



**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA**

**FILED**

09-20-10  
04:59 PM

Application of Californians for Renewable Energy, Inc. (CARE) to modify Decision 06-07-027

Application \_\_\_\_\_

**A1009012**

**APPLICATION OF CALIFORNIANS FOR RENEWABLE ENERGY, INC. (CARE) TO  
MODIFY DECISION 06-07-027**

Pursuant to Rule 2.1<sup>1</sup> and Rule 16.4<sup>2</sup> of the Rules of Practice and Procedures

Californians for Renewable Energy, Inc. (CARE) submits this petition to modify Decision 06-

<sup>1</sup> All applications shall state clearly and concisely the authorization or relief sought; shall cite by appropriate reference the statutory provision or other authority under which Commission authorization or relief is sought; shall be verified by at least one applicant (see Rule 1.11); and, in addition to specific requirements for particular types of applications, shall state the following:

(a) The exact legal name of each applicant and the location of principal place of business, and if an applicant is a corporation, trust, association, or other organized group, the State under the laws of which such applicant was created or organized.

<sup>2</sup> 16.4. (Rule 16.4) Petition for Modification.

(a) A petition for modification asks the Commission to make changes to an issued decision. Filing a petition for modification does not preserve the party's appellate rights; an application for rehearing (see Rule 16.1) is the vehicle to request rehearing and preserve a party's appellate rights.

(b) A petition for modification of a Commission decision must concisely state the justification for the requested relief and must propose specific wording to carry out all requested modifications to the decision. Any factual allegations must be supported with specific citations to the record in the proceeding or to matters that may be officially noticed. Allegations of new or changed facts must be supported by an appropriate declaration or affidavit.

(c) A petition for modification must be filed and served on all parties to the proceeding or proceedings in which the decision proposed to be modified was made. If more than one year has elapsed since the effective date of the decision, the Administrative Law Judge may direct the petitioner to serve the petition on other persons.

(d) Except as provided in this subsection, a petition for modification must be filed and served within one year of the effective date of the decision proposed to be modified. If more than one year has elapsed, the petition must also explain why the petition could not have been presented within one year of the effective date of the decision. If the Commission determines that the late submission has not been justified, it may on that ground issue a summary denial of the petition.

(e) If the petitioner was not a party to the proceeding in which the decision proposed to be modified was issued, the petition must state specifically how the petitioner is affected by the decision and why the petitioner did not participate in the proceeding earlier.

(f) Responses to petitions for modification must be filed within 30 days of the date that the petition was filed. Responses must be served on the petitioner and on all parties who were served with the petition.

(g) With the permission of the Administrative Law Judge, the petitioner may reply to responses to the petition. Replies must be filed and served within 10 days of the last day for filing responses, unless the Administrative Law Judge sets a different date. A reply must state in the opening paragraph that the Administrative Law Judge has authorized its filing and must state the date and the manner in which the authorization was given (i.e., in writing, by telephone conversation, etc.).

(h) Unless otherwise ordered by the Commission, the filing of a petition for modification does not stay or excuse compliance with the order of the decision proposed to be modified. The decision remains in effect until the effective date of any decision modifying the decision.

07-027 approving the Application of Pacific Gas and Electric Company for Authority to Increase Revenue Requirements to Recover the Costs to Deploy an Advanced Metering Infrastructure (“AMI” also know as “SmartMeters™”) that was issued on July 24, 2006. CARE is a party to the proceeding and so is eligible to file a Petition for Modification request pursuant to Rule 16.4 of the California Public Utilities Commission’s (“Commission”)’s Rules of Practice and Procedure.

### **Decision 06-07-027<sup>3</sup>**

Decision (D.) 06-07-027 authorized Pacific Gas and Electric Company (PG&E) to deploy an Advanced Metering Infrastructure (AMI). Purportedly the Commission adopted a modified revenue requirement and guaranteed ratepayer benefits. The ratemaking mechanisms was purportedly to be in place at least until PG&E’s next general rate case which was expected to occur for test-year 2010 or later. The Commission also adopted PG&E’s rate proposal for critical peak pricing tariffs.

