

Cover sheet for petition

A pgs. 1-2 Lined out statutory 386.820 as statutory fraud

**B pgs 1-3. Real wording sentences describing the analysis of
Why the Current definition is ambiguous Fraud**

C pgs 1-2. Notice of Extortion & Fraud & Swindle with law code violations

D pgs. 1-2 Notice of ALL Advanced meters Fire & Shock hazard liability

E pgs. 1-2 Fair Competition Case law Citations Texas and SCOTUS current case

F pgs. 1-16 Engineers Report on All Advanced meters as inclusive to carry RF

G pgs. 1-3. Whistle blower Fire Insurance on ALL Advanced meters

Hi Elizabeth,

Fraudulent Statutory

A Pg 1

If I'm reading this correctly, and based on the voicemail you left for me, you're wanting a copy of the section of Empire's tariff that the company used to justify their type of non-standard electric meter. I've attached that tariff sheet for you. Also, the company cited a section of Missouri statutes 386.820 that defines a "Traditional Meter" (as opposed to a advanced meter or hub meter) as:

"a commercially available meter that is unable to transmit usage information and is only intended to be read by an individual through a visual display. A traditional meter is not designed or capable of transmitting usage data by using radio waves or broadband over power lines, allowing two-way communication between the meter and the utility or its agents, or allowing a utility or its agents to control a customer's thermostat, appliance, or service. A traditional meter does not include an advanced meter that has certain functionality turned off or deactivated; NOR does it include a NON RF Advanced Meter."

If you have further questions regarding the company's tariffs with regard to your formal complaint case, I believe you can reach out directly to the lawyer representing Empire, Dean Cooper, at 573-635-7166 or dcooper@brydonlaw.com. Otherwise, you also can access the tariff via the PSC's EFIS system. Here's link: [Tariff - YE-2021-0041 - EFIS](#)

I hope that helps.

Regards,

Jay Eastlick

Regulatory Compliance Manager
Consumer Services Department
Missouri Public Service Commission

jay.eastlick@psc.mo.gov

573-751-3160
psc.mo.gov

The definition needs correction that is so much that It would be best to allow me to write the True definition again for my comment was ignored

Statute is Fraud by Concealment & "devisive Ambiguity"

Petition to Amend Statute 386.820

2 Emails the Statute is so Scientifically inappropriate it has tons of concealment which is fraud.

Please Completely Scrap the current Definition to be Based on what a traditional meters Qualifications ARE This entire elaborated one virtued False dichotomy is highly ambiguous and it is actually fraud by omission of 1/2 truths and it is insufficient to provide the FULL SCOPE of the Scientific Virtues of the full scope qualities of the NON RF Advanced meter which does Communicate but leaves a vague mis information only distinguishing about RF or RFR, EMF has two types both RF and ELF so by saying the Communication is NON RF but by contradiction Not staying in proper Context of which type of EMF communication is occurring with NON RF that is like taking EMF RF out of context and that is a Contradiction to the Scientific Fact that a NON RF Advanced Meter disqualifies as a Traditional Meter because it does communicate via EMF ELF which travels hardware trans as D.E. Dirty Ele.

Canceling P.S.C. Mo. No. _____

Sec. _____

Original Sheet No. _____

For ALL TERRITORYRegulatory TARIFF FRAUD & swindle**RULES AND
REGULATIONS**

- d. In permanent type parks, the park owner or operator may apply for service in the park's name for certain mobile home sites classified and used as "transient locations." The park owner or operator can be the only applicant, and payment of the bills for utility service rendered is the responsibility of the owner or operator. Resale of electric service is prohibited.
- e. In order that the proper rate schedule may be applied to each service location, the park owner or operator will assume responsibility for advising the Company of mobile home movement or equipment changes that affect the eligibility of the meter for special service rate schedules.

G. TERMINATION OF SERVICE

Written or verbal notice of termination must be given by the Customer at an office or call center of the Company. Customer will be responsible for payment for all service used by him/her as determined by final readings of meters on the termination date requested by the Customer. Customer shall not, by such notice, be relieved of any accrued obligations under service contract and applicable rate schedules. In the event that a customer fails to notify the Company, their service responsibility will end when a new customer takes service.

Service through any meter being billed to a mobile home park owner or operator will be terminated at his/her request after proper notice to the occupant. In such cases a reconnection charge will be billed to the park owner or operator upon restoration of service.

H. ADVANCED METERING INFRASTRUCTURE (AMI) OPT-OUT* CRUCIAL

Customers receiving Residential Service have the option of opting out of AMI meter reading and electing non-standard metering service. In such instances, the two-way communication portion of the AMI meter will be disabled. Alternatively, T requested by the customer, and if a non-AMI meter is available to the Company, a non-AMI meter will remain or be installed. Customers requesting non-standard metering service after initial AMI installation will be charged a one-time setup charge per meter. For all customers requesting non-standard metering service, a monthly recurring Non-Standard Meter Charge will apply.

For customers that chose to opt-out prior to the AMI meter being set (i.e., there is no additional visit to the premises to disable the two-way communication portion or install a non-AMI meter): the one-time setup fee will not be assessed, but the ongoing monthly fee will still be applicable.

In circumstances where a customer has multiple meters at the same premises, the monthly Non-Standard Meter Charge will apply to the first meter, and the monthly Non-Standard Subsequent Meter Charge will apply to all additional meters of the customer located on the same premises.

