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**To:** [UTC DL Records Center](#)  
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**Subject:** In reference: to docket U-180117  
**Date:** Thursday, March 8, 2018 11:55:17 PM  
**Attachments:** [Washington Utilities Commission 3-8-18.docx](#)

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Sincerely,  
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**DEMAND THAT THE  
UTILITIES AND TRANSPORTATION COMMISSION  
BAN THE INSTALLATION AND REQUIRE THE REMOVE OF  
SO-CALLED ADVANCED METERS  
INCLUDING A REQUEST FOR DISCLOSURE OF PUBLIC DOCUMENTS**

March 8, 2018

Read online at:

[www.JamesRobertDeal.org/Utilities-Commission-Should-Ban-Smart-Meters-3-8-2018](http://www.JamesRobertDeal.org/Utilities-Commission-Should-Ban-Smart-Meters-3-8-2018)

Washington Utilities and Transportation Commission

Sent by email to [records@utc.wa.gov](mailto:records@utc.wa.gov)

In reference: to docket U-180117

Dear Commissioners:

I represent Coalition Against So-Called Advanced Meters, formerly known as Hard Wired For Safety, a 501(c)(3) non-profit corporation dedicated to informing the public and public officials regarding the following:

the excessive and continuously increasing levels of electromagnetic radiation and stray current produced by electronic meters, and

the fact that electronic meters are not grounded whereas the analog meters they replace are grounded, and

the fact that electronic meters are not as surge protected as the analog meters they replace, and

the fact that electronic meters are much more likely to catch fire than the all-metal analog meters they replace, and

that electronic communicating meters violate privacy in two ways, by collecting private information and by making it easy for hackers to hack into our homes, and

that electronic meters cost more than electronic meters and wear out in seven years, as opposed to 40 years for analog meters, and therefore that the savings to be had from not needing meter readers to read meters may be exceeded by the cost of the meters, and

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that all electronic meters consume a significant amount of electricity to operate, and that communicating meters consume even more electricity in sending, receiving, and relaying information thousands of times daily, whereas the analog meters they replace use only an exceedingly tiny amount of electricity to rotate its aluminum wheels, and

that so-called advanced meters will increase total electricity consumption and therefore cannot be considered green or favorable to the effort to reduce carbon emissions and stop climate change, and

that so-called advanced meters will increase what users pay for electricity, and

how electronic and so-called smart meters exceed the scope of the electric meter utility easements granted to utility companies, and therefore constitute a trespass, and

laws and policies allow some customers to opt out of having electronic meters but arbitrarily deny that right to other consumers, and that this discrimination is unconstitutional, and

that electronic meters as they are currently constructed are inferior to the analog meters they are replacing, and

that it is theoretically possible to build a smarter meter, but such meters would all be connected on a hard wired basis, not through Wi-Fi, that they would be grounded and surge protected, that they it would contain a firewall, that they it would be SSL protected, that consumers would be able to control the amount of information released to utility companies, and that all consumers would have the option to opt out if they install such a program as \* and report usage to a utility company web site,

that utility companies are going the wrong way down a dead end street, wasting enormous amounts of money to install much inferior meters, when the money should be spent instead to install fiber optic, and make available a software program that would allow consumers to measure their usage in real time and report it automatically to utility companies,

that so-called smart meters are one of many profitable frauds being perpetrated on the public, can be perpetrated because our agencies have been taken captive, through campaign donations and the revolving door, by the industries they regulate, and

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that so-called advanced meters emit on a constant basis large amounts of electromagnetic radiation of the type which is carcinogenic in large doses over short periods of time and may be carcinogenic in smaller doses over long periods of time, and

that some people really are electrosensitive to the radiation emitted by smart meters, and that the installation of smart meters is a callous denial of their condition,

that the issue is not just smart meters or cell phones or Wi-Fis, or cell towers, or microwave ovens, or baby monitors, or security monitoring systems, or smart appliances, or 5G (which absolutely should be stopped less we be fried) or the many smart broadcasting gadgets in our homes, schools, and workplaces, but instead it is the total amount of electromagnetic radiation to which we are being subjected, and that the Washington Utilities and Transportation Commission is the proper agencies look at the big picture total amount and put an end to through-the-air smart meters.

I will expand on these points below.

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Radio and microwave radiation is invisible, and so it is easy to assume that they do us no harm. However, before jumping to this conclusion there are numerous questions that public officials must answer.

I will therefore be sending the Commission a separate document containing requests for public disclosure, all of them pertaining to so-called advanced meters. In these Requests are the many questions which the Commission and the utility companies have failed to ask and answer. Your negligence is enormous.

Before presenting my Requests, I will first give you necessary background information regarding these meters and point out their many flaws.

For general background, I invite you to watch the video at [https://www.youtube.com/watch?v=gRR\\_u3oooHw](https://www.youtube.com/watch?v=gRR_u3oooHw).

I am posting this document on my [www.JamesRobertDeal.org](http://www.JamesRobertDeal.org) web site to provide access to the latest version of this document and to make it easier to follow links. See: at [www.JamesRobertDeal.org/Demand-That-The-Utilities-Commission-Ban-Smart-Meters-3-8-2018](http://www.JamesRobertDeal.org/Demand-That-The-Utilities-Commission-Ban-Smart-Meters-3-8-2018).

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To read several other documents pertaining to these issues, please visit [www.JamesRobertDeal.org/Smart-Meters](http://www.JamesRobertDeal.org/Smart-Meters).

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Advanced meters are sometimes referred to as AMI meters, which is short for Advanced Metering Infrastructure. AMI includes not only the meters but also the wireless mesh network, which relays information from one broadcasting and receiving meter to the next. These advanced meters are also frequently referred to as “smart meters”. The advanced meters or smart meters I refer to herein include the meters that the city of Seattle is installing throughout its service area.