D.06-07-027 without even a cursory investigation of basic health and safety impacts of PG&E’s AMI project the Commission found at 15 “There is no need for an analysis [sic] of PG&E’s AMI deployment pursuant to the requirements of the California Environmental Quality Act (CEQA). The AMI deployment falls within the exceptions found in either or both CEQA Guideline § 15301(b), for existing facilities of public utilities, and § 15302(c) for the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. Therefore, the Commission is under no legal obligation to undertake any environmental review before approving this application.”

---

Note: Authority cited: Section 1701, Public Utilities Code; and Section 2, Article XII, California Constitution. Reference: Section 1708, Public Utilities Code.

<sup>3</sup> See [http://docs.cpuc.ca.gov/PUBLISHED/FINAL\\_DECISION/58362.htm](http://docs.cpuc.ca.gov/PUBLISHED/FINAL_DECISION/58362.htm)

This section of D.06-07-027 should be rewritten to state at 15 “While it may not be required it is within this Commission’s discretion to require an analysis of PG&E’s AMI deployment pursuant to the requirements of the California Environmental Quality Act (CEQA).”

As of September 2, 2010 1,378 electric SmartMeter complaints have been filed against PG&E’s SmartMeters with the CPUC by PG&E customers. On September 9, 2010 a PG&E gas line ruptured and a towering fireball roared through a San Bruno neighborhood, killing four people, and officials have yet to determine what led to the blast.

On September 15, 2010 CARE filed a Complaint<sup>4</sup> with Federal Communications Commission stating “I wish to file a complaint against Pacific Gas and Electric Company (PG&E) and the California Public Utilities Commission (CPUC) for allowing PG&E to install 5.5 million SmartMeters in its California territories that do not meet FCC regulations 47CFR15.5 b)"Operation of an intentional, unintentional, or incidental radiator is subject to the conditions that no harmful interference is caused and that interference must be accepted that may be caused by the operation of an authorized radio station, by another intentional or unintentional radiator, by industrial, scientific and medical (ISM) equipment, or by an incidental radiator". 1,378 electric SmartMeter complaints have been filed with the CPUC without any actions to stop and on September 9, 2010 a PG&E gas line ruptured and a towering fireball roared through a San Bruno neighborhood, killing four people, and officials have yet to determine what led to a blast. I

---

<sup>4</sup> Filing for: Michael Boyd has been received by the FCC. Thanks for your information. When inquiring about your complaint, be sure to reference this number: 10-C00246969 and, be sure to mention that you filed this complaint over the internet.

Use this page as a Fax Cover Sheet when faxing additional details to the FCC.

Fax Number (866) 418-0232

Date: 09/15/2010

To: Federal Communications Commission

Total Number of Pages: \_\_\_\_\_

Subject: 10-C00246969(Form 2000 Filed Via The Internet)

Address: 5439 Soquel Dr

Soquel CA 95073

Carrier/Company Name(s): CALifornians for Renewable Energy, Inc. (CARE)

allege EMF from PG&E's SmartMeters created the ignition source.” CARE is seeking the FCC to pursuant to 47CFR15.5 c) “The operator of a radio frequency device shall be required to cease operating the device upon notification by a [FCC] representative that the device is causing harmful interference. Operation shall not resume until the condition causing the harmful interference has been corrected.”

This Petition seeks therefore that D.06-07-027 be Modify to Order PG&E to stay further deployment of PG&E SmartMeters until PG&E provides the Commission evidence of compliance with FCC regulation 47CFR15.5 b). This Petition seeks D.06-07-027 be Modify to Order PG&E to remove any SmartMeter equipment subject to be required to cease operating the device and remove them upon notification by a FCC representative that the device is causing harmful interference. However this FCC regulations does not specify an actual “threshold” for harmful RFR interference but FCC regulations 47CFR15.5 b) merely state "Operation of an intentional, unintentional, or incidental radiator is subject to the conditions that no harmful interference is caused” which shifts the burden of proof to intentional radiators to demonstrate their RFR interference did not cause harm.