Consent by failure to get a Smart In the normal course of business, Company replacement of meters may occur. To the extent that a customer denies, either through physical impediments, verbal denial or threats of violence, access to property or metering installation, or fails to establish a suitable time for access, customers will be notified, in writing, that failure to provide access will result in customer being considered an opt-out customer not sooner than 30 days after Company's notice. Company's notification will include information for the customer to understand the financial impact of the opt-out status.

Charges are listed on the Credit Action Fees Schedule CA.

this is Consumer consent by assumption of a Illusory to eliminate Consumer Free Choice as a right to Due Process that One CANNOT OPT OUT IF CONSUMER never opted 'N' This is an Illusory purporting that a New Contract was consented to by Consumer this is Fraud & Swindle

DATE OF ISSUE August 17, 2020

DATE EFFECTIVE

September 16, 2020

ISSUED BY Sheri Richard, Director Rates and Regulatory Affairs, Joplin, MO

FILED

Missouri Publ
Service Commis

convoluted in that statute specificity

386.820 it is scientifically contradicting

itself by purporting that ~~Non~~ RF Avanced

meets the qualifications of the decisive

terminology defining non RF

communicating etc whilst it fails on ELF

hardwire communicating. This wording in

the ~~statutory~~ statutory is simply put fraud as the

language is purposely creating a false

dichotomy and rendering it as fact via

concealment, that factor of how it is

actually a communicating meter and

therefore disqualifies itself as Traditional

via purporting as a non communicating

meter. The only meter that qualifies as non

communicating is Analog and solely A

Analog is a Traditional meter. We are

actually not changing Traditional to mean

Analog we are correcting that the fraud

that the language of the definition as

B Pg 2
fraudulent as the language is purporting that Digital meters are Traditional meters. Digital meters are not Traditional meters so we are asserting fraudulent definition in statutory and we are telling our Senators it's Absolute and finite that Traditional cannot be Digital: Traditional is Analog. **Commissioners**

perhaps Senatorial regulatory oversight correction **is needed** **too** of fraudulent Definition? Which we must uphold the true definition of Traditional has only ever been Analog. So I.E. our ask is "correction" as in append

We are not changing the definition of Traditional we are just affirming the true definition.

So in a way we are asking for correction of fraudulent statutory which created fraudulent regulatory

The wording used to make this ambiguous was generated by a false dichotomy of

only presenting RF non communication as the exclusive only virtue of non communication.

It's one aspect only of the virtue of communication

They left out the other side of the factors of how the non RF is communicating via ELF hardwiring of the interior home wiring

From:
(Name)
(Address)
(Account Number)

To:
(Name, Title)
(Company)
(Address)

Date:

NOTICE OF FRAUD AND EXTORTION DEMAND FOR IMMEDIATE CESSION OF VIOLATIONS NOTICE OF LIABILITY

The meter you have offered as an "opt-out" is not an opt-out meter because your "opt-out" meter carries and imposes most of the same hazards and harm as your standard electronic utility meter (see numbered list below). **Your use of the term "opt-out" represents intentional deception (Criminal Fraud) and is therefore violation of 18 U.S. Code, Sec. 1341, Frauds and Swindles calling for fines and 20 years imprisonment and, separately, represents Extortion prohibited by Hobbs Act, 18 U.S. Code 1951 (b)(2) also calling for fines and 20 years imprisonment.** Those violations also cause automatic obligation of major civil penalties and liabilities against you and in the favor of anyone who is offered an "Opt-Out" program or contract for your violation of the above Codes and 4th Am. BOR, U.S. Constitution.

The term "opt-out", to be true and accurate in reference to utility meters, must represent that you are offering to provide a safe and lawful Electromechanical Meter:

1. Containing no internal electronic components.
2. Containing no harmful, hazardous, invasive or unlawful components such as radio frequency radiation emitters and/or transmitters which may not, by FCC regulations, be installed on any private property without consent of the property owner.
3. Containing no switch mode power supplies or other devices which steal electricity from utility customers and cause damage to appliances and electronic devices, and which emit wasteful and biologically harmful transients ("dirty electricity") on customer wiring circuits causing electric fields to penetrate living spaces.
4. Containing no surveillance devices and recording no surveillance data without written consent of property owners and occupants.
5. With and including necessary surge protection devices/s as is required in utility meters to protect the safety and property of property owners and occupants from anticipated high-voltage grid line surges which commonly result in fires and electric shock damage to appliances, wiring and occupants.

You are an executive in the utility industry and therefore you cannot claim ignorance of the above violations, therefore you are knowingly committing Fraud and Extortion by demanding fees and offering a so-called "opt-out" program or contract which, in fact, does not provide opt-out of the hazards and harm represented by electronic utility metering as listed above.

Deceptive word games using the term "opt-out" do not change the fact that electronic metering is unsafe, unlawful, hazardous and damaging to health, safety and property values, and that you, by your Fraud, Extortion, misrepresentations and trespass are personally liable for criminal prosecution, civil penalties and all damages related to that hazard and harm for all time during which any electronic utility meter is present on our property and installed in wiring circuits serving our location.

DEFAULT ACCEPTANCE OF TERMS

If you wish to avoid major civil penalties, claims and criminal prosecution, you must, within 7 days of this delivery, provide a safe and lawful **electromechanical utility meter** at no additional cost, fee or penalty to our account/s. Failure to provide such service and equipment timely is confession to, demonstration of, and admission of your Criminal Fraud, Trespass, Violation of Easement, and Extortion as represented above. You may not refuse service or charge fees for complying with our request for safe and lawful metering. By your failure or refusal to provide safe and lawful electromechanical utility metering within 7 days of this delivery you accept all liabilities, obligations, fees and claims as we may choose to submit, and you offer to pay all related claim/s and comply with all of our presented terms without contest or delay.