I will also discuss electronic meters in general, a term which includes the non-communicating opt out versions of the advanced meters and also the many non-communicating GE digital meters that have been installed since around 2000. All though these GE meters are not of the broadcasting version, they are as defective as the so-called advanced meters.

I will refer to the so-called advanced meters and the GE digital meters generally as “electronic meters” and sometimes as “smart meters”, in contrast to the all-metal, fireproof, well grounded, surge protected electromechanical analog meters.

So-called advanced meters and AMI mesh networks are the product of the Great Recession of 2008. The Obama Administration was looking for “shovel ready” projects on which to spend government money in order to stimulate the economy. Said advanced meters were claimed to be ready to go, which was and remains completely untrue. Given that Obama and the Department of Energy were chumps, they were swindled into funding the installation of these inferior meters, paying utility companies part of the cost of their installation.

They should have known that that AMI was an inferior, defective, and harmful technology.

Many wonder why our Department of Energy would finance installation of such devices. The explanation is that all our agencies, both on the federal and on the state level, have, to varying degrees, been captured by the industries they regulate. The electronic meter industry donates to elected officials and colleges. In return legislatures and elected officials appoint pro-industry hacks to head our agencies. These hacks get big bonuses before they leave their corporate

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jobs. After a term at relatively low pay heading their agencies, they return to their corporate jobs and again get big bonuses. The revolving door should be banned. Lobbyists should be banned from connecting elected officials with money. Campaigns should be financed publicly.

So-called smart meters were sold to the Obama administration via misrepresentation. They were sold with the representation that they are superior when they are inferior.

So-called smart meters were sold with the representation that they would make possible the minute by minute monitoring by consumers of their electrical consumption. This was a misrepresentation. The mesh network is unable to transmit usage data quickly enough for users to monitor their usage in real time. Only a wired connection could accomplish that. Instead, feedback regarding usage is only made available on a next-day basis, and that is useless for giving feedback to customers as to how much electricity they are using at any given time.

So-called smart meters were sold to the Obama administration with the representation that they would make the "smart grid" more effective by helping to balance loads over large areas. This was a misrepresentation. The minute by minute data that Seattle City Light is collection on us is delivered too slowly to provide useful data for load balancing. Further, modern automated load sensing equipment at substations are sufficient for that purpose.

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Two major groups of industries are going in different directions when it comes to connecting our gadgets to the internet. On the one hand are those who want to sell us devices which connect through the air, while the other there are those who want to connect our gadgets through hard wire.

\* it should be possible to plug in a cell phone

Current 4G technology at speeds of 900 megahertz to 2.4 gigahertz is not fast enough for television, gaming, or the delivery of large amounts of data. Hence the industries that want to connect through the air are developing 5G technology at 6 Ghz up to 26 Ghz and even up to 90 Ghz, which is clearly hazardous to health.

As discussed below, we should be able to plug our cell phones into category six cable and talk through them on a wired basis. We should be able to connect all of our

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The electronic meters are the result of the rise of computers, our presumption that computerized things are better than mechanical things, and our rush to computerize as many devices as possible. They are the result of the growth of industries which propose to connect our devices through the air, as opposed to through wired connections. As much as possible, connections should be made through wired connections.

Instead of wasting \$100 million on advanced meters, Seattle should instead spend that money building fiber optic connections.

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Seattle acknowledges that utility easements are required in the Seattle Right of Way Improvements Manual at 4.15.1, which states:

### Utility Easements

Need for utility easements: When public utilities for sewer, storm, or power facilities are constructed on private property, a utility easement will need to be granted to the City. These easements are needed to establish rights for the City including, but not limited to, construction, operation, and maintenance access as needed to own and operate the facility. [http://www.seattle.gov/rowmanual/manual/4\\_15.asp](http://www.seattle.gov/rowmanual/manual/4_15.asp)

According to the Washington courts, the general rule regarding limitations on the extent of easements is:

A servient owner is entitled to impose reasonable restraints on a right of way to avoid a greater burden on the servient owner's estate than that originally contemplated in the easement grant, so long as such restraints do not unreasonably interfere with the dominant owner's use. (Green v. Lupo, 32 Wn. App. 318, 647 P.2d 51 (1982).

Likewise,

We believe the servient owner is entitled to impose reasonable restraints on the right-of-way to avoid a greater burden on the servient owner's estate than that originally contemplated in the easement grant, so long as such restraints do not unreasonably interfere with the dominant owner's use".... Rupert v. Gunter, 31 Wn. App. 27, 640 P.2d 36 (1982)".

Utility easements are easements just like easements to operate roads.

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Analog meters are called “meters”. So-called advanced meters and electronic meters generally are also called “meters”. But the use of the same name is not proof that the term as used in the past is the equivalent of the term as used when applied to so-called advanced meters.

The “meters” which our utility easements authorized were grounded, surge protected, and fireproof. They were not broadcasting devices. Our utility easements did not authorize anything less than a solid and safe meter and one which did not collect information minute by minute on our every electrical behavior.

While the electronic GE digital non-communicating meters do not violate personal privacy, they too are not grounded, are not surge protected, are not fireproof, and for that reason also violate the scope of utility easements granted.

In addition to being meters, these so-called advanced meters are wireless capable transmitters. They receive and pass along digital information from meter to meter to meter. None of this was contemplated when meter easements were entered years ago.

Further, said advanced meters collect personal and private information. They collect that information on a minute-by-minute basis. There are marketing companies that are currently buying advanced meter information. Although Seattle has issued assurances that it will not sell personal and private data, there is nothing in Seattle regulations that would prohibit Seattle City Light or Landis+Gyr from doing so.

