more detail and come back to you on that.

Stump: OK. Perfect. Great. Thanks. Thanks. Just a legal message: this item is on the agenda for notice – an opportunity to be heard.

The above exchange is incredible for several reasons.

It shows that the director of the ACC's Utilities Division, Steven Olea, went into the meeting with no idea how solar works, how it's measured.

It shows how it does not even register with Olea that APS has just lied to him. Thanks to what Pat Ferre had said, Olea seems to understand that solar production can in fact be measured via analog but there's no outrage, no acknowledgment whatever, that this is in contradiction with what APS's Mumaw had claimed, that APS needs "smart" meters to measure solar production.

Yet, despite APS having just given him misinformation, Olea is still willing to consult with APS – and only APS – "next week." Under such circumstances, APS is one of the last places I'd go for the truth. But naively, Olea still wants to meet with APS "next week" so he can solve the rest of the issue he doesn't understand.

The conversation also shows how, even though Olea is not in the ACC's Legal Division he gives chairman Stump legal advice on how Stump and the other commissioners can vote on something unwritten then write it later. Remarkably, Stump says "OK."

Like I said previously, it's one thing to vote on something you haven't read; it's quite another to vote on something you haven't even written! I am still flabbergasted that the commissioners went ahead and voted on their Decision without resolving the

serious issue of solar customer discrimination.

The episode shows how completely naïve the ACC is. It also shows how ill-prepared and unconcerned the ACC is. The ACC had not even considered this issue until it was brought up by Pat Ferre at the proverbial 11th hour. How could they not know this was an issue? Pat Ferre's battle for analog meters for her solar system went on for months and involved APS, ACC staff and commissioner Gary Pierce. Other solar customers had written in to the docket. And I had debunked APS's ridiculous solar claim almost as soon as APS had docketed it (here: <http://images.edocket.azcc.gov/docketpdf/0000144218.pdf>).

Is the ACC really that negligent in its consideration, its deliberation? It seems so.

The meeting may have been "open" but certainly Olea's proposed huddle with APS "next week" to sort the issue out lacks transparency or the ability for independent citizen or intervener input and observation. APS and the naïve, ignorant ACC staff making policy behind closed doors is a frightening thought indeed.

Egregious handling by APS of its solar customers in its March 25, 2013 DOCKET NO. E-01345A-13-0069 APPLICATION, needs to be properly addressed with regard to the 40-334. **Discrimination statute listed above.**

On page 2 line 9, of its **APPLICATION**, APS states:

"Today, APS considers automated meters, (hereafter "AMI Meters," "automated" or "smart" meters) its standard metering configuration. "

This statement might not seem like much of an issue at first, but APS inculcates what is 'standard' and 'non-standard' seven times (from page 2 through page 7), as if wishing to heard and train its **sheeple**.

PS intent seems to be to establish a foothold to disenfranchise and enslave its "patrons" - the human beings it is meant to serve

under **A.R.S.40-361.B**. I call an APS attempt to disenfranchise, harm or enslave solar customers: **discrimination**.

It is discriminatory for APS not to provide all of its customers with equal opportunity to the Arizona Constitutional benefits provided to all Arizona citizens in the following statute:

A.R.S.40-361.B - Every public service corporation shall furnish and maintain such service, equipment and facilities as will promote the safety, health, comfort and convenience of its patrons, employees and the public, and as will be in all respects adequate, efficient and reasonable

For solar customers, what we have and continue to need, to be in healthy harmony with our completely legal right to enjoy the safety, health, comfort and convenience as patrons of APS, is a **"standard non-detent analog meter."** That was and is the authentic name for a bidirectional analog meter used in the industry.

APS probably removed about a million of these "default standard non-detent analog meters." They work equally well for both solar systems and standard systems. These meters have been so common that they don't have to be designated as such on the face of an analog meter, because an analog meter is always a standard non-detented analog if it isn't designated otherwise on its face. A detented meter would have a stop in it, and only rotate in one direction, like a watch.

APS relates on Page 5, line 16 of its APPLICATION:

"It is important to note that analog meters are no longer

manufactured by any domestic meter supplier, and only refurbished models are available for purchase from established and reliable meter suppliers. The Company anticipates that

these meters will become more difficult to obtain and more expensive to maintain in the future."

It is total nonsense to say that these meters are not available! I purchased a box of 4 beautiful standard non-detent analog

meters for \$15.00 each, from a dealer who told me APS is one of their best customers, Vision Metering. I obtained the right to install my own meters from APS due to their default in responding in a timely manner to a 30 day legal letter.