GENERAL TERMS

The safe and lawful **electromechanical utility meter** you must provide to avoid liabilities is less expensive than an electronic meter and it requires no computer infrastructure, therefore no additional charges are justified or permissible. We are still paying for on-site meter reading as we have always done so no additional charges are allowable for on-site reading of the meter. It is clear that any customer with an electromechanical meter should receive, if anything, discounted service, and not be subject to any additional charges. Your company has no privilege, authority or entitlement to gather personal data of living habits inside our home in violation of law by your collection of "time-of-use" data on usage of our electric appliances, devices and equipment nor do we grant any such privilege or authority to you or your company. Your failure to timely rebut all points herein with fact, law and evidence represent your acceptance of those terms. Agent correspondence have no effect on this instrument. Any point rebutted herein with prevailing fact, law or evidence shall not diminish the effect of any other point herein.

Notice to agent is notice to principal and notice to principal is notice to agent.

Sincerely,

(signature)

NOTICE OF FRAUD AND DEMAND FOR REMEDY, Page 2 of 2

From:
(name)
(Address)
(Utility account number)

To:
(name and title of utility company CEO or top officer)
(Utility company address)

(date)

**URGENT NOTICE OF HAZARD OF FIRE AND EXPLOSION
NOTICE OF MAJOR LIABILITY
IMMEDIATE ACTION IS REQUIRED**

It has come to our attention that you are causing major hazard to our lives and property. You must immediately correct this problem and remove all hazardous equipment and systems as you maintain our electric service.

1. You have authorized and ordered the installation of an electronic utility meter on our property without proper notice and without the consent of the property owner and occupants.
2. The device you have authorized to be installed is an unlawful and hazardous electronic utility meter which has replaced your safe and lawful electromechanical meters.
3. Electronic utility meters contain flammable electronic components which are destroyed by explosion and fire in the instance of a high voltage grid line surge.
4. Electronic utility meters have no surge protection as traditional electromechanical meters had.
5. Nationally, thousands of fires and explosions are caused every year by the installation of unsafe and unlawful electronic utility meters. Current "standard" and "advanced" electronic utility meters are all unsafe and unlawful due to lack of surge protection. There is no such thing as a safe and lawful electronic utility meter because they all lack surge protection and grid surges are common and regular.
6. You are a top officer at a utility company, therefore it is reasonable to assume that you are aware of the lack of surge protection in electronic meters and the hazard of explosions and fires those meters represent. If you were not previously aware of that, you are aware of that after the delivery of this notice.
7. Being aware of the severe and urgent hazard caused by electronic utility metering you are in Gross Negligence, Trespass and Criminal Fraud by allowing and authorizing the installation of an electronic utility meter on our property without full disclosure and without our consent.

We require immediately that, at your expense, full and effective surge protection be installed to remove all hazards, or that all hazardous metering devices, equipment and systems be removed and replaced with safe and lawful electromechanical metering equipment with internal surge protection.

By your failure, within 7 days, to provide surge protection or to remove and replace all hazardous electronic metering equipment as described above, or replacement of hazardous electronic metering with safe and lawful electromechanical metering, you are agreeing to pay a penalty fee of \$1,000,000.00 plus all damages, expenses, costs of collection and legal fees in the case of any surge-caused fire, explosion, burning, damaging or disabling of the electronic utility meter which you have authorized to be installed on our property. Electric utility meters are positioned on our property, so any hazard to the meter is hazard to our property.

You personally and your company, staff and shareholders are fully and separately liable for this obligation. You will pay all claimed amounts within 21 days of delivery of supported claim or be subject to triple damages and penalties, all due on the original date of claim with interest and additional penalties accruing.

Any response or rebuttal to this Notice must be received within 21 days, sworn by you for truth under penalty of perjury, notarized, and prevailing in argument as determined by an arbiter or judge of our choice. Unsupported denial shall not prevail. Your rebuttal must, with fact, evidence and law, prove the above assertions to be incorrect. You must promptly provide any additional information or materials we request in support of your positions. Proof of incorrectness of any point herein shall not diminish the effect of any other point herein. Any failure of timely prevailing rebuttal to this notice constitutes agreement with all representations, allegations, statements, declarations and assumptions herein and agreement to perform as prescribed herein.

Notice to principal is notice to agent and notice to agent is notice to principal.

Sincerely,



X UTILITIES CODE CHAPTER 39 Courier New (Serif)

Broke of the Electric Monopolies in Texas UTILITIES CODE

TITLE 2. PUBLIC UTILITY REGULATORY ACT

SUBTITLE B. ELECTRIC UTILITIES "

CHAPTER 39. RESTRUCTURING OF ELECTRIC UTILITY INDUSTRY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 39.001. LEGISLATIVE POLICY AND PURPOSE. (a) The legislature finds that the production and sale of electricity is not a monopoly warranting regulation of rates, operations, and services and that the public interest in competitive electric markets requires that, except for transmission and distribution services and for the recovery of stranded costs, electric services and their prices should be determined by customer choices and the normal forces of competition. As a result, this chapter is enacted to protect the public interest during the transition to and in the establishment of a fully competitive electric power industry.