The electric meter easements given years ago did not make any reference to Seattle collecting customers’ private information and then being able to sell it for a profit and doing so without obtaining the consent of customers and without compensating customers for the sale of their information.

The same is true of the ability of so-called advanced meters to reach into our homes and turn off any or all electrical devices. The original easements did not contemplate this level of intrusive control.

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\*probe



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So-called advanced meter can be hacked, it could provide a node access point will allow malefactors to commandeer home cameras and devices such as Echo and Alexa both to see and hear what goes on in your private space.

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Electronic meters in general are defective. The utility easement did not contemplate the removal of rock solid, reliable analog meters for defective meters, and for that reason, electronic meters exceed the scope of the easements granted.

The broadcasting meters collect personal private information. The utility easement did not contemplate the removal of completely confidential, non-hackable meters and their replacement with advanced meter surveillance devices, and so they too exceed the scope of the easements granted. Therefore, if Seattle City Light erects so-called advanced meters without getting a new and broader easement, it is committing trespass.

The 4<sup>th</sup> Amendment to the United States Constitution says

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated ...”,

Article 1, Section 7 of the Washington States Constitution says:

“No person shall be disturbed in his private affairs, or his home invaded, without authority of law”.

The 4<sup>th</sup> Amendment and the 14<sup>th</sup> Amendment are limitations on the power of federal and state governments. They do not limit the behavior of non-governmental persons.

Article 1 Section 7 of the Washington Constitution may be broader in scope than the federal 4<sup>th</sup> and 14<sup>th</sup> Amendments because it is worded in the passive voice. It says, “no person shall be disturbed ...”, which may mean that neither government nor non-governmental persons may intrude into our privacy. I have not done research on whether the Washington Constitution interprets the 7<sup>th</sup> Amendment applies only to restrict government or also applies against all who would violate our privacy. If it does, this restriction would then apply both to publicly owned utilities and also to privately owned utilities and to vendors and sub-contractors such as Landis+Gyr.

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It is our position that the routine collection of personal and private information with the potential to sell that information to third parties and to do this without the consent of customers, and the power to reach into homes and gather private information and even to turn off individual electrical appliances, and to set up and maintain equipment that could allow hackers to observe us visually and aurally is a violation of customers' privacy rights under the US and Washington Constitutions.

\*probe

So-called advanced meters have an exterior terminal port. Utility workers with the right size optical probe can plug into this port and have complete access to the said meter. An intruder in possession of one of these probes could do the same thing and could gain access to everything in the home and potentially the entire electrical network. This is an unacceptable hole in our privacy and grid security.

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It is our position that Seattle City Light has no easement to install said advanced meters, and therefore that Seattle City Light should be asking customers to opt *into* receiving advanced meters and electronic meters instead of requiring those who do not want said meters to opt *out*.

It is our position that there should be no extra fees charged to those who decide to opt out or who decline to opt in, neither initial one-time fees nor continuing fees. The initial opt-out fee should be zero because it costs nothing just to leave the existing analog meter in place. There should be no continuing monthly opt out fee, but if there is to be one, it should cost no more than the actual cost to send out a meter reader.

It is our position that consumers who refuse to accept an advanced meter should not be required to accept a non-communicating advanced meter or a GE digital non-communicating meter, but should be allowed to retain their analog meter or in its place accept a new or refurbished analog meter.

It is believed that non-communicating advanced meters are exactly the same meters as the communicating meters, with the sole difference is that the communicating function is turned off. It is believed that the communicating function can easily be turned on remotely from Seattle City Light headquarters. The customer would have no way of knowing whether surveillance is activated, and Seattle has no contractual duty to notify customers that surveillance has been activated or surveilled, that his or her personal and private information is being collected, or that it is being sold.

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Likewise, and for the same reasons, those who opt out or refuse to opt in should not be required to accept non-communicating GE digital meters (installed starting in the early 2000s). They should be allowed to keep their analog meters or have their analog meters restored at no additional cost. Although the GE meters do not communicate they are still defective as discussed below.

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The electromagnetic spectrum space is important and should be made use of. We are not Luddites. We are not opposed to better technology just to protect the jobs of meter readers. We are opposed to its overuse.

We are opposed because electromagnetic radiation from so-called advanced meters straddles the radio and microwave bands, and is harmful to health. The International Agency for Research on Cancer, a branch of the World Health Organization ruled in 2014 that the radiofrequency radiation produced by cell phones, which operate at the same frequency as so-called advanced meters, is a type 2B possible carcinogen. The IARC researchers found, as summarized by Scientific American that:

... as the thousands of rats in the new study were exposed to greater intensities of RF radiation, more of them developed rare forms of brain and heart cancer that could not be easily explained away, exhibiting a direct dose-response relationship. Overall, the incidence of these rare tumors was still relatively low, which would be expected with rare tumors in general, but the incidence grew with greater levels of exposure to the radiation.

Further, the National Institutes of Health National Toxicology Program issued the found findings in 2016, as summarized by the Environmental Health Trust:

The study found adverse effects after long term exposure to cell phone radiation:

- Increased incidences of glioma (a rare, aggressive and highly malignant brain cancer) as well as schwannoma (a rare tumor of the nerve sheath) of the heart were found in both sexes of rats, but reached statistical significance only in males.
- Increased incidences of rare, proliferative changes in glial cells of the brain and in Schwann cells (nerve sheath) in the heart of both sexes of rats, while not a single unexposed control animal developed these precancerous changes.

