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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of San Diego Gas & Electric Company (U 902 E) for Adoption of its Smart Grid Deployment Plan	A.11-06-006 (Filed June 6, 2011)
In the Matter of the Application of Pacific Gas and Electric Company for Adoption of its Smart Grid Deployment Plan U 39 E	A.11-06-029 (Filed June 30, 2011)
Application of Southern California Edison Company (U 338-E) for Approval of its Smart Grid Deployment Plan	A. 11-07-001 (Filed July 1, 2011)

THE PEOPLE’S INITIATIVE FOUNDATION PROTEST OF THE APPLICATION OF SAN DIEGO GAS AND ELECTRIC COMPANY (U 902 E) FOR ADOPTION OF ITS SMART GRID DEPLOYMENT PLAN, THE APPLICATION OF PACIFIC GAS AND ELECTRIC COMPANY FOR ADOPTION OF ITS SMART GRID DEPLOYMENT PLAN U 39 E, AND THE APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) FOR APPROVAL OF ITS SMART GRID DEPLOYMENT PLAN

Pursuant to Rule 2.6 of the California Public Utilities Commission’s (“Commission”) Rules of Practice and Procedure, The People’s Initiative Foundation (“PIF”) hereby responds to the application filed on June 6, 2011, in the above captioned proceeding. The comments are timely because they are filed before August 4, 2011, the date set by the assigned Administrative Law Judge by a ruling issued on July 25, 2011.

PIF is a 501(c) (3) nonprofit charity¹, pursuant to the laws of California and dedicated to educating the public on making change where there is stagnation in the areas that deeply affect

¹ A corporation organized primarily or exclusively for charitable purposes and which plans to obtain state tax exempt status under California Revenue and Taxation Code section 23701(d) and/or federal tax exempt status under Internal Revenue Code section 501(c)(3) or organized to act as a civic league or a social welfare organization and which plans to obtain state tax exempt status under California Revenue and Taxation Code section 23701(f).

us all, but have been overlooked by our government, with special focus on the now ubiquitous exposure to EMF (electromagnetic fields) and the dissemination of misinformation and industry influenced scientific opinion within our government agencies.

BACKGROUND FOR THE PROTEST

In Rulemaking (R.) 08-12-009, the Commission issued Decision (D.) 10-06-047 outlining the requirements for California's investor-owned utilities' Smart Grid Deployment Plans, to be filed by July 1, 2011. A suggested method for reviewing these plans was published in June 2011, "Evaluation Framework for Smart Grid Deployment Plans, A Systematic Approach for Assessing Plans to Benefit Customers and the Environment".² This report explains on page 2 that: "Smart grid deployments should seek to share costs between utilities and consumers, and deliver benefits to consumers commensurate with investments. Smart grid deployment plans should share the investment and technology risk between utilities and their customers, while making sure customers get the full value from the investment, including reduced whole-system costs and improved reliability, environment quality and public health." PIF is addressing the public health impacts of these plans in addition to cost of utilities.

D.10-06-047 in Ordering Paragraph No. 3 ordered that "Each section should also discuss how the Smart Grid will benefit customers and help meet environmental laws and policies contained in the Public Utilities Code." California Public Utilities Code section 768 mandates that: "The commission may, after a hearing, require every public utility to construct, maintain, and operate its line, plant, system, equipment, apparatus, tracks, and premises in a manner so as to promote and safeguard the **health** and safety of its employees, passengers, customers, and the public.

PIF protests the SCE application based on the following:

- 1) Violates SB 17: On October 11, 2009, SB 17 was signed into law by former California Governor Arnold Schwarzenegger. The bill states that it is the policy of California to "modernize the states electrical transmission and distribution system to maintain safe, reliable, efficient and secure electrical service".

² http://www.edf.org/documents/11795_EDF_SG_Evaluation_Framework_June_2011.pdf

- a. Smart meters have been proven to be unsafe in the following areas: human health, fire hazard, outside hacking,
- 2) Violates the Constitution of the state of California: Article 1, Section 1, "All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy."
- 3) Violation of Fifth and Fourteenth Amendment to the United States Constitution: Rights to health and life and liberty and our children's rights to life, liberty and procreation, the parent's basic rights to rights and liberties regarding care and control of our children's health and their continued well being.
- 4) Violation of ADA (Americans with Disabilities Act) Americans with disabilities must be accommodated. Although with difficulty, people with EHS (electrohypersensitivity, a functional impairment) can potentially avoid places with WIFI and also with great difficulty, can try and avoid cell towers, with the absolute ubiquitous blanketing of the wireless smart grid, people who are sensitive to RF EMF will not be able to go ANYWHERE AT ALL without being exposed to painful, debilitating, carcinogenic and genotoxic RF EMF.
- 4) Private information on customers can be sold to 3rd parties, given to law used for purposes other than merely charging customers for electrical usage.

