

Eddie Sleeper

From: stanely@juno.com
Sent: Monday, January 22, 2018 10:41 AM
To: Eddie Sleeper
Subject: Testimony for January 30, 2019 Energy Cmte Meeting

Regarding my mother's house:

In response to documented health issues and privacy issues associated with DTE's Advanced Metering System, my family had what is called a Tatar Guard installed in hopes of protecting our analog electric meters on Common Road on September 14, 2014.

On October 14, 2014, while I was at work and my mother was shopping, one of the installers working for DTE ignored the trespassing notice on the Tatar Guard, vandalized the protective guard, stealing the shackle locks formerly securing the Tatar Guard, and installed Itron RF meters in place of our two analog electric meters.

This is not the operating method of a responsible company. It's more akin to organized crime. However, it's worse; because at least with the mob, if you pay them their protection money, you know you're safe until the next billing period. Such is not the case with DTE. To try to avoid the radiation health problems associated with their "smart meters", you pay them a special installation fee. In return, they turn off one of the two transmitters on their smart meter, thereafter charging a monthly fee – and you still have a smart meter, with all of its privacy invasion and RF electronic system interference generated health issues. And those opting to go that dysfunctional route must pay an initial opt-out fee of \$67.20, plus \$9.80 per month.

In terms of health issues, I've been experiencing fatigue, as has my mother. In fact she stated that she's never felt as tired as she has in the last few months. She's also been experiencing some cognitive dysfunction, stating she's having trouble thinking. She's in her 80's but never showed Alzheimer's type symptoms prior to the Itron meter being installed.

On February 23, 2015, I sent a certified letter to DTE detailing my concerns with their forced RF meters and with their business methods, requesting the "smart meters" be replaced with analog meters. In "response" to that letter, I received a DTE propaganda sheet and a form letter from a Mr. McCormick, addressed to my father who died in 2011 instead of to me, basically insulting my intelligence and saying "Foolish person, trust your utility."

On March 23, I sent another certified letter requesting that McCormick address the concerns from my previous letter, which had all been ignored. I received no response.

DTE claims their new system is safe, but denies and ignores all data to the contrary regarding fires and health issues. DTE claims the intrusive database they will develop is safe, but no computer system is hack proof, as indicated by the news report that Russia had hacked the White House's computer system.

If the radiation output of the AMS system is so safe, why does DTE dilute the radiation peak values over time to give the false appearance of less RF output than a cell phone?

I'm unclear whether Mr. McCormick is motivated by deception or denial regarding the problems associated with DTE's so-called Advanced Metering System. The impression McCormick conveys is "I'm a big man, working for a big company. I don't have to answer to the little people". It's clear that he views DTE's ends as justifying the means, placing short-term gain above any illusion of customer concern.

And, judging by the most recent propaganda letter from DTE - where they have the audacity to claim the change is an upgrade, stating "Meter upgrade brings exciting new benefits" – complete with a refrigerator magnet celebrating the monstrosity known as the "Advanced Metering System" – it is clear that their propaganda team is in full swing, while their technical department is out to lunch.

Regarding my house:

November 1st, the gangsters of DTE shut off the power to my house at 29262 James Dr, Warren, MI, 48092. I never received a legal shut-off warning, merely an intimidation letter on October 14th, and an identical copy on October 21st. In the letter, DTE lies they received no response from me. DTE was notified by me, by registered mail when this program was first started that replacing my analog meter with one of their radiation death meters was not acceptable. The letter details the following extortion fees - \$67.20 initial and a monthly fee of \$9.80. DTE inaccurately claims that Michigan law 460.137 is being used as the basis for justifying shut-off. This, like most of DTE's "Advanced Meter" claims is a lie. I have not "refused to arrange access at reasonable times for the purpose of inspection, meter reading, maintenance, or replacement of equipment that is installed upon the premises." Substitution of a meter with a high radiation emitting monitoring device is not "replacement", and such equipment is illegal. Illegal substitution is the only thing that has been refused. There is no federal or state mandate that customers must accept these devices. The Michigan legislature has defined what is meant by the word "meter" and 'smart meters' do not fit the legal definition of 'meter'. The privately owned utilities ultimately have no legal position to back up their arbitrary policies.

Michigan Penal Code, Act 328 of 1931 prohibits the installation of surveillance devices like smart meters. MCL 750.539a defines "Private Place", "Eavesdrop", "Surveillance" and "Person." MCL 750.539d prohibits installation of a device for the purpose of observing, recording, transmitting, photographing or eavesdropping in a "Private Place." The surveillance capabilities of smart meters is clearly documented in the February 3, 2012 "Smart Meter Data: Privacy and Cybersecurity" report published by the Congressional Research Service. Yet, the MPSC and Michigan Legislature (thus far) have allowed forced installation to occur.

All acts by occupants against digital electric meters and their installation are justified as acts of self defense. UTILITY COMPANY has, by its violations, lost right of easement to enter properties without written approval and supervision by property owners, and has lost right of policy and contract by criminal misconduct, and we have noticed or will notice them of this. All rights are thereby wholly reverted to, and held by, the property owners and occupants of metered structures where unlawful and unsafe meter installations are threatened or committed.

