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MEMORANDUM

Arizona Corporation Commission
DOCKETED

JAN 21 2015

DOCKETED BY

TO: DOCKET NO. E-01345a-13-0069
FROM: Nancy Baer & Monnie Ramsell, Co-Founders
Sedona Smart Meter Awareness
RE: Feedback concerning APS Proposed Changes to Schedule 17

It's crystal clear when reading APS' Proposed Changes to Schedule 17 ("Proposal") that it has one goal in mind and that is the destruction of its ratepayers lives, either through intimidation, or by exposing them and their loved ones to the harm and danger of microwave emissions from its "smart" meters, all in the name of satisfying its avarice to gather our personal information, aggregate it and sell it to equally greedy manufacturers of appliances, etc. salivating at the thought of making more money at ratepayers' expense.

The following comments address each item contained in APS' "Proposal." In some cases, we have cited inconsistencies and discrepancies contained within that document and the Arizona Administrative Code, Article 2. Electric Utilities
http://www.azsos.gov/public_services/Title_14/14-02.htm#ARTICLE_2

It is our hope that the Arizona Corporation Commission will rise above the utility company's level to protect this state's citizenry and scrupulously examine this "Proposal" with a keen eye focused on eliminating all inference of ratepayer manipulation and coercion.

1. Definitions

1.4 DEFINITION NEEDS SPECIFICATION AS SHOWN BELOW:

"Non-transmitting" Non-Automated Meter. For purposes of this service schedule, this type of meter is commonly referred to as a "Non-transmitting" analog meter. A "non-transmitting" non-automated meter (analog) has no wireless communication ability.

Some analog meters have an inside transmitter and although APS told us during our July, 2014 meeting that none of these were installed in the Sedona area, we found at least one such meter when measured by a Gigahertz Solution RF Analyzer. Does it mean that such meters have been installed in other parts of Arizona? While having a transmitter is not considered wireless they do emit radiation. Such meters do not have an FCC ID code. Only those with a wireless transmitter have a code. Additionally, the transmitter can transmit through the phone lines (PLC).

Because of our discovery of this transmitting analog meter, whether its installation was an error or not, in order to avoid any future confusion, the additional description of "non-transmitting" needs to be included in any reference to "non-automated" and "analog" meters.

1.5 NEEDS FURTHER CLARIFICATION Non-Automated Meter Waiting List

APS needs to define exactly what this means. Does it apply to anyone requesting a non-transmitting analog meter in the past, or to those requesting one since the ACC meeting on 12/12/14? How does APS document such requests? What is APS' procedure for administering this?

Furthermore, since there are transmitting analog meters right now on the market we need to insure that APS does not install any onto customers' properties. If such a transmitting analog meter is or has been installed, APS will remove and replace it with a non-transmitting analog meter for no fee. If such an incident occurs again, there will be a \$100 fine per incident plus a credit of \$5 for the month the incident occurs.

2. Description of Service

2.4 Any rate payer who has had estimated monthly billing meter reads in the past should qualify for continuance of this practice whether or not a meter reader and transportation is available or not. Any discrepancy can easily be corrected with a "true up" of the account.

3. Eligibility

3.1 Both Commercial and Residential accounts are currently allowed to participate as per order of Commissioner Brenda Burns during the August 5, 2013. Commercial accounts are also not excluded as per decision 71871 approved by ACC on 12/12/14. Therefore, "commercial" should be specified in those being "eligible" as well.

Many Sedona commercial accounts are comprised of residents who should be permitted to keep their analog meters who because of their health, privacy and safety concerns, many of whom work

from home or in studios, unless APS and ACC accept held full liability for putting its rate payers at risk from; all damages, judgments, fines, penalties, claims, charges, costs present or in the future known, or presently unknown, incurred by, or resulting from automated metering and all its related infrastructure whether relating to health, fire, loss of privacy, data breach, hacking, inaccurate billing, damage due to loss of power, damage due to incorrect power shut down, incorrect bills, negligence in the installation or the operation of the automated meter, damage to personal property and/or loss of life.