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- DNA damage was induced with both modulations of radiofrequency radiation (RFR) in both rats and mice (mixed results in tissues and brain regions).
- Results from this study clearly show that biological impacts occur at non-thermal exposures like those that take place from cell phones today.

Every criticism of cell phones applies equally to broadcasting electronic meters because they all operate at the same frequencies.\*\*\*

Given these scientific findings, Seattle should not presume the safety of the additional radio and microwave radiation that advanced meters and their mesh network will produce. To the contrary, Seattle should presume these meters to be unsafe until proven otherwise. For health reasons alone, installation of said advanced meters should cease immediately

It is our position that the wireless spectrum should be used sparingly and at safer wavelengths, safer frequencies, and safer energy intensities, or not used at all. The spectrum should not be filled up unnecessarily or over-used.

It is our position that when wired connections are available, wired connections should always be used instead of wireless systems. When hard wired connections can be installed for a reasonable price, they ought to be installed. The radio spectrum should not be junked up with the cacophony of so-called advanced meters and their insecure, defective, unnecessary, redundant, wireless mesh network.

\*It is our position that if meters are to be made smart, they should be made smart over a wire, not through the air. \*\*\*

Smart meters are not necessary. They represent huge sums of money spent on infrastructure that does not provide savings for the customer. Smart meters are a revenue chase, with tiny consumer benefits.

Seattle is spending bond money raised to build a defective, uneconomic, and unhealthy advanced meter deployment. Instead Seattle should use the same money to extend fiber optic connections throughout its service area, as Mount Vernon has done, with a gigabyte up and a gigabyte down for \$70 per month. Hight tech, heavy internet dependent companies are relocating to Mount Vernon for this reason.

Seattle should ditch its current flawed meter program. If it wants electronic reporting of usage it should invite manufacturers to design a digital, grounded, surge protected analog meter than would also report total usage only and do so once each month.

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We are already flooded with radio and radio frequency radiation from cell towers, cell phones, Wi-Fis, Bluetooth, portable phones, and dirty electricity. More radio and microwave radiation will come from the many new smart appliances being introduced as part of the foolish and reckless Internet of Things movement.

There are plans to implement 5G soon. Instead of 4G electromagnetic radiation in the relatively high 800 megahertz to 1.9 gigahertz range, 5G will use microwave radiation in the 6 to 27 gigahertz range, with very short wavelengths and high energy levels.

Even now internet service providers such as Frontier are installing 5G Wi-Fi as a built-in part of new routers. These Wi-Fis are turned on by default, with customers not even being notified that they are turned on, no notice that customers can disable them, and no notice that they can continue to use their existing 4G Wi-Fis. It is our position that cities and states should prohibit deployment of 5G until it is proven to be safe.

All of these radiation emitters are and will be chirping away at each other more and more, filling our streets, homes, schools, and work places with an ever-increasing jumble of many wavelengths, frequencies, and intensities 24 hours per day. The extent of so many sources of microwave radiation and the safety of so many sources of microwave radiation has not been studied fully. Our headlong rush into wireless everything would be judged by a court of law to constitute both negligence and recklessness.

It is our position that the burden of proof regarding safety should be on those who are shortening wavelengths, increasing frequencies, increasing energy intensities, and not on those who are subject to being irradiated by them.

It is our position that most single-family homes, most apartments, and most places of business already have some hard wire connection available, such as telephone or cable. Those connections should be used whenever possible, instead of over the air connections. Over the air connections should be used only as needed and at wavelengths, frequencies, and intensities that minimize harm, especially to those who are electro-sensitive.

It is our position that Seattle City Light should apply microwave repelling paint, Faraday microwave insulation, and dirty energy filters at no charge for those customers who are electro-sensitive. Even if so-called advanced meters are deployed, people will still be exposed to radio and microwave radiation from cell towers and Wi-Fis that are almost everywhere.

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Advocates of so-called advanced meters claim that said advanced meters will enable consumers to monitor their usage in real time. However, the system lacks the power to enable monitoring in real time, and usage can only be viewed on a next day basis. On the other hand, there is real time monitoring software available on the open market, which does have the power to do usage monitoring in real time. Such software starts at \$129. Search Amazon for the Eyedro Home Electricity Monitor. Therefore, it is our position that one of the major justifications given for so-called advanced meters – real time monitoring - is bogus.

It is our position that the usage monitoring made available by said advanced meters will not result any savings to consumers. To the contrary, for the reasons outlined below, they will increase electric bills significantly.

It is our position that the detailed minute by minute usage information obtained by said advanced meters is useless to customers who want to keep their bills down by avoiding electrical usage during peak times because such information is available only on a next day basis. Therefore, one of the major justifications given for so-called advanced meters – giving customers real time monitoring - is bogus.

It is our position that the detailed minute by minute usage information obtained by said advanced meters is useless to system managers in their task of balancing overall loads. The minute by minute usage by individual customers is irrelevant for load balancing. Measurements made at the substations are more than adequate for that purpose. Therefore, another of the major justifications given for so-called advanced meters – real time monitoring to balance the overall grid - is also bogus.

It is our position that said advanced meters are receiving, broadcasting, and passing along radio and microwave reports on a minute-by-minute basis and in doing so will be consuming a considerable amount of electricity. For that reason, independent of other factors, they will consume more electricity than analog meters – which use only a minute amount of current to turn the aluminum wheels and report accurately on total watt hours used.

Reports from other service areas suggest that such receiving, broadcasting, and relaying consumes enough electricity to add around \$10 per month to electric bills. Therefore, for this reason, independent of other factors, said advanced meters will cost customers more than analog meters. This is in addition to the fact that so-called advanced meters do not measure usage as accurately as analog meters.

