

E-01345A-13-0069

ORIGINAL

E-01345A-14-0113,  
March 24, 2015



RECEIVED

2015 MAR 25 P 4: 35

Arizona Corporation Commission (ACC)  
1200 West Washington Street  
Phoenix, AZ 85007-2996

AZ CORP COMMISSION  
DOCKET CONTROL

Re: Response and Comments on ACC Sample Orders

Dear Commissioners,

I appreciate our new Commissioner Doug Little has made an effort to explore what type of order will best serve the people of Arizona and the appeals of Mr. Warren Woodward and myself, before the Commission. Hope the following comments are useful to the Commission in various ways.

By The Way...

The FCC does not regulate Advanced Metering Infrastructure (AMI). The FCC does not have applicable 'standards' that regulate AMI 'smart' meters. In this context, what does the following **A.C.C. DECISION #74871 ORDER** statement #27 mean?

"27. Based upon the information in Docket Nos. E-00000C-11-0328 and E-01345A-13-0069, we further find that APS's AMI meters comply with the applicable federal standards."

**Since there are no "applicable standards" the AMI system does not comply with anything.**

Could the intention of deceptive statement #27 be to mislead the public? What are the 'applicable legal terms' for that?

Do we have awareness that people's lives are at risk?

Janice Alward includes similar FCC mistakes in the same #9 statements in all three of her March 10, 2015 NOTICE OF FILING SAMPLE ORDERS. The last sentences, say:

"ADHS's study confirmed that the meters tested were operating within the FCC standard."

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The ACC embarked in a new direction with confused language about the FCC relevance to smart meters in Arizona, that I had not noticed before. I first noticed it in the so called 'ADHS study' mixed up muddle relating to alleged ACC standards and guidelines. ADHS confusion soon contaminated ACC Decision No. 74871 in sections 25, 26 and 27. My preliminary comment is the following:

- In #25, the ***FCC does not establish standards for AMI meters.***
- In #26, the guidelines are admittedly out-of-date and worse.
- In #27, **APS AMI meters comply with applicable federal standards**, but there are no Federal Standards that apply to AMI meters, so APS AMI complies with: **no FCC standards.**

The truth, in plain language that most people can understand looks to me more like this:

- The FCC does not regulate AMI.
- The FCC has no applicable standards that apply to AMI 'smart' meters.
- ACC & ADHS claims about FCC standards are misleading.
- The intention here is to mislead and to lie.

I had encountered similar reasoning and language from APS' Research Department in 2012 through APS representative Elizabeth McFall. APS was advertising its smart meter product in a public relations format of "MYTH VS FACT" on its website and in fliers. I was invited to participate on Mr. Warren Woodward's ACC APS docket and it is available on pages 2 and 3 under APS MYTH,<sup>1</sup> posted on May 16, 2014 Docket E-01345A-14-0113. Briefly, the APS Research Department Myth was:

**"APS HAS REVIEWED EPA HEALTH AND SAFETY STANDARDS OF SMART METERS. AFTER REVIEW, NONE OF THE EPA STANDARDS SHOWED SMART METERS TO BE IN BREACH OF THEIR STANDARDS."**

Under Elizabeth's tutelage I finally realized the APS Research Department FACT really was:

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<sup>1</sup> <http://images.edocket.azcc.gov/docketpdf/0000153421.pdf>

**"THERE ARE NO EPA SAFETY STANDARD DOCUMENTS REFERRING TO 'SMART' METERS, SO OF COURSE 'SMART' METERS ARE NOT IN BREACH OF NO STANDARDS."**

**So what is the ACC doing when it creates a statement such as #27 without simultaneously revealing the mysterious relevant agency nor the elusive statute in its ORDER?**

"27. Based upon the information in Docket Nos. E-00000CII-0328 and E-01345A-13-0069, we further find that APS's AMI meters comply with the **applicable federal standards.**" (my bold)

My hunch is that **no federal agency** wants to take responsibility for his one, any more than Lloyds of London is thrilled to be involved underwriting wireless.

I know the ACC was in a hurry to get its Decision No. 74871 passed, but surely someone had the time to copy and paste the relevant federal statute. If someone at the ACC lost their notes on the relevant federal statute, maybe the APS Research Department can whip up a Myth? Is that what already happened?

SEDONA SMART METER AWARENESS did a fair amount of research in its 12/10/2014 Evaluation of the ADHS Report, that might suggest the federal landscape on this issue if ACC staff have been too busy to find the lost federal 'applicable' standards.