(b) The legislature finds that it is in "the public" interest to:

(1) implement on January 1, 2002, a competitive retail electric market that allows each retail customer to choose the customer's provider of electricity and that encourages full and fair competition among all providers of electricity;

(2) allow utilities with uneconomic generation-related assets and purchased power contracts to recover the reasonable excess costs over market of those assets and purchased power contracts;

(3) educate utility customers about anticipated changes in the provision of retail electric service to ensure that the benefits of the competitive market reach all customers; and

(4) protect the competitive process in a manner that ensures

necessary choice to hand-deliver the petition to Washington, D.C. to ensure timely filing.

This case raises urgent questions about consumer choice, privacy, and due process.

At its core, it challenges whether state utility commissions may override federal and state statutes requiring customer request for advanced metering devices, by substituting “opt-out” presumptions that effectively eliminate consent.

As I've often asked: *How can one opt out if they never opted in?*

Our legal argument is grounded in federal law (PURPA, EPAct, EISA) and Pennsylvania's Electricity Generation Customer Choice and Competition Act, a.k.a, **Act 129** (§§ 2801 and § 2807(f)(1), (2)(i) and (3)).

These laws clearly state that smart meters are to be installed upon customer request, not by corporate assumption. Yet regulators have created a de facto framework that undermines these protections, resulting in unequal treatment of customers across state lines.

CamScanner

Commissioner's Please by ALL MEANS
have your TOP PSC Engineer Review this Report!

ENGINEER REPORT

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

RE: No. 34 MAP 2021, *Povacz, M, et al. v. PUC*
Associated Case(s):

35 MAP 2021 Consolidated
36 MAP 2021 Consolidated
37 MAP 2021 Consolidated
38 MAP 2021 Consolidated
39 MAP 2021 Consolidated
40 MAP 2021 Consolidated
41 MAP 2021 Consolidated
42 MAP 2021 Consolidated
43 MAP 2021 Consolidated
44 MAP 2021 Consolidated
45 MAP 2021 Consolidated

Engineer Report – Smart Meters Operation & RF Emissions

Purpose of Statement

1. My name is Erik S. Anderson, P.E. I am a forensic electrical engineer working on root cause failure analysis of matters that cause loss of property, personal injury, and loss of life.
2. I am submitting my expert opinion regarding the operation of smart meters and digital meters and in support of the *amici*.
(Advanced meter)

Credentials

3. I am the president of an engineering firm that offers professional engineering and investigation services across the United States and manufactures current transformers.¹

4. It is my expert opinion that these smart and digital meters cause a significant amount of radio-frequency (RF) "noise" on homes' electric wiring system, thereby transforming them into a whole house antenna.

5. I have a Bachelor's of Science degree from North Dakota State University, Fargo, North Dakota, in Electrical and Electronic Engineering. I am a licensed Professional Engineer in the states of Minnesota, Illinois, Arizona, Wisconsin, Indiana, Iowa, New Mexico, Texas, Louisiana, California, Kentucky, Michigan, and Nevada. I am a licensed Class A Master Electrician in the state of Minnesota. I also hold a Private Investigator License in Arizona and I am a Certified Fire and Explosion Investigator.

6. I have 30 years of experience as a forensic engineer. I have over 20 years of experience of design and manufacture of current transformers. I have been involved in many thousands of matters concerned with determining the root cause of failures of electrical devices that may have caused a loss of property, personal injury, or loss of life. I have given expert witness testimony in approximately 113

¹ <https://www.aenpi.com/>

separate matters. I personally have tested smart meters and given expert testimony regarding their operation and emissions. My *curriculum vitae* is attached (Exhibit 1).

7. As a designer and manufacturer of transformers, their operation is one of my main areas of expertise. Switch Mode Power Supply modules used by smart and digital meters are merely another type of transformers. I have investigated the involvement of the operation of the Switch Mode Power Supply in these meters and their involvement in the creation of radio frequency (RF) emissions.²

8. My expert determination principally relies on my own smart meter testing. I do also rely on reviews by other experts, their' testing reports and my professional education and vast experience.

Smart Meter Operation

9. Smart meters create intense exposure to pulsed radio frequencies (RF) in a few ways. RF antennas are embedded within the smart meter to transmit data usage to utility companies and/or to communicate with other smart meters or with other "smart" devices like home thermostats. These antennas emit pulsed RF radiation. The various radiofrequencies emitted by these antennas also conduct through the home electric wiring. RF "wire conducted" frequencies come also

² An explanation of what are radio frequencies and about the electromagnetic spectrum can be found in the scientists' statements which is also attached to the *amicus* brief as well as in the *amicus* brief itself.

from the conversion process from alternating current (AC) to direct current (DC) handled by the Switch Mode Power Supply (SMPS).³ Non-transmitting digital meters also use SMPS, and therefore they too create RF, even though they do not contain a transmitting RF antenna for communications. These radio frequencies are transmitted on the residence's electrical distribution system and conduct over the internal wiring, thereby turning the home into a whole-house antenna.

RF Emissions from the Transmitting Antennas

10. The RF antennas that wirelessly transmit the consumer's electrical power usage data to the utility company use frequencies in the 900 MHz & 2,400 MHz range. These emissions are intense and can occur often, up to 190,000 times a day.⁴ From my experience and testing done by others, these meters transmit more times than the electric companies report. This can easily be shown by measuring the emissions with a simple RF meter.