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Seattle City Light bill customers for the kilowatt hours of electricity consumed, but the GE digital meters do not measure kilowatt hours. They measure voltage and amperage peaks and use an unknown algorithm to make an estimated conversion of the peaks into watt hours. These calculations can be wrong, especially when the customer has various machines that turn on and off frequently and make big voltage draws when motors turn on. This can result in artificially high watt hour reports and higher billings. Electronic meters perform differently in hotter, colder, dryer, and wetter conditions. On the other hand, analog meters measure watt hour consumption very accurately, regardless of high current draws or changing weather conditions.

It is our position that because the placement of said advanced meters will increase the amount of electricity consumed, they violate the letter and the spirit of the Kyoto and Paris climate protocols. They are the antithesis of green.

It is our position that Seattle City Light wants to save money by reducing the number of meter readers, it should undertake to equip every home in its service area with fiber optic or other fast internet connection, and that Seattle City Light should give software at no charge to customers so that they can monitor their own usage and then on a monthly basis automatically report gross usage. If customers fail to report, only then should they be charged a meter reading fee. If customers are charged meter reading fees, those fees should be equal to the actual cost of reading meters. The \$15.37 per month opt-out meter reading fee far exceeds the real cost of having a person read a meter, and for this reason it is an illegal form of discrimination against the poor and people of color, more of whom are poor.

It is our position that cell phones, tablets, and other wireless devices should be capable of being plugged into hard wired connections at home, school, and work, so that cell phone talk, texting, Internet browsing, back up, and software updating can all be done through wired connections, so that Wi-Fis at home, school, and work can be turned off.

It is our position that schools especially should be connected on a hard-wired basis, not by way of Wi-Fis in every classroom. I pity the child who sits right by the Wi-Fi day after day. Wi-Fis in schools should mostly be turned off or should operate on a lower frequency and at lower energy intensities. The carcinogenic effect is not immediate. It is cumulative over time. Likewise, connections in workplaces should be wired whenever possible. Necessary hand-held gadgets should be operated at safer frequencies and lower energy levels.

Coalition Against So-Called Advanced Meters is generally opposed to connecting nearly everything to the Internet, as seems to be goal of proponents

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of the Internet of Things. Most things should not be connected. There is nothing I really want to discuss with my oven or refrigerator. I am willing to walk around my home to turn my lights on and off. By definition, items connected to the Internet can be hacked. They will always be potential security holes. Are our appliances going to obtain SSL certificates? Who is going to upgrade software on smart toasters whenever a new virus comes out? Communicating electronic meters expose consumers to a loss of privacy.

In summary, it is the position of Coalition Against So-Called Advanced Meters that said meters will cost consumers more than they are paying currently, that they will expose consumers with more intense and more concentrated radiation than the analog meters now primarily in use, that they are more wasteful of electricity than analog meters, that they are more intrusive of privacy than analog meters, that they are more hackable than analog meters, that they will make some people sick in the short term, and that they may affect the health of all of us in the long term.

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Chris Ivanovich is a member of Coalition Against So-Called Advanced Meters. He owns the ten-unit apartment building at 4500 Phinney Ave North, Seattle WA 98103. His ten tenants are members of the group as well. Acting through and on behalf of our group, I represent Chris and his ten tenants. They are all opposed to so-called advanced meters.

The eleven new meters in Chris' building – one for each tenant and one for landlord supplied electricity for common areas – have been lined up in a row in the laundry area downstairs. All the tenants will be bathed in constant spikes of electromagnetic radiation, every few minutes, 24 hours per day. Units 1 and 2 are immediately above the laundry area and will be irradiated most intensely. The occupants of those units are the most concerned. Some tenants may choose to move to avoid the increased microwave radiation. Tenants doing their wash will also be irradiated intensely.

The tenants are concerned by the fact that Seattle City Light and Landis+Gyr will be recording their every electrical behavior. They will know when they are home and away. They will even know when they turn off their lights at night and turn on a vibrator. They are concerned that there is no prohibition against Seattle City Light or Landis+Gyr selling this private information to marketers, doing so without obtaining the tenants' consent, and doing so without compensating the tenants for the sale of their private information.



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Even if the tenants were allowed to opt out, they would be issued a new non-communicating advanced meter. Only if they know to insist on retaining their analog meters fiercely will they be allowed to do so.

As mentioned above, non-communicating advanced meters are identical to regular advanced meters except that the communicating function has been turned off remotely and can be turned back on remotely, all without notice to the customer.

The tenants are concerned that because the so-called advanced meters will be connected to the Internet, it is possible that they can be hacked, whereas the tenants' present analog meters, not being connected to the Internet, cannot be hacked.

The tenants are concerned that many or most meter readers will be put out of work, when in fact their personal visits are useful for checking on the proper maintenance of their present meters. Exercising a degree of creativity, the city could assign meter readers additional necessary tasks, such as looking for general safety and code violations and even making animal control observations. They could be trained as first responders.

The tenants are concerned that any savings to be obtained by laying off meter readers will be more than offset by the additional costs imposed by said advanced meters, both for increased electrical usage for broadcasting and surveillance and also for the shorter lifespan of said advanced meters. They believe that the savings claimed is a false savings when all factors are considered. They also believe that the additional monthly opt-out fee of \$15.87 an arbitrary number and exceeds the true monthly cost of having a person read their meters.

Given the low level of encryption of said smart meters and their mesh network, the tenants are concerned that Seattle City Light will not be able to secure said advanced meters and that Seattle City Light will have to engage expensive experts to try to secure said advanced meters and their mesh network from hackers and that this added cost, apart from other factors, will raise their electric bills.