Suggest ACC not contact APS staff engineers for help. I was requested to be present when a Payson retired nurse had concerns about symptoms she was experiencing and wanted to have the microwave radiation exposure from over sixty APS smart meters on her building. APS supervising engineer told me that APS does not monitor the 900 MHz pulsed microwave exposure. He refused to monitor because he said "**900 MHz is not regulated, we don't have to regulate so we don't.**"

What's the Commission's plan: to follow APS' footsteps and whip up a kaleidoscope of lies, as needed?

- Please consider the consequences.
- PLEASE begin to recapture the truth. Make amends.

- If it is not your legal responsibility to rectify AMI lies and dysfunction, whose is responsible?

Does it appear that APS, the ADHS study people and ACC staff may have mislead and confused each other and are leading the public astray?

What is the legal status of Ms. Alward's statements, presuming they actually become part of a Commission Order? Does anyone care?

*How is this is not a valid fig leaf: "the FCC has no 'applicable standards' that apply to smart meters"?*

**How can ACC and the APS prove to us that the Arizona people entrusted to your ACC care, are not non-volunteer human experimental test subjects or worse?**

Although a lot of military microwave experimentation and research has been classified, we notice that US agencies have done extensive advanced research on microwave technologies, particularly since 1962 when a bizarre discovery of low-intensity microwave radiation at our US Embassy in Moscow was attributed to an assault by Russia.<sup>2</sup> The Cold War US Project Pandora was initiated. **US Embassy staff became its first non-volunteer test subjects.**<sup>3</sup> Subsequently activity expanded to a number of parallel projects, such as Projects TUMS, MUTS and BAZAR, involving the CIA, Advanced Research Project Agency (ARPA), the State Department and DOD. Extensive testing was conducted in the Army, Navy, Air Force and CIA, either through contractors or in their own laboratories. Lured by lucrative contracts, **contractors provided non-volunteer human test-beds.** The Tri-Service Electromagnetic Advisory Panel (TERP), has represented the interests of all three military services in the U.S. The U.S. Navy list of programs released by the Office of the Chief of Naval Research (OCNR) on the biological effects of electro-magnetic waves is

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<sup>2</sup> The Zapping of America MICROWAVES, THEIR DEADLY RISK, AND THE COVER-UP, Paul Brodoeur, W W Norton & CO. INC, N.Y. 1977

<sup>3</sup> Jerry Flynn, <http://youtu.be/c-F3nf47kAs>

monumental. The index alone in April 1989 was in five volumes.<sup>4 5</sup>

We signed the Nuremberg Code at the end of the Second World War. I am happy to say that Supreme Court Justice Sandra Day O'Connor quoted it in the only Supreme Court case to address the application of the Nuremberg Code to experimentation sponsored by our U.S. government. It is an elegant statement that we signed as part of the "*Trials of War Criminals before the Nuremberg Military Tribunals under Control Council Law No. 10*", Vol. 2, pp. 181-182.<sup>6 7 8</sup>

Commissioners, is it not our responsibility as human beings to safeguard the human genome? Are you not required by Arizona law, to do your part?

Life evolved in the natural frequency of the earth, 7.83 Hz, called the Schumann Resonance. Unregulated Smart Meters operate at 900 MHz, 11,250,000 times the safe Schumann resonance. The other frequencies applicable to Smart Meter technologies are 2.4 GHz and 5 GHz, which are radar range. These are pulsed microwaves: much more harmful to humans than the constant non-pulsed radiation in your microwave oven.

The decision we need to make is not as frivolous as the irreverent, sloppy and illegal decision that took us in to this mess. For the first time since ACC Decision #69736 we have a new ACC Commission: none of the Commissioners were original signatories. We can initiate a new start and put AMI behind us.

**Most importantly we ask the Commission to please universally return safe analog meters to the Arizona people under your care.**

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<sup>4</sup> Dr. Armen Victorian, The psychotronics era, Project Pandora  
[http://jacobsn.com/projfree/the\\_military\\_use\\_of\\_mind\\_control.html](http://jacobsn.com/projfree/the_military_use_of_mind_control.html)

<sup>5</sup> Dr. Armen Victorian, Non-lethal Weaponry and Waging War  
[http://www.wanttoknow.info/mindcontrollers10pg#\\_edn54](http://www.wanttoknow.info/mindcontrollers10pg#_edn54)

<sup>6</sup> <http://images.edocket.azcc.gov/docketpdf/0000146349.pdf>

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

<sup>8</sup> Please refer to **EXHIBIT C: The Nuremberg Code.**

**It is the legal right of each citizen to enjoy the safety of our natural environment. Analog mechanical meters are free of the reckless and hazardous activity of AMI.**

**How can you going to implement our Arizona statutes on behalf of the people without delay?**

- A.R.S.40-361.B
- A.R.S.40-321.A
- *40-334.Discrimination A and B*
- A.R.S. 44-1522. A
- A.R.S.40-202.C.1

Do our new members of the Commission know that pulsed microwaves cause genetic damage, cancer and neurological damage. **Is it not our responsibility as human beings to safeguard the human genome?** The decision we need to make is not a frivolous as the irreverent, sloppy and illegal decision that took us in to this mess. Statutes are clear about ACC responsibility!