3.2 This clause needs to be eliminated in its entirety because it allows APS to make arbitrary and capricious decisions regarding which Customers may receive a "non-transmitting" analog meter.

APS can arbitrarily say anything to make an excuse for not reading a meter; it is too expensive to read a meter because it is the only one on the block with an analog meter, or the customer has animals in the yard, or the driveway is too slippery, etc. since APS has already falsely stated that analog meters are not being manufactured it bears responsibility for the destruction of all the good working analog meters it removed from millions of customers in Arizona. Moreover, if APS provided manual meter readings in the past for its individual customers, and/or in neighborhoods then there is no justification based on fact to stop providing such service, period.

4. Use with Other Rates

4.4 The Energy Policy Act of 2005, Section 1252, never specified that wireless devices or transmission must be used and in fact stipulates that those rate payers requesting a smart meter be offered the same. Therefore requiring solar customers to have wireless smart meters is bogus and in fact, automated meters can be hardwired through the phone lines or cable and such options should be offered as an alternative for those experiencing difficulties with their health because of neighboring smart meters. This is also consistent with the policy presented in the Arizona Administrative Code, Article 2. Electric Utilities http://www.azsos.gov/public_services/Title_14/14-02.htm#ARTICLE_2

5.2 Charges and Billing It is APS' job to have meter equipment and personnel available by virtue of its being a utility providing electricity to rate payers. Any meter installer can install an analog meter if they can install automated meter. Since there are no such restrictions on anyone requesting an automated meter, there should not be one for customers requesting a "non-transmitting" analog meter.

Given that APS admitted that it has the capability to refurbish analog meters in Decision 71871, page 2 item 4, it should keep enough non-transmitting analog meters in stock, ready to install for any eligible customer who wants one.

5.3.1 Customers on the Non-Automated Meter Waiting List and customers with an existing Non-Automated Meter will not be subject to the Non-Automated Set-Up charge.

Again, APS needs to define this more specifically. Does it apply to anyone requesting a non-transmitting analog meter in the past, or to those requesting one since the ACC meeting on 12/12/14? How does APS document such requests? What is APS' procedure for administering this?

Last, but not least, since APS, of its own volition, removed non-transmitting analog meters from customers who requested and received these meters in the first place and replaced them with smart meters, those customers should be the first to be "made whole again" and ACC should demand a full accounting of these instances from APS.

6.1 In order to comply with the original Arizona Administrative Code, Article 2. Electric Utilities http://www.azsos.gov/public_services/Title_14/14-02.htm#ARTICLE_2 in regard to meter reading per ACC, the readings need to occur "at all reasonable hours" instead of providing APS with an excuse to be able to trespass at all hours of day or night, everyday. The key word is "reasonable." Since when does APS read or maintain your meter 24 hours a day, seven days a week unassisted? Never except in an emergency. So why does APS suddenly need such access? This may mean that customers may need to leave the gate to their yards unlocked 24/7, having outside lights left on so APS meter readers won't trip and fall in the dark, etc. Otherwise, routine meter reading, connect and disconnect and other routine maintenance occurs in daylight hours.

6.2 How are customers notified if they failed to provide unassisted access if APS decides to show up at 2 am in the morning? Or how does this policy affect:

- Customers who may be traveling for months
- Customers who may be hospitalized
- What if a branch falls from a strong wind or snow and blocks the meter readers' access to the meter?

Unless there is written notice of communication about this, there is no way for any customer to validate or to dispute its occurrence or even to provide a remedy. Again, unless this provision also is stated in the original Arizona Administrative Article, it should be deleted.

7. *Default Provisions*

Again, do all of the stated provisions occur in the Arizona Administrative Article? If not, why is APS including such arbitrary and capricious requirements just for customers with non-transmitting analog meters? Shouldn't meter tampering or energy diversion, or even fraud be applied to customers with smart meters also?