The tenants are concerned because said advanced meters consume electricity in order to operate. Conversely, the analog meters they have now consume no electricity as their wheels turn. For this reason, independent of other factors, said advanced meters will use more electricity and raise electric bills.

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The tenants are concerned that said advanced meters will be sending, receiving, and relaying microwave bursts every few seconds, 24 hours per day, and that for that reason, independent of other factors, said advanced meters will use more electricity than analog meters and increase the tenants' utility bills.

The tenants are also concerned because credible experts in the field report that the said advanced meters currently being installed and all the electronic meters, including the GE digital non-communicating meters already on many homes, do not measure electricity as accurately as the present meters.

The tenants are aware that those owing in single family homes may opt out of having so-called advanced meters. They are aware that those who rent a single family house or buildings up to four units may also opt out. However, they are aware that because they live in a building with more than four units, they will not be allowed to opt out. The tenants are offended by this irrational discrimination. There are more reasons and not fewer reasons why occupants of larger buildings should be allowed to opt out: In larger buildings more people are closer to more so-called advanced meters. Further, in larger buildings it is more likely and not less likely that there will be hard wired connections throughout the building, so that any monitoring of usage (total monthly usage only) could be done via a hard-wired connection. Further, those who live in larger apartment buildings generally have lower incomes and more of them are people of color, and so this opt-out policy discriminates against these disadvantaged classes.

The tenants are also offended that the schools, businesses, and hospitals they visit and where they might work, are not allowed to opt out.

The tenants are offended that people with solar roofs, who are net metered, will not be allowed to opt out. This policy will discourage owners from installing solar roofs and encourage those who already have them to stop using them.

The tenants are also offended by the fact that renters may not opt out unless their landlord consents.

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As mentioned earlier, another member of Coalition Against So-Called Advanced Meters is Chris Ivanovich. Chris owns the ten-unit building at 4500 Phinney Ave North, in which the ten tenants mentioned above live. His father built it in the 1950s.

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Chris opposes said advanced meters on principle. He intends to opt out of having an advanced meter for his personal residence. Chris is genuinely concerned that his tenants will be irradiated against their will.

Chris also has financial concerns. He and his family depend on the income from the building. Chris is concerned that if so-called advanced meters are installed in his building that his tenants will – if they can – move to other places where they will not be irradiated.

Chris is concerned that potential tenants will be less likely to move into his building if they know that they will be irradiated by said advanced meters.

Chris is concerned that he might have to disclose to potential tenants that they will be irradiated by said advanced meters.

Leasing brokers and the real estate multiple association will have to decide whether to require a disclosure to potential tenants that they will be irradiated by said advanced meters.

Chris is concerned that it may be especially hard for him to rent the two units that are right above the basement and thus closest to the bank of said advanced meters or that he may have to reduce the rent for those two units in order to rent them.

Chris pays the cost of electricity for common areas, and Chris is concerned that the smart meter for said common areas will raise his electric bill.

Chris also takes the position that the easement given by his father in the 1950s when his father built the apartment building, or the easement given by some previous owner did not and does not authorize the addition of broadcasting capabilities nor the addition of information collection capabilities and the potential for the sale of that information.

For all the above reasons, Chris is concerned that said advanced meters will raise his expenses, reduce his income, and thus reduce the value of his building.

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On behalf of Coalition Against So-Called Advanced Meters, formerly known as Hard Wired For Security, I hereby demand that Seattle City Light and its agent Landis+Gyr redress its trespass on the property of Chris Ivanovich by restoring the analog meters that were removed.

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On behalf of Coalition Against So-Called Advanced Meters, I hereby demand that Seattle City Light terminate its so-called advanced meter program throughout its service area.

On behalf of Coalition Against So-Called Advanced Meters, I demand that Seattle City Light remove all the so-called advanced meters it has recently installed as well as all the GE digital non-communicating meters that it has installed over the years and replace them with analog meters and do so at no charge to customers.

So-called advanced meters are manufactured in China. New analog meters are being manufactured in China. Seattle should install only American built, rock solid, reconditioned analog meters, which can be bought in fairly unlimited quantities for under \$50 each.

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I am submitting requests for Disclosure of Public Records.

If Seattle does not already have research reports or other items responsive to the following requests, this will be proof that Seattle entered into its so-called advanced meter program without doing its due diligence and has therefore been negligent.

If Seattle fails to pause its program of installing advance meters in order to develop research reports on all of the above requests, this will be proof of its recklessness.

Sincerely,

James Robert Deal, as Attorney for  
Coalition Against So-Called Advanced Meters  
WSBA Number 8103

**JAMES ROBERT DEAL ATTORNEY PLLC**

*PO Box 2276, Lynnwood, Washington 98036*

*Telephone 425-771-1110, Fax 425-776-8081*

*James@JamesDeal.com*

**REQUEST FOR DISCLOSURE OF PUBLIC RECORDS  
REGARDING ELECTRONIC METERS**

March 6, 2018

Read online at:

[www.JamesRobertDeal.org/Request-For-Disclosure-Of-Public-Records-Regarding-Electronic-Meters](http://www.JamesRobertDeal.org/Request-For-Disclosure-Of-Public-Records-Regarding-Electronic-Meters)

Seattle City Light

Jim Baggs, Acting General Manager and CEO

P.O. Box 34023

Seattle WA 98124-4023

Submitted through Seattle Public Records Request Center at

[www.seattle.gov/public-records/public-records-request-center](http://www.seattle.gov/public-records/public-records-request-center)

Also sent by email to: [SCL\\_CityLight\\_PDR@seattle.gov](mailto:SCL_CityLight_PDR@seattle.gov)

Courtesy copies also sent to:

Jenny Durkan, Seattle Mayor

P.O. Box 94749

Seattle WA 98124-4749

Also sent by email to: [jenny.durkan@seattle.gov](mailto:jenny.durkan@seattle.gov)

Seattle City Council

P.O. Box 94749

Seattle WA 98124-4749

Submitted through Seattle Public Records Request Center at

[www.seattle.gov/public-records/public-records-request-center](http://www.seattle.gov/public-records/public-records-request-center)

Timothy Harris, Assistant Seattle City Attorney

701 Fifth Avenue, Suite 2050

Seattle WA 98104-7097

Also sent by email to: [timothy.harris@seattle.gov](mailto:timothy.harris@seattle.gov).