The Petition seeks that D.06-07-027 be Modify to Order PG&E to conduct an analysis of PG&E’s AMI deployment pursuant to the requirements of the California Environmental Quality Act (CEQA) including a health and safety impacts associated with the project and the an assessment of risk from the meters including following FCC as well as international standards testing protocols.

### **Procedural Matters**

Pursuant to Rule 2.1 (b) The name, title, address, telephone number, facsimile transmission number, and, if the applicant consents to e-mail service, the e-mail address, of the person to whom correspondence or communications in regard to the application are

to be addressed. Notices, orders and other papers may be served upon the person so named, and such service shall be deemed to be service upon applicant. Applicant accepts correspondence by e-mail and US mail as follows:

Michael E. Boyd President (CARE)  
CALifornians for Renewable Energy, Inc.  
5439 Soquel Drive  
Soquel, CA 95073  
Phone: (408) 891-9677  
E-mail: [michaelboyd@sbcglobal.net](mailto:michaelboyd@sbcglobal.net)

Pursuant to Rule 2.1 (c) requires the application include the proposed category for the proceeding, the need for hearing, the issues to be considered, and a proposed schedule. (See Article 7.) The proposed schedule shall be consistent with the proposed category, including a deadline for resolving the proceeding within 12 months or less (adjudicatory proceeding) or 18 months or less (ratesetting or quasi-legislative proceeding). Applicant believes the proposed category for the issues of CEQA compliance and compliance with 47CFR15.5 are adjudicatory matters whose outcomes will affect the ratemaking adopted by the Commission in D.06-07-027. Irrespective of the category of proceeding Applicant believes hearings will be required

Pursuant to Rule 2.1 (d) requires the application include such additional information as may be required by the Commission in a particular proceeding. This is a matter of extreme urgency as the public safety is at risk. Therefore the applicant asks for the proceeding to be completed in six months.

Applicant also asks for leave to file this Application as a Motion for a Declaratory Order that D.06-07-027 be Modify to Order PG&E to stay further deployment of PG&E SmartMeters

until PG&E provides the Commission evidence of compliance with FCC regulation 47CFR15.5 b).

Pursuant to Rule 16.4 d) “If more than one year has elapsed, the petition must also explain why the petition could not have been presented within one year of the effective date of the decision. If the Commission determines that the late submission has not been justified, it may on that ground issue a summary denial of the petition.”

The grounds for this late submission are CARE had no way of anticipating 1,378 electric SmartMeter™ complaints would be filed against PG&E’s AMI project. Additionally CARE had no way of knowing that radiofrequency interference from the deployed gas and electric SmartMeters had any potential risk associated with them of being an ignition source for a natural gas pipeline explosion. Decisions D.06-07-027 must be modified because clearly the PG&E AMI project has reasonably foreseeable impacts on the environment in the form of radiofrequency radiation emitting by RFR SmartMeter devices that have not been demonstrated to meet safety testing standards that can be guaranteed to protect the health and safety of the public that this Commission has a statutory duty to protect from harm.

### **Introduction**

A petition for modification of a Commission decision must concisely state the justification for the requested relief and must propose specific wording to carry out all requested modifications to the decision. Any factual allegations must be supported with specific citations to the record in the proceeding or to matters that may be officially noticed. Allegations of new or changed facts must be supported by an appropriate declaration or affidavit.

PG&E was initially authorized to deploy its Smart Meter program (also called Advanced Metering Infrastructure) in D.06-07-027. After spending over one and a half billion dollars of

PG&E ratepayers' funds the project failed. PG&E currently is deploying Smart Meters, for both gas meters and for electric meters as part of an upgrade authorized in Decision (D.) 09-03-026 in Application (A.) 07-12-009 for the radiofrequency radiation (RFR) version of the electric meter.

In A.05-06-028 PG&E selected Distribution Control Systems, Inc. (DCSI) to provide a Power Line Carrier technology for electric meters and Hexagram, Inc. to provide a fixed network system with radio frequency communication channels owned by PG&E for gas meters. These selections followed a detailed Request for Proposal (RFP) and evaluation process. PG&E's testimony purported to show that the DCSI system had been deployed by a number of other utilities (none as large as PG&E) to provide a sufficient demonstration of the technology's reliability and functionality. The technology provides two-way communications to each customer's meter. The technology also allows other functions including direct polling to the meter by PG&E which can assist in completing customer service related requests; and it has the potential for direct communication with in-home devices like thermostats and load control switches.