11. "Isotope Wireless,"⁵ which provides industry and municipalities with design, specification, evaluation, and construction support for wireless facilities, tested smart meters in three houses.⁶ This testing showed that RF emission from the smart meters' transmitting antennas could be detected throughout the house and

³ In some meters the conversion is done using capacitors instead of SMPS.

⁴ <https://childrenshealthdefense.org/pa-amicus-sage-smart-meters/>.

⁵ <https://www.isotope.im/about-2/>.

⁶ <https://childrenshealthdefense.org/pa-amicus-isotope/>.

were “well above” the ambient RF radiation levels.⁷ These pulsed RF emissions exceed the absolute energy output limits⁸ stated in Federal Communications Commission (FCC) guidelines (if the emissions are not averaged over a 30-minute exposure as prescribed by those guidelines).⁹

RF from Wireless Antennas Enter the House’s Electrical System

12. The Isotrope testing also showed that the house’s electrical wiring conducted substantial levels of the RF emissions at 915 MHz – the communications-related frequency for that meter¹⁰ – and this frequency was then radiated from outlets (electrical power delivery points) and along the house wiring (branch circuitry).

⁷<https://childrenshealthdefense.org/pa-amicus-isotrope/#page=12>.

⁸<https://childrenshealthdefense.org/pa-amicus-sage-smart-meters/#page=3>.

⁹ On August 13, 2021, the Court of Appeals for the DC Circuit ruled that the FCC’s 2019 decision that its guidelines adequately protect the public’s health are arbitrary, capricious and not evidence-based. The Children’s Health Defense is a Petitioner in this case. *Envtl. Health Tr., et al v. FCC*, Nos. 20-1025, 20-1138, 2021 U.S. App. LEXIS 24138 (D.C. Cir. Aug. 13, 2021). The opinion specifically questioned whether the FCC’s testing procedures adequately captured the effect of pulsation or modulation. 2021 U.S. App. LEXIS 24138, *12, *29.

¹⁰ Smart meters use a variety of frequencies for communications depending on the manufacturer’s choice. PECO’s meters operate at around 901 MHz. They also contain a “Zigbee” antenna that can be turned on and then communicate with nearby wireless devices. Zigbee uses 2400 MHz band.

13. Thus, the pulsed RF emissions from the smart meter's transmitting antenna not only enter the house wirelessly but also enter into and are conducted along the house's electrical wiring

RF "Noise" From the Switch Mode Power Supply

14. Other RF frequencies besides the RFs from the transmitting antennas, also enter the house electric system. In my testing I have witnessed and analyzed smart meters' effects on the incoming electrical power voltage waveform. These frequencies are a byproduct of the AC/DC conversion process which is done by the Switch Mode Power Supply (SMPS). The conversion process is necessary because utility service employs alternating current whereas the electrical components in smart meters use direct current.¹¹

15. SMPS converts the 240 Volt AC power coming into the meter from the main power transformer, into the much lower DC voltage that the electronic devices require to function. The rapid back-and-forth conversion process used to remove the "alternating" aspect creates *unintended* RF frequencies. The on/off, back-and-forth, pulses can occur up to 150,000 times per second, which means frequencies of up to 150,000 Hz (150 KHz¹²), are created. These kilohertz

¹¹ Smart meters also rely on AC for some of the non-electronic functions they perform.

¹² 1,000 Hz is a kilohertz ("KHz"). 1,000,000 Hz is a megahertz ("MHz"). 1,000,000,000 Hz is a gigahertz ("GHz").

frequencies are within the RF band of frequencies.¹³ Most of the observed “noise” spikes are in the range of 2 to 50 kHz (2,000 to 50,000 Hz).¹⁴ The switching RF “spikes” are variable, and they are being imposed on the 60 Hz house electricity wave,¹⁵ creating significant unintended RF “noise.”

16. These frequencies are present all the time but are worse when less electricity is being used (e.g., at night) and when the smart meter’s electronics need more power, for example, when transmitting RF bursts to the utility. These RF transmission bursts cause spikes over the electric wiring, and they are created because the SMPS has to suddenly supply more DC power.

Digital Meters Use SMPS and Therefore Also Created Unintended RF

17. Digital meters also use SMPS. Therefore, even though they do not contain an RF communications antenna, the AC/DC conversion process creates significant and variable RF spikes over the electrical wiring, which is then radiate into the house.

¹³ FCC defines RF as frequencies between 3 KHz – 300 GHz.

¹⁴ Finding of Fact 87 in *McKnight v. PECO* (once of the cases on hold below) state that “PECO’s AMI meters do not produce 5 Hz, 3 kilohertz, or 5 megahertz field (April 13, Tr. 75-76).” While I have some doubt this is actually so, this finding do not rule out emissions in the other frequencies I list.

¹⁵ Electricity comes to the house at a frequency of 60 Hz.