Governor Jay Inslee

PO Box 40002

Olympia, WA 98504-0002

Bob Ferguson, Washington Attorney General

**Demand That So-Called Smart Meters be Banned**

**March 8, 2018**

**Page Two**

1125 Washington Street SE  
PO Box 40100  
Olympia WA 98504-0100

Sid Logan, Kathy Vaughn, Toni Olson, Commissioners  
Snohomish County PUD  
PO Box 1107  
Everett, WA 98206-1107

Dear Mr. Baggs,

Regarding this request for public disclosure, when I ask for “items”, I am asking for any correspondence, letters, research, studies reports, writings, emails, recordings, memos, notes, or documents of any kind, whether in printed or electronic form, and whether in your possession or under your control.

When I refer to “you” I am referring to all executive and staff of Seattle City Light, the current Seattle mayor and previous mayors, the Seattle City Council, and all Seattle staff.

When I refer to “agents” or “your agents”, I am referring to Seattle City Light, Landis+Gyr, Aclara, and all other employees and sub-contractors that work for any of the aforementioned.

Items are considered to be under your control if sub-contractors of Seattle City Light have them – because Seattle City Light has the right under its contract with Landis+Gyr, Aclara, and other sub-contractors to request and receive them.

The term “advanced meters” refers to and includes the new electric meters that Seattle City Light is currently installing, also referred to as AMI meters. It includes both communicating advanced meters and non-communicating advanced meters.

When I refer to “broadcasting and surveillance features” I am referring to the components of said advanced meters that record personal and private information of electric customers regarding their electrical behavior and that transmit that data through a mesh network to neighboring advanced meters and eventually to headquarters, and doing so every few minutes.

When I refer to “analog meters” I am referring to the analog electro-mechanical meters that are currently in place on most Seattle homes and businesses.

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The Coalition also requests that any fees for providing the items requested be waived, given that obtaining responses to these requests is in the public interest. The requested items will be made available to the general public free of charge on one of my web sites and is not for commercial use.

In the event that you are unwilling to waive fees for providing the items requested, you should inform me of the total charges in advance of fulfilling our request. We would prefer that responses not be sent in paper format but instead that they be sent by e-mail attachment, by posting to a Dropbox account, or some similar account, or by mailing a CD-ROM.

We look forward to receiving your responses to these requests within five business days, as the statute requires.

If there are requests that will take more than five business days for you to respond to, then you should respond to those requests for which you have responses readily available, and regarding those requests that will require more than five days to respond to, please identify those requests and give an estimated time when you may be able to respond.

Therefore, please respond to the enclosed requests:

1. Please send me any items that list and describe the types of electrical meters that Seattle City Light and/or Landis+Gyr and/or their subcontractors are installing in the Seattle service area, for ordinary residences, for medium usage customers, and for high usage customers.
2. Please send me all easement documents that grant Seattle City Light an easement against the property of Chris Ivanovich at 4500 Phinney Ave North, Seattle WA 98103, for the purpose of installing, maintaining, and accessing an electric meter there.
3. Please send any easement documents that grant Seattle City Light the authority to place broadcasting and surveillance devices on the property of Chris Ivanovich at 4500 Phinney Ave North, Seattle WA 98103, or that authorize the collection and sale of customers' personal and private electrical behavior to third parties.

\*\*\*

## **Demand That So-Called Smart Meters be Banned**

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5. Please send any easement documents that grant Seattle City Light the authority to place broadcasting and surveillance devices on the property of Chris Ivanovich at 4500 Phinney Ave North, Seattle WA 98103, or that authorize the collection and sale of customers' personal and private electrical behavior to third parties.
6. Please send me your schedule for rolling out said advanced meters, showing where advanced meters have already been installed, where they will be installed, and when they will be installed.
7. Bearing in mind the longstanding rule of law that an owner is entitled to impose reasonable restraints on the right-of-way to avoid a greater burden on the servient owner's estate than that originally contemplated in the easement grant, please send me any items that address whether the broadcasting and surveillance features of so-called advanced meters were "originally contemplated" when electric utility easements in Seattle were created.

\*Carol says add:

I would extend this to include any items that address the right to this monitoring that the city is presuming.

8. Bearing in mind this rule of law, please send me any items that address whether the additional costs that said advanced meters will impose for their broadcasting and surveillance features of said advanced meters were "originally contemplated" when the easement was created.  
\* search for which
9. Bearing in mind this rule of law, please send me any items that address whether the additional costs that said advanced meters will impose for the reduced life expectancy of said advanced meters were "originally contemplated" when the easement was created.

10. The 4<sup>th</sup> Amendment to the United States Constitution says

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated ...",

The 7<sup>th</sup> Section of the Washington States Constitution says:

"No person shall be disturbed in his private affairs, or his home invaded, without authority of law".



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Bearing in mind these constitutional provisions, please send me any items pertaining to whether the surveillance aspect of said advanced meters violates consumers' rights to privacy under the foregoing constitutional provisions.

11. Please send me any items that allow, authorize, or bar Seattle City Light or its agents from selling the private information that they collect through the surveillance features of advanced meters.