Mr. Mumow says that nobody yet has made the Safety Recall decision. It will be an **honor** to witness that we are the first!

Relative to the *Discrimination of Solar Customers* issue that we discussed at the December 12, 2014 Open Meeting for this docket, for about half an hour, Chairman Stump stated on camera, that the solar discrimination issue ***was not being swept under the rug***, and that Mr. Mumaw and/or Mr. Olea would get back to me with information about reasons for what I term, the selective discrimination of solar customers.

As and intervener, I do not appreciate that when I phoned the Director of Utilities office about attending the meeting for determining changes for Schedule 17, section 4.4, I was told there was no meeting scheduled. I asked to be informed if there was a meeting. Information went in the *opposite direction* from transparency.

**SERVICE SCHEDULE 17 AUTOMATED METER OPT OUT**

"4.4 A Customer participating in this service schedule may not have on-site distributed generation, such as a solar

photovoltaic system. **A Non-Automated Meter is not able to record the bi-directional electricity flow necessary to support these programs.**" (my bold)

***In the dark***, the statement above, was changed to one potential "Weapon of Mass Destruction"<sup>9</sup> meter, instead of two:

4.4 A Customer with a distributed generation system may participate in this service schedule if the Customer agrees to allow the distributed generation output and power quality to be measured with an Automated Meter. The Customer will be provided with a Non-Automated Meter for billing purposes, will be placed on Rate Schedule E-12 or its successor rate schedule as described in paragraph 4.1, and will be eligible for the Company's net metering (or similar) programs. The Customer will also be subject to all charges and provisions of Rate Schedule E-12 in addition to the Non-Automated Fees as described in paragraph 5.1.

APS explained its reason for discriminating against Solar Customers at the 12/12/2014 Open Meeting. APS said that **an analog system can't be done for solar customers.** Mr. Mumaw maintained that every electrical service company he knows in Arizona is using AMI meters. *Can it be that our entire state is discriminating against solar customers?*

*Placed in the perspective of the WHO Class 2B Carcinogen, it is as if **solar customers are being continuously sprayed with lead and/or DDT! Lead, DDT and microwave radiation are WHO Class 2B Carcinogens.***

ADHS failure to report an up-to-date WHO IARC study smells of APS tutelage. That was an APS web site trick. APS used an Electric Power Research Institute Study, February 2011 to then make a false claim: "The World Health Organization has concluded that no known adverse health effects can be attributed to low-level radio frequency." The International Agency for Research on Cancer, WHO Press Release was a big deal when it came out on May 31, 2011: **"IARC CLASSIFIES RADIOFREQUENCY ELECTROMAGNETIC**

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<sup>9</sup> June 25, 2014 **Not-so-smart APS AMI WMD**

<http://images.edocket.azcc.gov/docketpdf/0000154321.pdf>

**FIELDS AS POSSIBLY CARCINOGENIC TO HUMANS"**

Who invented this monstrous plan of selectively not allow solar customers to 'opt-out'? Was it someone who has a conflict of interest with the solar industry?

**Who invented the monstrous plan of enslaving the Arizona public in an *unregulated pulsed microwave technology human experimentation program without their knowledge or consent?***

On January 21, 2015 I posted a document titled APS SOLAR DISCRIMINATION Appeal, proving that Florida Power and Light (FP&L), which is about four times the size of APS, offers its customers the freedom of choice of an elective opt-out.

Chairman Bitter Smith took notice of my February 6, 2015 email and posted it. Good for her!<sup>10</sup> I proposed an alternative 4.4 distributed generation opt-out without bio-toxic meters. Also, included was the Florida Power and Light (FP&L) details on their solar analog option. FP&L customers have a choice!<sup>11</sup>

Relative to Service Schedule 17 Section 4.4, I object to following:

1. **The process went DARK: there was no transparency.** Mr. John LeSueur politely phoned to tell me that two mandatory 'smart' meters had been changed to one mandatory 'smart' meter. Other than that, he really didn't say anything: he claimed not know answers to *who, what, where, why or if* questions. *Perhaps Mr. LeSueur was under a gag order of some kind.*
2. The resulting 4.4 decision forces solar customers to have a mandatory AMI WMD 'smart' meter, where all other customers are permitted to choose a safe analog meter option.
3. The decision makers discriminate based on **40-334.Discrimination A. and B.; A.R.S.40-361.B and A.R.S.40-321.A.**
4. APS' agenda and greed should not be permitted to trump the AZ statutory safety, health and freedom rights of the public.