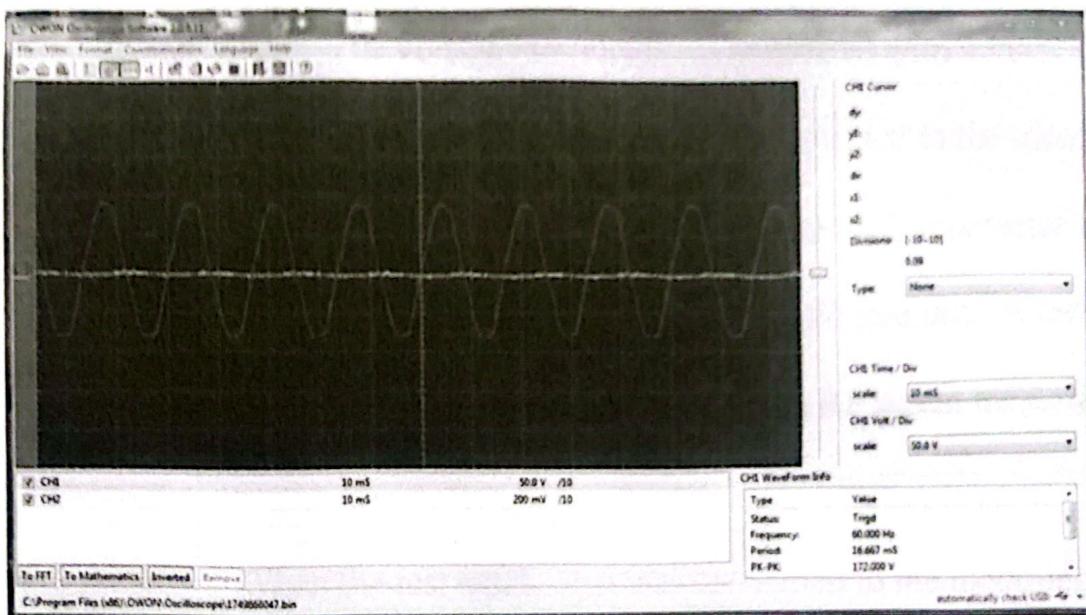
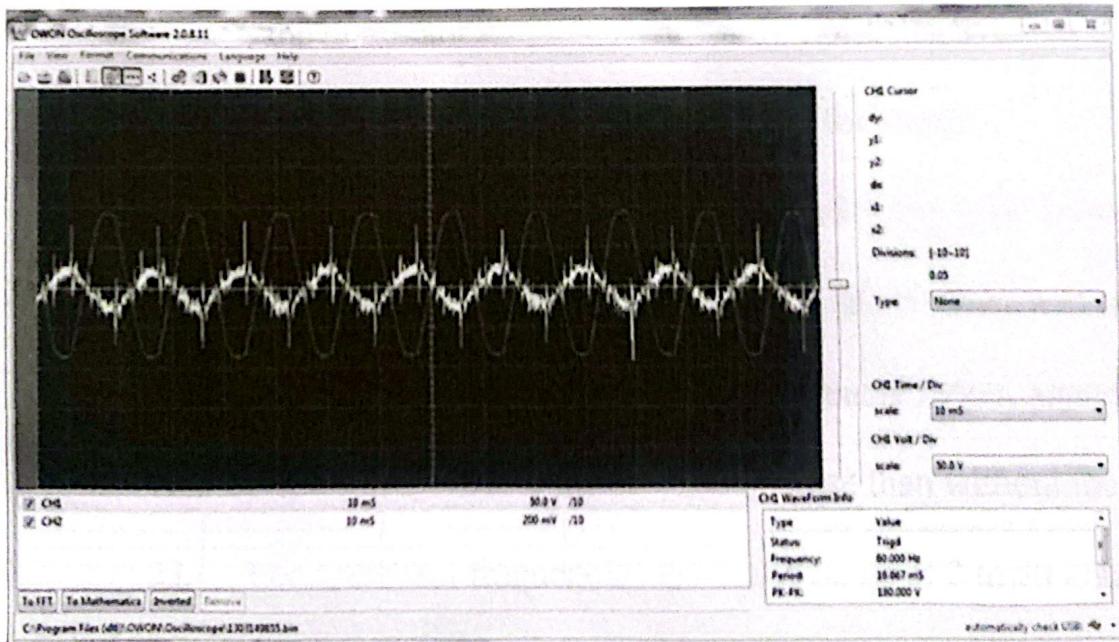
Analog Meters Do Not Have SMPS and Do Not Create RF Spikes

18. In contrast, unlike wireless smart meters and digital meters, analog meters do not contain an SMPS or other electronic components that create unintended RF frequencies. No AC/DC conversion is necessary, and unlike smart and digital meters, analog meters have a separate wired grounding rod that eliminates much of the “noise” that may come from the energy feed.

19. The images below compare a smart meter like that used by PE with an analog meter. The red waveform is the 60 Hz house electricity frequency. The yellow waveform indicates the RF frequencies imposed over the 60 Hz. **Image 1** shows that an analog meter does not create RF spikes. **Image 2** shows the meter causing significant RF spikes “noise” over the 60 Hz frequency house wiring system.¹⁷

¹⁶ <https://childrenshealthdefense.org/wp-content/uploads/pa-amicus-bath-smart-meters.pdf>. Pages 17-18.

¹⁷ <https://childrenshealthdefense.org/wp-content/uploads/pa-amicus-bath-smart-meters.pdf#page=14>.

Image 1: Analog Meter – No RF Spikes**Image 2: Smart Meter – Intense RF spikes.**

My Smart Meter Testing:

20. My test setup consisted of a meter socket enclosure suitable for 120/240 Volt, single-phase, three-wire connection. A smart meter, Landis & Gyr,

Gridstream RF, Focus AXR-SD, Form 2S, CL200, 240 V, 3 W, 60 Hz, power meter was used.¹⁸ The voltage waveform was captured with a Fluke 215C Scopemeter. One input to the Scopemeter was connected to the incoming voltage, 120 Volts-to-Ground, unfiltered. The other input to the Scopemeter was connected to the incoming voltage with the 60 Hz waveform filtered out. A radiofrequency emissions meter was also used to indicate when an RF signal increase was detected.