In the end I preferred to have APS install a meter for me and Commissioner Gary Pierce kindly arranged to get APS to install a standard non-detent analog meter on my home. ***Please note the attached photograph of my APS solar system meter.***

At the March 2012 ACC Meter workshop, an APS representative said APS was refurbishing their own meters and would have them available for people who need them or want them. As a solar customer I had a harder time than most but we all are assured the nondiscriminatory right to safe analog meters.

I am writing this because I am adamantly against the use 'smart' AMI WMD weaponized unregulated pulsed microwave technology and I am also against discrimination. I disagree with APS policies and APS essentially transformed me into an activist on this issue.

Arizona citizens are lucky to have a biologically friendly statute: **A.R.S.40-361.B.** APS tried to say to me that I had to have a wireless meter because APS has the right to my information. I insisted they don't have the right to my information if don't consent.

I was told by APS that the ACC had made a rule that solar customers must have smart meters because they need my personal information via a 'smart' solar collection meter. I have asked for proof of the document that says that and have never received written proof. I hold that such a rule would be illegal under **A.R.S.40-361.B** provisions.

On page 5 line 12, of its **APPLICATION**, APS states:

"Also, customers that have installed on-site distributed generation such as a solar photovoltaic system will not be eligible for this program because an analog meter is not able to record the bi-directional electricity flow necessary to support certain distributed generation programs."

There is no question that a standard non-detent analog meter is capable of bidirectional movement and can handle solar system activity. The tricky part is in the last phrase of that sentence: "to support certain distributed programs."

Industry wants our information. They don't have the right to it if we do not consent. The problem with consenting through a wireless 'smart' system is **the harmful unregulated pulsed microwave technology that can break double strands of DNA and cause cancer and many other harmful effects.**

Additionally, we can deny the right of APS and the ACC to write a rule that puts APS patrons and anyone else in harm's way. That would be illegal under **A.R.S.40-361.B** and **A.R.S.40-321.A.**

I end this document with Dr. Powell's CHART.
<http://images.edocket.azcc.gov/docketpdf/0000158108.pdf>

Dr. Powell's CHART makes it easy for us to clearly see how the so called "FCC Maximum Permitted Exposure to Frequencies used by Smart Meters (for continuous radiation; no absolute limit for pulsed radiation)" is irrelevant for all of our biological safety considerations regarding AMI in Arizona.

The CHART FCC *blue line*, is 1 million times less protective than our biologically mandated Arizona safety and health level requirements, as suggested in the CHART, by the stringent Mew RF exposure limits proposed in BioInitiative 2012 for chronic exposure to Pulsed radiation: the *yellow line*.

Dr. Powell's CHART makes it easy for us to clearly see how the so called "FCC Maximum Permitted Exposure to Frequencies used by Smart Meters (for continuous radiation; no absolute limit for pulsed radiation)" is irrelevant for all of our biological safety considerations regarding AMI in Arizona.