In fact, it is easier any hacker, to remotely program smart meters to charge a lower rate than tampering with analog meter. Smart meters can be remotely hacked with a virus that can spread to all meters on the same mesh grid. Non-transmitting analog meters cannot be remotely programmed and can only be tampered with individually. APS' use of such language places an unfair and unjust burden on customers with analog meters. Likewise, a smart meter customer can just as likely be verbally threatening with the APS employees during a phone call, so is APS going to turn off their service? Unless a policy can be applied uniformly to every customer, singling out one class of customers amounts to discrimination. Although verbal and physical threats are not appropriate behavior for any customer, by implying customers with analog meters are abusive is a form of profiling. Should such behavior be even tolerated by ACC?

Participation may also be discontinued by the Company due to a default condition or if the Customer terminates electric service, or if customer fails to comply with Section 6.

8.3 If participation is discontinued . . .

This proposed requirement poses a potential problem for the customers who own several units in a multi-dwelling rental with some unoccupied units because it does not allow the building owner to turn off the electricity to those empty units in order to save the \$5 a month fee. It also permits APS to install smart meters on all the units where electricity has been turned off. Furthermore for a customer living in such a multi-dwelling unit where the wall of smart meters is located next to his/her bedroom, then his/her health is threatened.

8.4 This proposed policy fails to consider the "unintended consequences" it creates as many things may precipitate a customer's decision to eliminate a smart meter soon after its installation on his/her property. In some cases, such action by a customer may accidentally discontinue service as a result of talking to an APS salesperson who persuades him/her to change rate plans, or "upgrades to their service," allegedly to save money. Most of the people we know who had digital meters installed were as a result of such "marketing." APS representatives failed to mention that such a program involves having a smart meter installed. They may have been told that the new plan required a different meter which can tell the different rate at different time but they were not informed that the meter radiates microwave frequency and generates dirty electricity. So unless there is informed consent that the customer understands the implication of having a smart meter, they will be scammed. In order to avoid this, ACC should require that APS obtain written customer per that he/she wishes to voluntarily discontinue use of his/her non-transmitting analog meter understanding that a wireless transmitting meter is going to be installed.

What about customers who, after having a smart meter installed, notice that family members are becoming ill, or the customer who is on a fixed income who notices his/her monthly bill is increasing, or customers with medical implants whose devices are being automatically reset with the smart meter? Should that customer be stuck with a meter for a minimum of the next 12 months or should they be forced to move? This is unreasonable. Instead, this should note that if participation is voluntarily discontinued with the customers' non-transmitting analog meter, he/she can request to re-enroll in this service schedule, but will be subject to the Non-Automated Meter Set-up Fee in addition to the monthly fee.

In addition, when an analog meter customer moves from one house to another it should be considered merely as a transfer of service from one address to another. To avoid disputes of "voluntary versus involuntary discontinue," customers who wish to switch to Automated Meters should be required to submit written notice to APS.

9.1 APS has no legal authority to install "automated meters/smart meters" by Federal mandate and therefore, it is not appropriate, nor reasonable for APS customers to assume such responsibility for liability. This clause puts the burden of proof on customers especially when and if it is APS that is negligent.

How is a customer, without proper knowledge and training, supposed to prove that an APS' installer is not well-trained and therefore did a poor job on installing a meter, or how is that person supposed to know whether the installer who did not properly turn off the power before installation of a smart meter while the meter is still energized was responsible for his own death?. In fact, as we know of cases where customers' analog meters were replaced with smart meters despite their having submitted properly written notice of refusal of smart meters and have to wonder how the installers managed to switch out the meters without turning off the electricity without getting hurt.

It is also not the customers' responsibility to observe and supervise APS' work. So unless ACC agrees to send someone with the knowledge and training as a witness to every service call, customers will not agree to this. In fact, ACC should approve imposing a fine if APS removes any non-transmitting analog meter without prior written notice or \$100 per incident plus a credit of \$5 for the month that the incident occurs. No set-up fee for "making the customer whole" should be assessed and if the incident is repeated two times or more, the set up fee of that account should be waived for life.

To avoid any dispute whether it is an APS' mistake or a customer's voluntary desire to discontinue having a non-transmitting analog meter, written notice should be required to be collected from the customer.