21. When the test equipment was connected to the incoming power, the waveform of the incoming electrical power was observed. The 60 Hz signal was recognized as the dominant frequency with some noise observed on the waveform. The 60 Hz was filtered out to analyze the noise on the signal.

22. When the smart meter was not connected, the noise level was approximately 45 milliVolts at its peak. When the smart meter was added to the circuit, the noise on the 60 Hz sine wave was noticeably larger, approximately 85 milliVolts. This is nearly double the amount of noise than without the smart meter.

23. The dominant frequencies are in the range of 2 to 50 kHz. These are the frequencies that the “smart meter” generates when it is transmitting.

¹⁸ PECO uses this meter, or one quite like it. R995a, 1046a.

Conclusion and Opinion

24. There is no doubt that smart and digital meters create pulsed RF emissions and these emissions, from the smart meters' antennas and the RF created by the SMPS, both enter the house's electric system. The result is that the entire house is transformed into a radiating RF antenna.

25. Any meter with a switch mode power supply will create RF frequencies in the Kilohertz range that enter the electrical wiring system of the house. Smart meters and digital meters inject significant levels of RF onto the home's electrical distribution system.

Advanced & NonRF are ELF creating transients D.E. Dirty Electricity on hardware of communication into the home interior wiring

26. This report is based on information learned to date. I reserve the right to amend, clarify, or change my opinions based on more work or information learned.

Respectfully Submitted:



Erik S. Anderson, P.E.

EMF has two types

RF and ELF but often an Engineer will simply use "RF" type as the General Category of the EMF.

ENGINEER REPORT – Exhibit 1



Anderson Engineering™
of New Prague Inc.

ANDERSON ENGINEERING OF NEW PRAGUE, INC.

9007 S. Third Street
Phoenix, Arizona 85042
Office: (602) 437-5455
Mobile: (952) 292-6416
Email: eanderson@aenpi.com

ERIK S. ANDERSON Registered Professional Engineer

REGISTRATION: Licensed Professional Engineer

State of Minnesota	1991	21471
State of Illinois	1999	062052733
State of Arizona	2003	39627
State of Wisconsin	2008	39418-006
State of Indiana	2008	PE.10809314
State of Iowa	2008	18758
State of New Mexico	2008	19001
State of Texas	2009	102714
State of Louisiana	2009	PE.0034787
State of California	2010	105359
State of Kentucky	2012	28492
State of Michigan	2013	6201060247
State of Nevada	2013	022690

Other Licenses:

Licensed Class A Master Electrician – State of Minnesota	1995	AM005344
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Private Investigator – Arizona	2011	1615601
Private Detective – Illinois	2017	115.002549
Private Investigator – Minnesota	2019	PDC 2098

Certified Fire and Explosion Investigator (NAFI -CFEI)	2012, 2017	17853-9760
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EDUCATION: B.S. in Electrical and Electronic Engineering North Dakota State University, Fargo, North Dakota, 1987.

Chemical Engineering Course Work
University of Minnesota, Minneapolis, Minnesota, 1981-
1983.

**CONTINUING
EDUCATION:**

Hazardous Materials: HAZWOPER: 40-hour worker 2008
Annual 8-Hr. HAZWOPER Refresher Course: 2009, 2010,
2011, 2012, 2013, 2014, 2015

Asbestos Awareness: 05/09, 3/14, 09/16, 01/2020

Annual Fire Investigation Seminar Instructor
Maricopa AZ: 04/08, 03/09, 03/12, 03/13

Minnesota Chapter IAAI Fire & Arson Conference
3/88, 3/89, 3/90, 3/01, 3/05, 3/06.

Instructor: Fire/Arson Level 3
Mesa, Arizona, 10/03.

Illinois Chapter IAAI Northern Zone Winter Seminar
Instructor: Electrical Appliance Fires, 2/03.

Completed Code & Code Change Class
Minnesota Electrical Association – National Electrical Code
1/99, 2/01, 1/03, 1/05, 1/07, 1/09, 1/11, 2/13, 5/15, 2/17, 3/19, 2/21

Illinois Chapter IAAI Fire Investigation Conference
Instructor: Forensic Electrical Engineering Principles & Practices,
9/99.

Graduate Course Work, University of Minnesota
Minneapolis, Minnesota, 1995-1997.

Master Electrician Course, Hennepin County Technical
College, Eden Prairie, Minnesota 3/95.

Completed Designing Electrical Systems for Hazardous
Locations University of Wisconsin-Madison, 4/92.

Completed Electrical Fires Accidental and Deliberate
Sponsored by Georgia Chapter of IAAI, 12/91.

Completed Fire and Arson Investigation Course,
Nebraska State Fire & Arson Investigators Conference, 10/87

EXPERIENCE:
01/05 - Present

Anderson Engineering of New Prague, Inc., Phoenix, AZ
President & Forensic Electrical Engineer. Responsible for all
aspects of business operations including engineering services
to clients, product testing, fire investigation, and failure
analysis.

Our case load also includes construction defect cases involving the evaluation of the workmanship of the electrical subcontractor and personal injury cases involving electric shock and/or electrocutions.

4/87 - 1/05 Anderson Engineering of New Prague, Inc., New Prague, MN Electrical Engineer. Responsible to client for engineering services including product testing, fire investigation, and failure analysis.