As stated in CARE's January 8, 2006 Testimony "PG&E's AMI proposal has CARE's support based on PG&E's decision not to utilize an AMI network based on Broadband over Power Lines (BPL) operated at frequencies above 1 GHz. These new unlicensed BPL systems provide high speed communications by coupling RFR onto either the power lines inside a building (In-House BPL) or onto the medium voltage (MV) power distribution lines (Access BPL). Electric utility companies can also use Access BPL systems to monitor and manage their power distribution operations. Therein is the material issue of fact which is the introduction of RFR inside a building and the effects of this RFR on mammalian species such as humans. Power lines are neither shielded nor well-balanced, so it is likely some of the RFR they carry will be

radiated exposing occupants to RFR. We remain concerned about RFR from PG&E's gas meter AMI but our concerns are mitigated by PG&E's proposal to keep the gas meter's radio transceiver outside of the building where the meter is located." [*Emphasis added*]

As part of its original AMI proposal in A.05-06-028, PG&E selected Distribution Control Systems, Inc. (DCSI) to provide a Power Line Carrier technology for electric meters and Hexagram, Inc. to provide a fixed network system with radio frequency communication channels owned by PG&E for gas meters. While DCSI employed a power line carrier technology, Hexagram's technology is radio frequency radiation (RFR) based. D. 09-03-026 approved both Hexagram's and Silver Springs Networks RF software and technology to replace the DCSI power line technology for electric customers. D.09-03-026 notes "DRA does not believe that two separate and overlapping RF networks, one for gas and a separate network for electric are well advised." The current AMI program being installed by PG&E integrates the natural gas meter and electric meter together.

D.06-07-027 without even a cursory investigation of basic health and safety impacts of PG&E's project found at 15 "There is no need for an analysis of PG&E's AMI deployment pursuant to the requirements of the California Environmental Quality Act (CEQA). The AMI deployment falls within the exceptions found in either or both CEQA Guideline § 15301(b), for existing facilities of public utilities, and § 15302(c) for the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. Therefore, the Commission is under no legal obligation to undertake any environmental review before approving this application." Planning to eliminate or minimize RFR hazards should be inherent in the design phases of the AMI project. RFR protection and prevention measures must be considered during all phases of design, construction, use, maintenance, operation, and final

disposal. Radio waves and microwaves emitted by transmitting antennas are one form of electromagnetic energy. They are collectively referred to as "radiofrequency" radiation (RFR). RF energy includes frequencies ranging from 0.9 to 3000 GHz.

On April 1, 2010, the CPUC contracted with The Structure Group to conduct an independent evaluation of PG&E's SmartMeters in response to concern expressed by consumers over high energy bills that occurred around the same time PG&E installed Smart Meters in the San Joaquin Valley area. Structure purportedly independently tested more than 750 SmartMeters and 147 electromechanical meters. In laboratory testing, field meter testing, and end-to-end system testing, Structure determined that all of the tested SmartMeters and systems were working accurately and that customer billing matched the expected results.

Structure also reviewed 1,378 electric SmartMeter complaints and performed in-depth customer interviews; they found issues with PG&E customer service management and adherence to industry best practices. For example, customer questions regarding SmartMeters and individual customer usage patterns were not effectively addressed by PG&E. In some cases, customers experienced multiple cancelled bills followed by re-billing, which exacerbated customer confusion and frustration. In addition, customers indicated to Structure that there was a lack of communication and notification from PG&E about their SmartMeter installation.

The report also said that the CPUC's handling of certain consumer complaints created confusion for the customer when the CPUC deemed the complaint closed even though the customer was still not satisfied with or did not understand PG&E's resolution of their complaint.

