



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF  
CALIFORNIA

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Application of Utility Consumers' Action Network for Modification of Decision 07-04-043 so as to Not Force Residential Customers to Use Smart Meters.	Application 11-03-015 (Filed March 24, 2011)
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**NOTICE OF EX PARTE COMMUNICATION**

Pursuant to Rule 8.3 of the California Public Utilities Commission (Commission) Rules of Practice and Procedure, Center for Electrosmog Prevention (CEP) hereby gives notice of the ex parte communication sent by e-mail and reproduced below. The e-mail was sent on February 10, 2012, at 2:52 pm to the following e-mail addresses:

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Dear Judge Yip-Kikugawa,

I am writing today, on an ex parte basis, to communicate areas of concern that our organization feels need to be addressed in the upcoming proposed decision in the matter of the opt-out proceeding for San Diego Gas & Electric (SDG&E), "Application of Utility Consumers? Action Network for Modification of Decision 07-04-043 so as to Not Force Residential Customers to Use Smart Meters: Application 11-03-015". These areas include:

1. The only opt-out choice being an analog meter.
2. The need for a firm definition of "analog" - ie. analog shall be construed to mean a utility meter that is a "traditional" analog - entirely electromechanical, is not electronic, does not emit rf radiation or cause other emissions along indoor wiring, and has no wireless capability.
3. No financial or other disincentives for those who opt-out to analog, including no rate increases associated with analog use (ie. to top or middle tier of TOU rating for instance); and no cost to utility customer, as customer has already been billed for smart meter program and should receive a credit.
4. Credit from the smart meter program be issued to those signing up for analog meters
5. Analog meters should be seen as a basic device provided free to the utility customer, not as a special or additional service.
6. If any fee is required, though our organization is against fees of any kind:
  - a. that low income customers, including but not limited to the elderly, unemployed, and disabled, have to pay no fee at all for the changeout nor on a monthly basis.
  - b. Any other fee, if levied, for non-low income customers, should be extremely minimal.
  - c. the reading of co-located meters should be one visit, period, as should meters near each other (neighboring). Opt-out costs are excessive and have obviously been padded by utilities.
  - d. that households will not be charged for multiple meter fees or costs, whether gas or electric, or both.

The customers did not cause these problems and the company and its investors should bear the brunt of the mistakes that caused them. Further, the utilities are making more money than before off the smart meter program and that will more than pay for these opt-outs.

7. Speeding the process up at the CPUC level to provide relief on a more urgent basis for those who need to avoid rf radiation, on the advice of their physicians in many cases

8. requirement that utility company informs all customers of their choices in multiple ways, without deterring people to choose analog, including but not limited to advertisements in major media, website info, emailings, and notice to be mailed to each customer. This notice should also include information that some customers have not wanted to have a smart meter for a variety of reasons, including exposure to rf radiation, privacy, and security.

9. establishment of smart meter free zone around one's property, to include neighboring meters that trespass upon one's property with rf radiation, for those who wish to do so, to avoid rf radiation

10. replacement of all co-located smart meters with analog meters, whether it be two or any number above that, automatically, at no cost to customers

11. use of wording that assures customers that they will be assured of these choices in perpetuity.

12. A hearing, within 30 days, on the reasons for customers desiring the opt-out should be held, including those related to health, with independent experts testifying on behalf of utility customers, and state and county health departments, as well as independent physician associations for environmental exposures involved. This should not delay preliminary opt-out relief.

Sincerely,

Susan Brinchman, Founder / Director Center for Electrosmog Prevention (CEP); Southern Californians Against Smart Meters (SCASM); American Coalition Against Smart Meters

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“The truth is incontrovertible, malice may attack it, ignorance may deride it, but in the end; there it is.” Winston Churchill

Dated: February 13, 2012

Respectfully Submitted,

Ex Parte Notice by Center for Electrosmog Prevention

/s/ Martin Homec

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