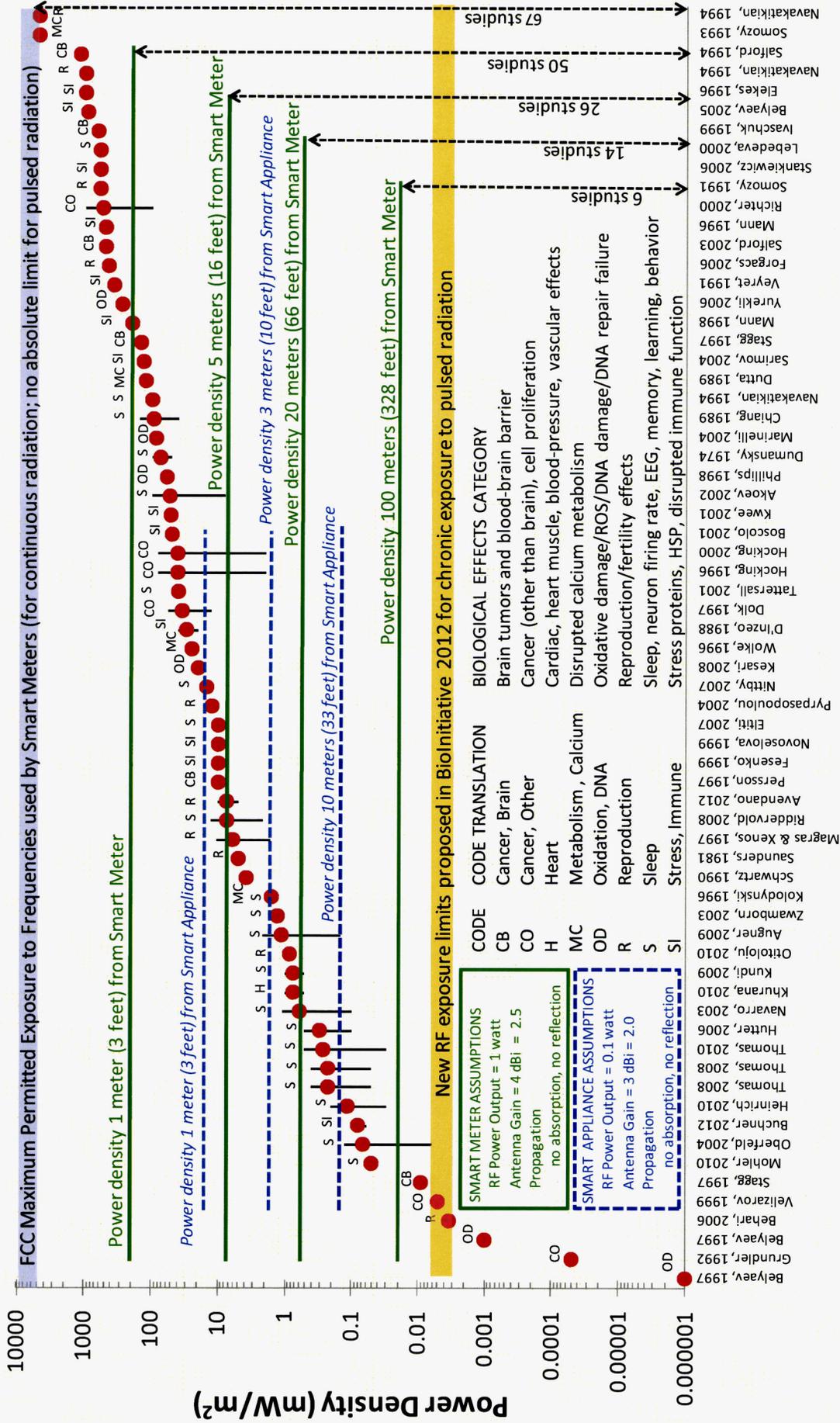
Respectfully submitted,



Patricia Ferre

Reported Biological Effects from RF Radiation at Low-Intensity Exposure in Each of the 67 Studies Referenced in the "BioInitiative 2012" Report (Cell Tower, Wi-Fi, Wireless Laptop, and Smart Meter Power Densities)

Reference for data dots (red), data range indicators (vertical black lines through red dots), biological effects categories for the red dots, and new proposed limits (yellow line): BioInitiative Working Group, Cindy Sage and David O. Carpenter, Editors. BioInitiative Report: A Rationale for Biologically-based Public Exposure Standards for Electromagnetic Radiation at www.bioinitiative.org, December 31, 2012. For references for other information on this chart, including the FCC Maximum Permitted Exposure limits, and the power densities of Smart Meters and Smart Appliances, see accompanying paper.



Principal Investigator of Study, and Year of Publication

Patricia C. Ferre
621 E Coronado Way
Payson, AZ 85541

January 3, 2015
SENT BY CERTIFIED MAIL

Account 553125280

Donald E. Brandt
Chairman of the Board, President, Chief Executive Officer
Pinnacle West Capital Corporation
Chairman of the Board, Chief Executive Officer
Arizona Public Service Corporation (APS)
P. O. Box 53999, Mail Sta. 8602
Phoenix, AZ 85072-3999

**RE: NOTICE AND DEMAND FOR REMOVAL OF ALL DIGITAL
ELECTRIC METERS, RADIATION EMITTING AND
SURVEILLANCE DEVICES, NOTICE OF LOSS OF EASEMENT
PRIVILEGE BY CRIMINAL MISCONDUCT**

Dear Mr. Brandt,

I appreciate that APS staff arranged to install an APS standard non-detent analog meter on my home on 10/04/2013, at the kind request of Commissioner Gary Pierce.

In the wake of the Arizona Corporation Commission December 18, 2014 DECISION NO. 74871, I take this opportunity to remind us of our present legal agreement regarding Account 553125280.