Midwest Current Transformer, Division of Anderson Engineering of New Prague, Inc., New Prague, MN. Designer, manufacturer, and quality control engineer of current transformers.

1/84 - 11/84 O.S. Anderson Engineering, Inc., New Prague, MN. Research and Design Coordinator. Duties included work on transponder design for communications system through earth.

6/83 - 9/83 Koch Refinery, Southeast St. Paul, MN. Conducted ultrasound testing on oil refinery systems.

1981 & 1982 (Summers) O.S. Anderson Engineering, Inc., New Prague, MN. Assistant Engineer. Designed software for and compiled data of E-fields generated by high voltage transmission lines, assisted in investigations of various cases involving questions of product liability.

PROFESSIONAL AFFILIATIONS: Member Institute of Electrical and Electronic Engineers. Member National Society of Professional Engineers. Member Minnesota Society of Professional Engineers. Member International Association of Arson Investigators. Member National Fire Protection Association. Member National Association of Fire Investigators. Member American Society of Heating, Refrigerating and Air-Conditioning Engineers, Inc.

EXPERT TESTIFYING WITNESS:

Arbitrations:	02
Depositions:	91
Trials:	27
Arizona	01
Corporation	
Commission	

NORM LAMBE (INSURANCE INDUSTRY / SMART METER FIRES WHISTLEBLOWER)

(Lithium batteries, the smart meter's weakness To Save Money or Not: While reviewing the written material concerning the use of smart meters in this country I came across some interesting information, and I give credit to the honest reporting of the subject matter. The first issue dealt with the economics of a smart meter in your home, does it function as a money saver at all as advertised? The following answer was provided what I call a yes and no ---

"Overall, while smart meters themselves don't directly reduce bills, they facilitate more efficient energy management, which can lead to reduced consumption and lower costs for consumers"

[How do Smart Meters Work? - Electricity Smart Meter for Your Home \(theenergyprofessor.com\)](#) (see note below)

Safety Issues: The next issue I was concerned about was the use of lithium batteries in the smart meters that are placed in homes and businesses. Are the lithium batteries safe for use in the meters? The following was my answer --- "Lithium-ion batteries were responsible for at least 220 fires in New York City in 2022 alone. According to city numbers, such fires caused at least 10 deaths and 226 injuries in 2021 and 2022. The U.S. Consumer Product Safety Commission recorded 25,000 incidents of fire or overheating in lithium-ion batteries between 2012 and 2017."

The above research was concerning mobility devices and the impact of lithium batteries on them:

[Scientists make 'water batteries' that never catch fire](#)

If lithium batteries are susceptible to such damage in mobility devices, then I do not believe I would want them in my home watching over my family and myself as we sleep since the smart meters are on 24/7!

Laws Concerning Removal of Possible Evidence:

The response that I usually receive about the problem with smart meters and their power source, lithium batteries, is that nothing conclusive has been proven to show smart meters are responsible for fire loss of property and lives. Well, I believe that I have the answer for that one. When a fire

department unit is responding to a reported fire, it is their responsibility to notify the local utility company to shut off the power to the location that is burning in order to prevent further spread of the fire, which is the right thing to do to prevent further loss.

However, in addition to cutting off the power, it is the utility's plan of action to remove the smart meter feeding the burning location, as the utility company claims that the meter is their property, which it is.

In many of the claims that I handled, the utility company has responded to the loss location and removed the meter prior to the fire department's full fire suppression efforts being in place. I have experienced a few instances in which the smart meter feeding the damaged unit had been taken from the loss scene, repaired, and put back into service.

In order to obtain the meter for inspection to determine if it was the source of the problem, we needed to have the named insured issue a written request to the utility company to not dispose, repair or sell the meter as the insurance company is requesting the opportunity to determine if the smart meter was the cause of the fire. My last effort at attempting this for an insured took 18 months to inspect the meter, and testing revealed it was the cause of the fire.

The removal of electric smart meters from a fire scene was a problem and still is. The following information indicates the official position of the fire prevention industry regarding this on-going issue.

According to legal perspectives and guidelines on fire scene documentation, any changes to the fire scene, such as the removal of property during overhaul, must be noted and ascertained.

Documenting the fire scene: a legal perspective

The scene must be maintained as close as possible to its original form to avoid destroying or altering evidence.

<https://nyfireinvestigators.org/wp-content/uploads/2019/09/Chapter-23-NYSAFC-Scene-Preservation-PPT-FINAL.pdf>

Specific procedures are outlined for covering items or areas containing evidence and isolating them to prevent contamination.

<https://nji.ojp.gov/topics/articles/guide-investigating-fire-and-arson>

Insurance companies need to come to the conclusion that it is necessary to review ALL of the potential causes of fire and not to be content when we are advised the utility company has removed the smart meter from the scene. What price a human life.

Respectfully,

Norman Lambe, nwlambe@gmail.com

Lithium batteries, the smart meter's weakness (substack.com)

Note: The quote "Overall, while smart meters themselves don't directly reduce bills, they facilitate more efficient energy management, which can lead to reduced consumption and lower costs for consumers" attributed to energy professor appears to have been modified to read: "*In essence, while a smart meter itself doesn't cut costs on your energy bill, it equips you with the necessary insights to make smarter, cost-effective energy choices.*" and "*These devices record your energy consumption in real-time. And provide a more accurate and detailed view of your energy habits. This information is key to understanding your home's energy usage patterns. While also allowing you to make smarter decisions when it comes to saving money on your energy bill*" The revamped wording shifts more responsibility to the consumer.