Further Protest:

SCE has failed to inform rate payers about the potential health effects associated with both their new wireless devices and the smart grid infrastructure being propagated into homes and entire neighborhoods. Children, the elderly, the immune system compromised, pregnant women and people who have already had multiple x-rays, CAT scans or other higher doses of radiation are most vulnerable to smart grid and smart meter RF radiation exposure. People with metal implants will have their radiation exposure amplified and functionality of medical devices can be interrupted and interfered with by the smart grid and smart meters. Dental work, metal eyeglasses and metal jewelry can also amplify RF radiation exposure from smart meters and the smart grid.

I, Elizabeth Barris, myself experience health effects I attribute directly to the wireless meter currently on my home which include; pain and ringing in my ear, frequent, sever and debilitating headache, frequent heart arrhythmia and lack of energy. Although I myself am not a PhD in the area of science, many scientific studies back the stance of serious and deadly health effects from RF radiation emitting devices and infrastructure.

Independently funded studies and even some industry funded studies, found low level and non thermal RF (radio frequency) EMF (electromagnetic fields), such as those

emitted by wireless communication devices and infrastructure are known to cause biological and health effects in humans and animals, including DNA breaks, cancer, heart arrhythmia, severe headache, birth defects, infertility, endocrine disruption and interference with life saving pharmaceutical drugs.

On May 31, 2011, the WHO/IARC (World Health Organization, International Association for Research on Cancer) deemed low level, non thermal, electromagnetic fields a Class 2 B Carcinogen, meaning may cause cancer in humans and is in the same classification as HIV, lead, DDT and dioxin.^{3,4}

When I asked, SCE said they had no studies on smart meters.

Dr. Olle Johansson, The Karolinska Institute, Stockholm, Sweden has written a statement on smart meters...

“...the exposure to electromagnetic fields not only may induce acute thermal effects to living organisms, but also non-thermal effects, the latter often after longer exposures. This has been demonstrated in a very large number of studies and includes cellular DNA-damage, disruptions and alterations of cellular functions like increases in intracellular stimulatory pathways and calcium handling, disruption of tissue structures like the blood-brain barrier, impact on vessel and immune functions, and loss of fertility. Whereas scientists can observe and reproduce these effects in controlled laboratory experiments, epidemiological and ecological data derived from long-term exposures reflect in well-designed case-control studies the link all the way from molecular and cellular effects to the living organism up to the induction and proliferation of diseases observed in humans.” **Olle Johansson, Assoc. Prof., The Experimental Dermatology Unit, Department of Neuroscience, Karolinska Institute on CCST Report.**

³ WHO/IARC statement on RF electromagnetic fields
www.iarc.fr/en/media-centre/pr/2011/pdfs/pr208_E.pdf

⁴ WHO/IARC Class 2 B Carcinogens
http://en.wikipedia.org/wiki/List_of_IARC_Group_2B_carcinogens

I, Elizabeth Barris, recently called SCE and asked if they were insured for claims from health effects from their wireless radiation emitting devices and infrastructure. They said they were not. It is my opinion that rate payers who are currently being harmed by wireless smart meters and smart grid exposure will be claiming damages and that due to sheer volume of cases they will be receiving, SCE may try and claim bankruptcy (as historically many asbestos companies have) and should be made to carry insurance in the following areas:

- A) Health effects
- B) Funeral expenses for those whose family members are deceased such as heart attack, cancer, interference with cancer medications, illnesses of the immune system which can be brought on or aggravated by daily and continual pulsed electromagnetic signals.
- C) Fire hazard
- D) Loss of income for those who can no longer work in an environment whereby a constant stream of pulsed electromagnetic fields from both smart meters and smart grid inundate the work place.
- E) Proper environmental shielding for those who choose not to be exposed to a smart meter and smart grid RF EMF in their home or work spaces but whose neighbor's transmissions from smart grid might penetrate their walls both through the air and electrical wiring.

We further protest that SCE intentionally misleads rate payers by telling them that they will only be exposed to 45 seconds a day (this information was garnered from a phone call to SCE inquiring about the RF emissions) of “harmless” radiation, “the equivalent of a cell phone” call. SCE fails to properly explain to rate payers that the emissions from both smart meters and smart grid can be hundreds or thousands of times more powerful than cell phone emissions and that the 45 seconds from the smart meter are actually divided up into thousands of millisecond pulses per day and that as part of the smart grid, some houses will actually act as a “hub” where data from the entire neighborhood will be collected before it is wirelessly sent off to another main data collection transmitter. These houses may be exposed to thousands upon thousands of electromagnetic pulses all day long. But even houses that do not act as neighborhood data collection transmitters can also be exposed to thousands of pulses per day. Further, entire

neighborhoods will be flooded with compulsory exposure to RF EMF from the smart grid. Exposure to which will be inescapable. This type of exposure will not only envelope all human beings, but also all animal and plant life in the area of smart grid.