On September 2, 2010 CPUC received the results of the independent evaluation of Pacific Gas and Electric Company's (PG&E) Smart Meter deployment, focused on electric residential customers, which found that the meters and associated software and billing systems

are consistent with industry standards and are performing accurately. However, the evaluation identified multiple factors that appeared to contribute to the escalation of Smart Meter-related high bill complaints, including PG&E's customer service practices.<sup>5</sup>

On September 9, 2010 a PG&E natural gas pipeline ruptured and a towering fireball roared through a San Bruno neighborhood, killing four people, and officials have yet to determine what led to the blast. Consumer pipeline safety advocate Jacqueline Greig, a 20+ year employee of the CPUC, and her youngest daughter Janessa, perished in the San Bruno explosion on Sept. 9, 2010.

**Radiofrequency radiation from SmartMeters excluded from analysis  
by D.06-07-027**

**Health effects**

“Exposure to electromagnetic radiation has been documented to have major biological effects on living tissue. The exponential increase in the use of wireless technologies will most likely present serious, global public health consequences in the near future. Despite mounting evidence of severe health effects, the scientific facts are generally ignored by most governments. For pure commercial reasons, the telecom industry continues to refer to outdated and irrelevant safety standards, blissfully endorsed by their respective regulators.

More than two thousands scientific studies have shown that radio frequency exposures, including microwaves, can cause changes in cell membrane function, cell communication, metabolism and activation of proto-oncogenes. Production of stress proteins is triggered at exposure levels far below current regulatory limits. The resulting effects can include DNA

---

<sup>5</sup> CARE questions the CPUC’s reliance on Structure Consulting Group LLC ("Structure") to provide an independent report related to testing and validating meter and billing accuracy of PG&E's residential electric Smart Meters. How can Structure be "independent" when they list PG&E as one of their clients on their website?

See <http://www.thestructuregroup.com/careers-and-culture/our-clients>

breaks and chromosome aberrations, cell death including death of brain neurons, increased free-radical production, activation of the endogenous opioid system, cell stress and premature aging. Other documented effects are changes in brain function including memory loss, retarded learning, performance impairment in children, headaches and fatigue, sleep disorders, neurodegenerative conditions, reduction in melatonin secretion and cancers. Similar results have been found from exposure to power-frequency electromagnetic radiation (50-60Hz), and a link between childhood leukaemia and exposure to high-voltage power lines is now widely accepted by the scientific community.

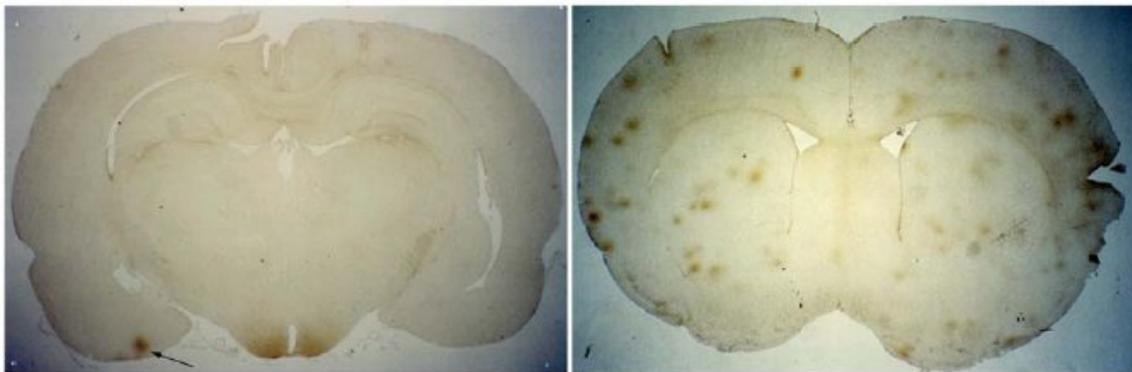
Current regulatory limits are falling. An overwhelming majority of the European Parliament recently voted for a set of changes based on health concerns associated with electromagnetic fields. In a resolution 4th September 2008, the European Parliament notes that “the limits on exposure to electromagnetic fields which have been set for the general public are obsolete”, “obviously take no account of developments in information and communication technologies”, and “do not address the issue of vulnerable groups, such as pregnant women, newborn babies and children.” These eye-opening statements are indeed remarkable. A few countries have already acted in line with sound precautionary principles. Russia and China have long ago implemented significantly stricter limits than most western countries, and Switzerland, Italy and Lichtenstein have acted unilaterally to protect their own populations from the health hazards of electromagnetic radiation.”<sup>6</sup>

Excessive levels of exposure to RFR can result in adverse acute (immediate) effects on people such as involuntary muscle contractions (electrostimulation), electrical shocks/burns (from touching metal objects in RFR fields), and excessive heating of tissue (thermal damage).