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<sup>10</sup> <http://images.edocket.azcc.gov/docketpdf/0000160231.pdf>

<sup>11</sup> EXHIBIT A freedom of choice

The **ACC DECISION NO. 69736 ORDER** expresses choice is in the domain of the customer, who is in a sense **sovereign**, with the right to live in a safe uncomplicated analog world and to choose voluntarily to remain in that safe world with no fees. ORDER 69736 essentially provided an OPT-IN (with no fees), "to what is still an evolving technology". I sometimes wonder if even one APS customer ever been told the honest truth about 'smart' abusive automated lethal AMI meters, about the fire risk and how the 'smart' grid can be hacked and sabotaged, leaving the public with no electrical power at all?

**DECISION NO. 69736 ORDER** expressed choice is in the domain of the customer, who is in a sense **sovereign**, with the right to live in a safe uncomplicated analog world and to choose voluntarily to remain in that safe world with **no fees**.

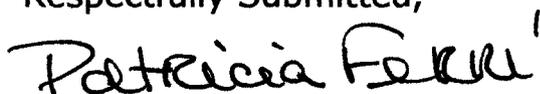
ORDER 69736 still applies to us. In today's language it would be called an OPT-IN (with no fees), "to what is still an evolving technology". Did people really know what 'smart' meters represent? It is rare to find people who are really informed about AMI's dark side. APS abusive marketing essentially ensures that there informed consent has not arrived in Arizona. As a nation we agreed to the principles embodied in the Nuremberg Code.

Returning to the subject to our long overdue AMI WMD Safety Recall, please do not delay. With all the disservice to the public health involved in the ADHS Evaluation, **ADHS did not prove safety**.

ADHS never mentioned our Arizona health statutes as goals or for any other reason.

They mentioned *biologically irrelevant alphabet agencies* such as: FCC (36 times); ICNIRP (15 times) and IEEE (18 times). All together these phony diversions were served up 69 times while our **REAL ARIZONA REGULATORY STATUTES WERE NEVER ADDRESSED!**

Respectfully Submitted,



Patricia Ferre

# EXHIBIT A

<http://images.edocket.azcc.gov/docketpdf/0000159593.pdf>

E-01345A-13-0069 **freedom of choice**



ACC Commission  
1200 West Washington  
Phoenix, AZ 85007

ORIGINAL

RE:  
AZ CORP COM  
DOCKET CON

RE: **APS SOLAR DISCRIMINATION Appeal**

2015 JAN 21 PM 11:23

ACC Commissioners, Director Olea & Mr. LeSueur

Dear Commissioners,

I received this email note from Warren Woodward today:

Arizona Corporation Commission  
**DOCKETED**  
JAN 21 2015

DOCKETED BY

"Needing SMs to manage electricity going on to the grid is just another APS lie. Florida Power & Light (FP&L) has 4.5M customers (compared to APS's 1.1). They allow solar customers to refuse a SM and give them a bi-directional analog (one meter, not two). Of course they pay an extortion fee but they do get an analog."

**I phoned FP&L today.** I received a prompt return phone call from FP&L technical support to verify the original information from customer service. **FP&L offers an analog bidirectional meter to measure output from solar production and offers a completely analog system for solar customers.** They do not discriminate against their solar customers.

Since I own my own solar system, I can have my system professionally removed and installed in FP&L territory and be on a completely analog solar system. FP&L has a one time set up fee and a monthly charge for that service.

The important aspect is that FP&L does not discriminate against its solar customers and offers its customers **freedom of choice.**

Respectfully submitted,

Patricia Christensen Ferre

## **EXHIBIT B**

### **Alternative Schedule 17 Distributed Generation Customer 4.4**

4.4 A Customer with a distributed generation system may participate in this service schedule. The Customer will be provided with two Non-Automated Meters, will be placed on Rate Schedule E-12 or its successor rate schedule as described in paragraph 4.1, and will be eligible for the Company's net metering (or similar) programs. The Customer will also be subject to all charges and provisions of Rate Schedule E-12 in addition to the Non-Automated Meter Fees as described in paragraph 5.1. Each distributed generation system account will be charged for no more than 1 Non-Automated Meter Set-Up fee of \$50.00 and 1 Non-Automated Meter Fee of \$5.00 per service account per month.

## **EXHIBIT C**

### **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 judgement 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.]

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

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