It is common knowledge and fully supported by evidence, peer reviewed and published research, science and facts that "Advanced" utility meters including all electronic utility meters and all utility meters which contain any digital or electronic components whatsoever:

- Are fire hazards.
- Cannot withstand typical grid surges.
- Cause damage to homes and structures when damaged by surges.
- Emit biologically harmful "pulsed" EMF radiation.
- Collect personal data of private activities in the home in violation of law.
- Fatally disrupt and disable medical devices such as Pacemakers.
- Cause heating and antenna effects upon any metal body implants which damage body tissues.
- Represent excess equipment costs with more expensive meters and represent more frequent replacement of the more expensive meters, all of which costs will be passed on to ratepayers via excess and unnecessary charges.

- Represents higher service costs in the processing and storing of data collected and general maintenance of the wireless grid network.

Most of the above cannot be authorized by any lawful easement contract and most of the above represent unlawful and highly dangerous trespass on our property for which major liabilities will arise. We, as utility customers, cannot lawfully be required to assume such hazards and damages as a condition of receiving electric service or as a means of extortion of additional service payments from us in return for safe, lawful and reliable metering which has been provided for many decades without any such penalty charges.

MPSC:

1. DTE presented no evidence that the radio-disabled smart meter will benefit the opt-out customer. For the MPSC to approve a program, a benefit must be shown. Therefore, the MPSC's approval of the opt-out program is legally indefensible. This forms part of the basis for the [appeals](#) of the MPSC decision.
2. The DTE tariff, MPSC regulations, and state law all give the utility the right to install a *meter* as that term is defined under the law. The definition of *meter* does not encompass the kind of meter DTE is now installing. In addition to serving as a metering device, the smart meter and the opt-out meter [monitor my activity](#) via my electrical usage (in other words, they operate as a surveillance device) and they are devices that are injurious to health. There is a felony statute that makes it a crime punishable by 2 years in prison (for a first offense) to attach a surveillance device to a private residence without the owner's knowledge and *consent*. Michigan Penal Code, Act 328 of 1931 prohibits the installation of surveillance devices like smart meters. [MCL 750.539a](#) defines "Private Place", "Eavesdrop", "Surveillance" and "Person." [MCL 750.539d](#) prohibits installation of a device for the purpose of observing, recording, transmitting, photographing or eavesdropping in a "Private Place." The surveillance capabilities of smart meters is clearly documented in the February 3, 2012 "[Smart Meter Data: Privacy and Cybersecurity](#)" report published by the Congressional Research Service.
3. The Michigan Public Service Commission has held no evidentiary hearings on the acceptability of this new technology, even though they are under an appeals court order to do so.
4. The "opt-out" meter provides no benefit to the customer and therefore is not a legal alternative to the radio-on smart meter. The opt-out meter must provide a benefit to the customer. All utilities were ordered by the MPSC to provide opt-outs to customers.
5. The opt-out meter is still a smart meter; therefore there is no opt-out of smart meters, which the utilities were ordered by the MPSC to provide.
6. By approving the opt-out program, the MPSC enabled DTE to mandate smart meters for all customers. The MPSC cannot do this without statutory authorization.
7. Resolutions have been established by both my county (Macomb, April 2012) and my city (Warren, October 2011) that the MPSC investigate safety concerns posed by these meters, and that actual opt-out options be provided at no extra cost to the customer. It's been over five years. Why has this not happened, instead allowing for DTE to extort and force more people into this health and privacy eradicating technology?
8. It was the judgment of the Attorney General of Connecticut that a pilot program there did not show cost savings sufficient to justify the costs of the program. [Click here for that report](#). In our own state a pilot program involving Harsen's Island and a downriver community was done but the MPSC made a decision to go forward with mass deployment without obtaining any cost results from the pilot program – and this over the objections of our then Attorney General Mike Cox. This is irresponsible.

Michigan Energy Committee:

Please pass HB 4220 for the health and safety of your constituents!

Utilities have been bribed by a 3.5 billion dollar “stimulus” grant to do this. Secondly, state regulatory bodies have assured them in advance that any costs not covered by the federal grant they will be able to pass along to their customers. The utilities also benefit by eliminating the jobs of meter readers and by ability to pinpoint outages more accurately. In the not so distant future they expect to benefit by turning off people’s appliances rather than building new power plants to meet peak demands.

DTE’s so-called Opt-out is not an opt-out. People are still stuck with a “smart-meter” with one of the two transmitters turned off. In addition they are charged a special fee for this “service” and a monthly fee, not unlike “protection money” charged by other organized crime units.

In addition it has been the experience of many people who have the new meters that their bills have become dramatically higher immediately after installation of a “smart meter”. It is not entirely clear why this should be – unless the new meters are being used to mask a back door rate increase.

MPSC and Michigan Legislature: The people of Michigan are counting on you to end the bullying and illegal practices of DTE. Eventually, a massively expensive class action suit will result from all the radiation sickness which could put an end to DTE’s cover-up of Itron health hazards and their use. But do we really have to retread the experiences of the tobacco industry to set things right?

Sincerely,
Kurt R. Snyder 29262 James Dr. Warren, MI 48092