---

<sup>6</sup> Source: International EMF Conference held in Norway in 2009 at: <http://emf2009.no/index.php/1293282>  
See online list of the Conference Program with video links to presentations at: <http://emf2009.no/index.php/1293282>  
For a presentation from local EMF health effects expert contact Dr. Karl Maret, Aptos, CA (831) 662-8421.

High-level electromagnetic energy produced by RFR can also induce electrical currents or voltages that may cause electrical arcs that may ignite flammable materials. Modern communication transmitters can produce high-intensity Radio Frequency Radiation (RFR) environments that are potentially hazardous to 1) operating and maintenance personnel, 2) fuels and, 3) associated equipment. The type of biological effect on humans from RFR depends on the frequency of the electromagnetic wave. The severity of the biological effect depends on the intensity (strength) of the RFR.



**This is your brain.**

**This is your brain on SmartMeters™**

(Source: <http://www.elektrosmognews.de/salfordjan2003.pdf>).

CARE is concerned with potential health risks associated with the new SmartMeter™ as a source of in home radio frequency radiation (RFR) that should have been analyzed in Decision ( D.) 06-07-027 that wasn't even assessed by CPUC staff. Actual independent analysis conducted outside the US determined that exposure to RFR radiation produced at cell-phone level dosage for only 2 hours, once, caused 2% brain cell death in adolescent rats. The picture above shows a cross section of a control group rat brain on the left, and an exposed group rat brain on the right.

Exposure to RF energy of sufficient intensity at frequencies between 3 kilohertz (kHz) and 300 GHz can adversely affect personnel, and fuel. Biological effects that result from heating

of tissue by RF energy are often referred to as "thermal" effects. Exposure to very high levels of RF radiation can be harmful due to the ability of RF energy to heat biological tissue. In a healthy human body, the thermo-regulatory system will cope with the absorbed heat until it reaches the point at which it cannot maintain a stable body core temperature. The amount of absorbed energy to produce thermal stress is affected by the health of the individual (some medical conditions and medications may affect thermoregulation), environmental conditions (higher ambient temperature and relative humidity make it harder for the body to release heat), and physical activity.

Radiated energy can also result in high levels of induced and contact current through the body when in close proximity to high-power RF transmitting antennas. The current outdated US standards for biological hazards associated with electromagnetic radiation, are established by the Institute of Electrical and Electronics Engineers (IEEE) C95.1 Standards Committee.

#### **RFR and arcs that may ignite flammable materials**

In addition to personnel concerns, RF fields may generate induced currents or voltages that could cause equipment interference or sparks, and arcs that may ignite flammable materials and fuels. In the IEEE Technology and Society Magazine, 2002 article *Choosing Threshold Levels for Electromagnetic Hazards*, by Peter S. Excell, discusses the risks associated with RFR and arcs that may ignite flammable materials.<sup>7</sup>

“Radio transmitters radiate power into their environment in the form of electromagnetic fields. In the intended mode of functioning, these fields interact with metallic receiving antennas, generating currents in the desired band of frequencies. These currents, which are extremely weak in typical cases, can then be amplified and demodulated in suitable electronic circuits such that the desired audio, video or data information is recreated in baseband form. The electromagnetic

---

<sup>7</sup> See [http://www.eng.utah.edu/~ece3300/EM\\_Website/threshholds.pdf](http://www.eng.utah.edu/~ece3300/EM_Website/threshholds.pdf)

fields cannot distinguish between a receiving antenna and any other metallic structure, and hence radio frequency currents are induced in all metallic structures encountered in the propagation of the radiated waves. Relatively close to a transmitter, these currents can be relatively strong and they can lead to substantial voltages at terminating ends and discontinuities in the metallic structures. Clearly, in extreme cases, a sufficiently high voltage may be generated such that a spark could jump a gap between two metallic structures. In practice, this requires such high power that it is only viable extremely close to powerful transmitters.