I have attached a copy of our March 15, 2013, NOTICE AND DEMAND FOR REMOVAL OF ALL DIGITAL ELECTRIC METERS, RADIATION EMITTING AND SURVEILLANCE DEVICES, NOTICE OF LOSS OF EASEMENT PRIVILEGE BY CRIMINAL

MISCONDUCT (NOTICE AND DEMAND), and our April 20, 2013 NOTICE OF DEFAULT, WARNING OF LIABILITY.

I bring your attention to our **no consent to an APS solar production meter agreement** in section #3 on page 2 of the NOTICE AND DEMAND listed above.

"We hereby revoke and deny any and all implied, expressed and/or recorded consent, if any exists, for the placement and operation of a "Smart Meter" and all other utility metering devices, (such as APS' intended wireless `solar production meter`), which emit electromagnetic radiation (herein "EMR") by either transmission or "dirty electricity," or which "monitor" or conduct surveillance, or make recordings of any events and activities within private property that we may occupy, or that may be upgraded to do those things."

Please be advised: the solar production standard non-detent analog GE Meter, Certified by Austin International Inc., pictured in the attached photograph, is my property and has been on my home since February 2006. **DO NOT REMOVE MY GE SOLAR COLLECTION METER FROM ITS PRESENT LOCATION.**

The APS GE standard non-detent analog meter #DN0554 was installed on my home after your company had defaulted to the attached March 15, 2013 NOTICE OF DEMAND and April 20, 2013 NOTICE OF DEFAULT, WARNING OF LIABILITY. It was installed at the kind request of Commissioner Gary Pierce on my behalf. He referred to this on 12/12/2014 at the ACC Open Meeting.

I also bring your attention to our agreement in section #30 on page 19:

"Utility Service Providers are known to offer `opt-

out' contracts or "programs" to people who wish to not be violated. We do not seek or accept any such "opt-out" program or contract or any terms and conditions therein. UTILITY SERVICE PROVIDER must cease and desist violations and has no right of negotiation, penalty or fee in return for correction of its violations of law, safety, health, rights and privacy of utility customers."

I also bring your attention to our agreement in section #31 on page 19:

"Any portion of this Notice not rebutted or disputed with fact and law by a responsible, authorized, sworn and fully identified party within the period allowed above will be valid, forceful and binding upon UTILITY SERVICE PROVIDER and will represent UTILITY SERVICE PROVIDER's full agreement with those terms and conditions."

Based on your section #30 agreement with me please arrange with accounting to refrain from adding your so-called "opt-out" charges to my bill.

Respectfully submitted,



Patricia C. Ferre

Attachments

1. Photograph of my standard non-detent analog meters
2. NOTICE AND DEMAND
3. NOTICE OF DEFAULT, WARNING OF LIABILITY

⚡ DANGER PELIGRO
HAZARDS OF ELECTRICAL SHOCK OR BURN
SERVICIO DE EMERGENCIAS ALIQUANDO PERSONAL UNICO
NO SEY TRABAJO OUBO EN REMOVER ESTE LABEL
PELIGRO DE ELECTRICIDAD O QUEMADURA

PHOTOVOLTAIC SYSTEM
DEDICATED KWH METER



Protected By
Aztec
ALARMS
928.472.7767

CAUTION - POSSIBLE BACKFEED
EQUIPMENT CONNECTED TO
TWO OR MORE SOURCES OF POWER

ATTENTION
DO NOT INSTALL SMART METER

⊘ ATTENTION
DO NOT INSTALL SMART METER

CAUTION: CO-GENERATION

GENERAL DUTY
SAFETY SWITCH
INTERRUPTOR DE
SERVICIO GENERAL
240 VAC / V~
⊘ DANGER / PELIGRO
ELECTRICAL SHOCK, BURNING, OR ARC FLASH
HAZARD. SERVICIO DE EMERGENCIAS ALIQUANDO PERSONAL UNICO
NO SEY TRABAJO OUBO EN REMOVER ESTE LABEL
PELIGRO DE ELECTRICIDAD O QUEMADURA

PHOTOVOLTAIC SYSTEM
UTILITY DISCONNECT SWITCH

WARNING - ELECTRIC SHOCK HAZARD
DO NOT TOUCH TERMINALS -
TERMINALS ON BOTH THE LINE AND
THE LOAD SIDES MAY BE
ENERGIZED IN THE OFF POSITION.



PHOTOVOLTAIC POWER SOURCE
BREAKERS ARE BACKFEEDING

10 26 2013