SCE further does not explain to consumers that sometimes both the smart meter and the smart grid may go through periods of time where they are transmitting for possibly hours on end, non-stop or can be transmitting at whatever power level Edison chooses.

SCE also has a special phone number set up for rate payers who are concerned about health effects, whereby the rate payer speaks with a “specialist in the area of EMF”. The rate payer thinks they are speaking with an EMF expert when in fact they are speaking with someone with no real factual knowledge whatsoever on the subject and who’s only purpose it seems is to try to mislead the rate payer into a false sense of security about their radiation emitting wireless smart meter or the smart grid. The EMF specialist in fact does not go into any pertinent details on the ubiquitous nature of the exposure from smart grid in neighborhoods and outside of the individuals home or work space and the implications of this, but only focuses on the smart meter and lies or is totally uneducated about the health effects, saying there are none.

When offering a “safer alternative” for those concerned about health effects from wireless smart meters or smart grid, SCE offers a “powered down smart meter” without telling the customer that the “powered down smart meter”, through the “switching power supply mode”, can create “dirty electricity”, thereby causing yet another health hazard and can also create arching or spikes, in the electrical system which is a potential fire hazard, can blow out and damage expensive electrical equipment, can potentially burn down an entire house or building complex and create dirty electricity throughout the whole neighborhood. SCE further fails to notify the customer that if whole neighborhoods opt out of their smart meters, in order to retain them within the smart grid, repeaters will be put up in their neighborhoods which will basically act as cell towers to boost the signal in their neighborhood, thereby exposing the neighborhood to more RF EMF even though the whole neighborhood has opted out of their smart meters for the very reason of avoiding RF EMF.

Independently funded and even some industry funded studies, show low level and non thermal RF (radio frequency) EMF (electromagnetic fields), such as those emitted by

wireless communication devices and infrastructure are known to cause biological and health effects in humans and animals, including DNA breaks, cancer, heart arrhythmia, sever headache, birth defects, infertility, endocrine disruption and interference with life saving pharmaceutical drugs.⁵

We hereby request SCE to remedy the situation through the following means:

- 1) **Until such time as the above complaints are remedied, immediate no cost opt out and no rate increase for customers who currently have wireless meters on their home and need them switched to safe analog and do not want to be part of the smart grid or have smart grid RF EMF in their homes and neighborhoods.**
- 2) **Moratorium on any further roll out of wireless smart meters or smart grid**
- 3) **Ban of wireless smart meters and smart grid in neighborhoods**
- 4) **Force SCE to come up with a safe alternative whereby rate payers can be encouraged to use less electricity but in a safe and secure manner, such as with hard wired devices and infrastructure as opposed to dangerous, wireless, RF radiation emitting devices and infrastructure.**

CONCLUSION

The application should be denied based on the above until such time as remedies to the above protests are in place.

Respectfully submitted,



Elizabeth Barris, President of the Peoples Initiative Foundation

2461 Santa Monica Blvd.

Ste.D-327

Santa Monica, CA 90404

310-281-9639

contact@thepeoplesinitiative.org

⁵ Swisscom non thermal effects from RF wireless devices and infrastructure

http://www.thepeoplesinitiative.org/uploads/Swisscom_patent.doc

Bioinitiative Report (collection of studies by scientists from US and Europe)

www.bioinitiative.org

Seletun Statement (statement by scientists from US and Europe)

http://www.thepeoplesinitiative.org/uploads/Seletun_Statement_Fragopoulou_et_al_2010b.pdf

Martin Homec

Martin Homec
P. O. Box 4471
Davis, CA 95617
Tel.: (530) 867-1850
E-mail: martinhomec@gmail.com
Attorney for Peoples Initiative Foundation

August 4, 2011

VERIFICATION

I, Elizabeth Barris am Director and Founder of The Peoples Initiative Foundation and am authorized to make this verification on its behalf. The statements in the document **“THE PEOPLES INITIATIVE FOUNDATION’S PROTEST OF THE APPLICATION OF SAN DIEGO GAS & ELECTRIC COMPANY (U 902 E) FOR ADOPTION OF ITS SMART GRID DEPLOYMENT PLAN, THE APPLICATION OF PACIFIC GAS AND ELECTRIC COMPANY FOR ADOPTION OF ITS SMART GRID DEPLOYMENT PLAN (U 39 E), AND THE APPLICATION OF SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) FOR APPROVAL OF ITS SMART GRID DEPLOYMENT PLAN”** filed on August 3, 2011, are true based on my own knowledge, except for those matters which are stated on information and belief, and as to those matters, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

Executed on **August 4, 2011** at Topanga, California.

By *Elizabeth Barris*
Elizabeth Barris
2461 Santa Monica Blvd.
Ste. D-327
Santa Monica, CA 90404
310-281-9639
contact@thepeoplesinitiative.org