A much more significant mechanism for the production sparks is the so-called “break spark,” in which some form of opening contact occurs within the metallic structure or between two separate structures that are initially in contact. This mechanism allows the spark to be started with a relatively small voltage, creating an initial plasma which can then be expanded as the metallic parts are drawn apart. If the spark is surrounded adventitiously by a flammable gas/air mixture there is the possibility that the mixture may be ignited and cause an explosion. This is obviously a matter of serious concern, although it will only occur if the gas/air ratio is within a known range of values and the power generated in the spark is above a known threshold.

*Although very few incidents of explosions caused by this mechanism have ever been recorded, it is physically obvious that the mechanism is entirely possible* and hence it became a source of major concern to military authorities, and later to the oil and gas industries.” [*Emphasis added*]

### **Conclusions**

Therefore the relief requested is that D.06-07-027 be Modify to Order PG&E to stay further deployment of PG&E SmartMeters until PG&E provides the Commission evidence of compliance with FCC regulation 47CFR15.5 b), that D.06-07-027 be Modify to Order PG&E to remove any SmartMeter equipment subject to FCC requirements to cease operating the device

and remove them upon any notification by a FCC representative that the device is causing harmful interference, and that D.06-07-027 be Modify to Order PG&E to conduct an analysis of PG&E's AMI deployment pursuant to the requirements of the California Environmental Quality Act (CEQA) including all health and safety impacts associated with the project and an assessment of risk from the meters including following FCC standards testing protocols for EMC.

Respectfully submitted,



---

Michael E. Boyd President (CARE)  
CALifornians for Renewable Energy, Inc.  
5439 Soquel Drive  
Soquel, CA 95073  
Phone: (408) 891-9677  
E-mail: [michaelboyd@sbcglobal.net](mailto:michaelboyd@sbcglobal.net)

September 17, 2010

## DECLARATION OF MICHAEL E. BOYD

I, Michael E. Boyd, declare as follows:

1. I am a resident of Soquel California
2. My qualifications and experience are:
  - a. I have a Bachelors of Science Degree in Physics from the University of California at Santa Barbara.
  - b. I am currently unemployed as a full time Sr. Manufacturing Engineer. My professional resume is attached.
  - c. I am the President of CALifornians for Renewable Energy, Inc. (CARE) a non-profit corporation under section 501(C)(3) of the federal tax code.
  - d. As president of CARE I have participated as a formal Intervenor and as a witness before the State Energy Resources Conservation and Development Commission in numerous AFC proceedings.
  - e. As president of CARE I have participated as a formal Intervenor and as a witness before the California Public Utilities Commission (CPUC) since 2003.
  - f. As president of CARE I have participated as a formal Intervenor, a witness, and a complainant before the Federal Energy Regulatory Commission (FERC), since 2000.
3. I prepared the CALifornians for Renewable Energy, Inc. (CARE) petition to modify Decision 06-07-027.
4. Allegations of new or changed facts must be supported by an appropriate declaration. The new facts addressed in this Declaration which CARE had no way of knowing when D.06-07-027 was issued are that 1,378 electric SmartMeter complaints would be filed against PG&E's AMI project. Additionally CARE had no way of knowing that radiofrequency interference from the deployed gas and electric SmartMeters had any potential risk associated with them of being an ignition source for a natural gas pipeline explosion, nor did CARE know that a PG&E natural gas pipeline explosion would occur.
4. It is my opinion that the petition to modify Decision 06-07-027 is valid and accurate with respect to the issues that it addresses.
5. I am personally familiar with the facts and conclusions related in the petition to modify Decision 06-07-027 and if called as a witness could testify competently thereto.

