

ORIGINAL

OPEN MEETING AGENDA ITEM



0000147453

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August 15, 2013

Arizona Corporation Commission (ACC)  
Docket Control Center  
1200 West Washington Street  
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Arizona Corporation Commission  
DOCKETED

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ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

Re: Docket # E-00000C-11-0328

Commissioners,

You demonstrated extremely poor judgment at your August 5<sup>th</sup> meeting.

In the last 2 years, I and many others have given you ample evidence – including personal testimonies and published, peer reviewed studies – for you to exercise your statutory obligation to determine “smart” meters cannot be proved safe. Yet instead you chose to ignore that evidence and pass the buck onto the Arizona Department of Health Services, asking them to do a study, a study I believe will be neither published nor peer reviewed.

Also, since this buck passing was a suggestion of your staff, and since your staff's docket submission is misinformation biased in favor of utilities (proved by me in a previous letter here: <http://images.edocket.azcc.gov/docketpdf/0000146288.pdf>), I suspect this new study to be just more damage control on the part of the ACC, as opposed to a sincere interest in truth.

What's worse – and incredibly negligent – was your decision to allow continued “smart” meter installations while the Arizona Department of Health Services takes a year to do their “smart” meter study. Such a conscious decision to allow further installations and not exercising precaution only adds to my suspicion of your motives. Additionally, allowing installations while the study is in progress seems designed to buy APS time to complete “smart” meter installations throughout Arizona.

There was conversation amongst yourselves at the meeting as to whether installations should continue during the study. Amazingly, all of you agreed with the faulty reasoning that installations should proceed since, by your reckoning, anyone could refuse a “smart” meter who wanted to.

Because you have not stopped installation while the study is being made, I am left wondering if you already know the Health Department will reach an outcome favorable to the utilities' "smart" meter agenda.

But let's suppose the Health Department finds that "smart" meters cannot be proved safe. Who pays for all the "smart" meters installed in the meantime that will have to be removed?

Who pays for the medical bills of people injured by "smart" meters while the Health Dept. studies? Does the Health Dept. have an interest in maintaining the status quo therefore?

Who pays for the inevitable lawsuits against you and the utilities for negligently installing before determining proven safety in spite of being given ample evidence that "smart" meters in fact cannot be proved safe?

How does refusing a "smart" meter stop people from being negatively affected by the "smart" meters of others?

What good does refusal do if, as part of the "smart" grid network, the utility installs a pole-mounted collector or router with a transmitting range of 125 miles outside your bedroom window?

What good does refusal do if there are 48 "smart" meters transmitting on the other side of your apartment wall?

What good does refusal do for the homeowner whose neighbor's "smart" meter is closer to his house than his own meter is?

What good does refusal do for the homeowner who has 5 neighbors' "smart" meters aimed right at him/her and pulsing 24/7/365?

Indeed, there is testimony in the docket from a Paulden lady made homeless not just by the microwave radiation of *her* "smart" meter but by the radiation of *her neighbors'* "smart" meters as well. Fortunately her neighbors all got together and had their "smart" meters removed so she could stop sleeping in her car in the middle of nowhere. (Her testimony which you have heartlessly ignored is here: <http://images.edocket.azcc.gov/docketpdf/0000139949.pdf> ).

What if her neighbors had not agreed? Tough luck?

What good does right of refusal do when most people do not even know what “smart” meters are or what they do?

How do people refuse something they do not know they have?

How many Arizonans are suffering from the effects of “smart” meters without even knowing they have one or why they suffering?

Informed consent has *not* been possible for the vast majority of Arizonans.

And speaking of informed consent, APS is now refusing to meet and discuss “smart” meters with the public in open meetings. APS has just recently backed out of a meeting scheduled with citizens at the Big Park Regional Coordinating Council which represents the 27 Home Owner Associations in the Village of Oak Creek. APS had initially agreed to do a presentation and be available for Q & A but has now balked.

In a letter to Big Park Council, APS gave two very bizarre excuses for being a no-show. The first was that they had a fee request pending before the ACC for customers who refuse “smart” meters. One can only speculate what that excuse has to do with avoiding a public discussion. Perhaps the fee being punitive and extortionate, and the request a multitude of lies has something to do with it. (See my thorough debunking of their request and the list of their almost non-stop lies here: <http://images.edocket.azcc.gov/docketpdf/0000144218.pdf> )

APS's second bizarre excuse for being a no-show was that the ACC recently voted to request the Arizona Department of Health Services to do a study on “smart” meters. Again, one can only wonder what that has to do with discussing a technology APS has been defending for years and is about to unhesitatingly inflict upon the Village of Oak Creek and other Verde Valley communities.

APS finished their letter with a cheery hymn of praise to “smart” meters and a recommendation to visit their website for more propaganda – I mean, “additional information”. But if “smart” meters are so great then why won't APS say so at a public meeting? Are they afraid of the public they are supposed to serve?

I think it is safe to assume that APS did not want a repeat of their poor showing at the June 19<sup>th</sup> Sedona Council meeting where citizens, including myself, successfully discredited APS's paid PR people on every point. APS was unable to answer the simplest of direct questions put to them by Council. You may recall; the meeting resulted in Sedona Council writing you a letter requesting a no-fee, community-wide right of “smart” meter refusal. The mayor's letter can be found in your “smart” meter docket (here: <http://images.edocket.azcc.gov/docketpdf/0000145890.pdf> ). The video minutes

of the Sedona Council meeting and APS's pitiable performance are available for viewing at the City's website (here: <http://sedonaaz.swagit.com/play/06192013-791> ).

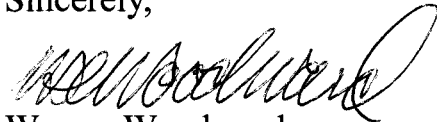
The ill-conceived decision reached by the ACC at the August 5<sup>th</sup> meeting was bad enough, but I was appalled to hear Commissioner Gary Pierce say at the meeting that privacy concerns about “smart” meters could be remedied through legislation. Is he kidding? Where has he been throughout the recent domestic spying scandal? Neither state laws nor the Constitution have stopped government agencies from spying on every single American!

Does anyone except Pierce think some law passed by the Arizona legislature will stop government from obtaining the data revealed by “smart” meters? What a joke – on us! I think everyone except Pierce knows that the only way to protect personal data is not to give it away or let it be taken in the first place.

Additionally, APS admitted at your March 23, 2012 meeting that they do not have or know the sources codes for their meters. So APS does not really know who can access the data or even what exactly is being collected.

In sum, it appears that in 2 years you ACC people have learned little and thought through even less. I find your recent decision to be recklessly negligent by putting Arizonans at continued risk of harm, some of it potentially irreversible.

Sincerely,



Warren Woodward

Cc: Governor Jan Brewer, Attorney General Tom Horne