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct to the best of my knowledge and that this declaration was executed at Soquel, California on September 17, 2010

Respectfully submitted,



---

Michael E. Boyd - President (CARE)  
CALifornians for Renewable Energy, Inc.  
5439 Soquel Drive  
Soquel, CA 95073-2659

**Verification**

I am an officer of the Applicant Corporation herein, and am authorized to make this verification on its behalf. The statements in the foregoing document are true of my own knowledge, except matters, which are therein 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 this 17<sup>th</sup> day of September 2010, at Soquel, California.



\_\_\_\_\_  
Michael E. Boyd President  
CALifornians for Renewable Energy, Inc. (CARE)  
5439 Soquel Drive  
Soquel, CA 95073  
Phone: (408) 891-9677

**Certificate of Service**

I hereby certify that I served the foregoing document “*Application of CALifornians for Renewable Energy, Inc. (CARE) to modify Decision 06-07-027*”. Each person designated on the A.05-06-028 service list, has been provided a copy via e-mail, to all persons on the attached service lists on September 17, 2010 transmitting the copies via e-mail to all parties who have provided an e-mail address. First class mail will be used if electronic service cannot be effectuated.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 17<sup>th</sup> day of September 2010, at Soquel, California.



\_\_\_\_\_  
Michael E. Boyd President  
CALifornians for Renewable Energy, Inc. (CARE)  
5439 Soquel Drive  
Soquel, CA 95073  
Phone: (408) 891-9677

**A0506028 Service List**

sdebroff@rroads-sinon.com,  
CManzuk@SempraUtilities.com,  
kpp@cpuc.ca.gov,  
pfa@cpuc.ca.gov,  
nsuetake@turn.org,  
SAW0@pge.com,  
jeffgray@dwt.com,  
jmrb@pge.com,  
chris@emeter.com,  
Service@spurr.org,  
michaelboyd@sbcglobal.net,  
bhines@svlg.net,  
jweil@aglet.org,  
bill@jbsenergy.com,  
mrw@mrwassoc.com,  
martinhomec@gmail.com,  
john.quealy@canaccordadams.com,  
mark.sigal@canaccordadams.com,  
stuart.bush@rbccm.com,  
sschare@summitblue.com,  
Ward.camp@cellnet.com,  
jamodisett@bryancave.com,  
klatt@energyattorney.com,  
Case.Admin@sce.com,  
janet.combs@sce.com,  
RGiles@SempraUtilities.com,  
CManson@SempraUtilities.com,  
mdjoseph@adamsbroadwell.com,  
cpuccases@pge.com,  
bruce.foster@sce.com,  
marcel@turn.org,  
bwt4@pge.com,  
cjw5@pge.com,  
DJRo@pge.com,  
IFM1@pge.com,  
jrcj@pge.com,  
KAF4@pge.com,  
pxo2@pge.com,  
edwardoneill@dwt.com,  
shaunao@newsdata.com,  
lisa\_weinzimer@platts.com,  
cjn3@pge.com,  
barryeisenberg@comcast.net,  
regrelcpuccases@pge.com,  
jharris@volkerlaw.com,

dmarcus2@sbcglobal.net,  
rschmidt@bartlewells.com,  
sarveybob@aol.com,  
jeff@jbsenergy.com,  
gabriellilaw@sbcglobal.net,  
sandi@emfsafetynetwork.org,  
kmills@cbbf.com,  
tommer@usclcorp.com,  
rabbott@plexusresearch.com,  
agc@cpuc.ca.gov,  
as2@cpuc.ca.gov,  
adf@cpuc.ca.gov,  
ctd@cpuc.ca.gov,  
cjb@cpuc.ca.gov,  
dug@cpuc.ca.gov,  
jf2@cpuc.ca.gov,  
kkm@cpuc.ca.gov,  
lmi@cpuc.ca.gov,  
mbe@cpuc.ca.gov,  
mlc@cpuc.ca.gov,  
mfv@cpuc.ca.gov,  
rsk@cpuc.ca.gov,  
gig@cpuc.ca.gov,  
scl@cpuc.ca.gov,  
u19@cpuc.ca.gov,  
tmr@cpuc.ca.gov,  
awp@cpuc.ca.gov,  
dhungerf@energy.state.ca.us,