12. Bearing in mind these constitutional provisions, please send me any items pertaining to whether said advanced meters are subject to being hacked.

13. Please send any items pertaining to whether such hackability violates consumers' rights to privacy by making customers more exposed to being hacked

14. Please send any items pertaining to whether exposing consumers to the increased likelihood of being hacked is negligence on the part of the City.

15. Please send any items regarding the external socket on said advanced meters, into which meter inspectors can connect, including information regarding whether a person plugging into said socket can access said meter, and/or the entire mesh network, and/or the entire electrical system.

16. Please send me any items that pertain to how you made your decisions regarding opt out policy in general, including how you determined who would be eligible to opt out and how you calculated the up-front and monthly continuing opt out fees to be charged. Please send me any items that address the fact that apartments with more than four units, schools, businesses, hospitals, and homes with net metered solar roofs will not be allowed to opt out of having a so-called advanced meter, including any items that explain why these users are not allowed to opt out.

17. Please send me any items that address the fact that so-called advanced meters consume electricity as they measure usage, while analog electro-mechanical meters do not.

18. Please send me any items that address the amount of electricity that said advanced meters consume as they measure usage.

19. Please send me any items that address the life span of said advanced meters, the lifespan of analog electro-mechanical meters, and the remaining lifespan of currently installed analog meters and GE digital meters.

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20. Please send me any items that show that new and refurbished analog electro-mechanical meters can or cannot be bought for around \$50.
21. Please send items that address the ready availability of new and refurbished analog meters.
22. Please send me any items that show that new and refurbished analog electro-mechanical meters will or will not last 40 years.
23. Please send me any items that show that said advanced meters will or will not last only five to seven years or how long they can be expected to last.
24. Please send me any items that show the cost of each so-called advanced meter, including both the cost of equipment and the cost of installation.
25. Please send me any items that address whether said advanced meters will be busy 24 hours per day on a minute-by-minute basis, sending, receiving, and relaying microwave transmissions that report on electrical usage, and please include any items that address whether these transmissions will increase electric bills and by how much.
26. Please send me any items that confirm that so-called advanced meters meet the accuracy requirements of WAC 480-100-338. Please include actual test results. Please include test results for analog electro-mechanical meters.
27. Please send me any items pertaining to adverse effects of said advanced meters on birds and insects.
28. Please send me any items pertaining to those who are electro-sensitive, whose symptoms may include any of the following symptoms: "chest pain, headaches, migraines, insomnia, sleep disruption, vertigo, fainting, memory loss, lack of concentration, chronic fatigue, nausea, anxiety, tinnitus, skin tingling, heavy breathing, hypersensitivity, and hot skin". See [www.bioinitiative.org](http://www.bioinitiative.org). Please send me any items pertaining to the portion of the population that is electro-sensitive. Please include any items pertaining to the effects of said advanced meters on those who are electro-sensitive.
29. Please send me any items pertaining to adverse effects of so-called advanced meters on eyes, for example, in exacerbating cataracts.
30. Please send me any items pertaining to the fact that Seattle City Light is charging an up-front fee of around \$124.43 for each unit where the owner or occupant opts out of having a so-called advanced meter.

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31. Please send me any items that address whether leaving present analog meter in place will incur any up-front cost at all and if so, how much.

32. Please send any items that address why a person who opts out of receiving a new communicating advanced meter is required to accept a new non-communicating advanced meter instead of being allowed to keep his or her existing analog meter or being allowed to receive a new or reconditioned analog meter.

33. For customers who opt out, Seattle City Light is requiring that existing electro-mechanical meters be replaced with new non-communicating advanced meters. In light of this, please send me any items that address why customers who opt out will not be allowed to retain their analog meters or retain their GE digital non-communicating meters.

34. Please send me any items that address the extra monthly charge that Seattle City Light will be charging, believed to be around \$15.87, \*including how this figure was calculated, including any items that discuss the average cost of a meter reader to read an average meter.

35. In light of the fact that part of Seattle City Light's justification for installing said advanced meters is to reduce the number of meter readers and save money on their salaries, please send me any items pertaining to why advanced meters report minute by minute instead of once each month.

36. Please send any items that address the potential for said advanced meters to catch fire. Please send any items that address whether having a thermostat in the meter eliminates all risk of the meter catching fire, what temperature will trigger the thermostat, and whether the thermostat can turn off the meter. Please send any items that address the potential for conventional analog meters to catch fire.

37. In other areas where so-called advanced meters have been installed it has been the policy of electric companies to remove and destroy said advanced meters when they catch fire, before insurance investigators and the fire department can examine them. Please send any items that address your policy regarding immediately removing said advanced meters that have caught fire and your policy of regarding preserving said advanced meters and leaving them in place so that they can be inspected by insurance investigators and the fire department.

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38. Please send me any items that discuss the new non-communicating advanced meters that Seattle City Light intends to install for those who opt out of having a communicating advanced meter.

39. Please send me any items that compare non-communicating advance meters with analog meters and with GE non-communicating digital meters.

40. Please send me any items that address whether such non-communicating advanced meters contain a switch that would allow them to be turned off remotely.

41. Please send me any items that address whether and how such non-communicating advanced meters can be changed remotely from non-communicating to communicating mode and

42. Please send me any items that discuss how customers will know if their so-called advanced meter has been changed from non-communicating mode to communicating mode.

43. Please include any items that address whether non-communicating meters have a thermostat or fuse, whether the thermostat can turn off the meter, whether the thermostat or fuse eliminates all risk of the meter catching fire, and at what temperature the thermostat will flip the switch and turn off the meter. \*

Carol says combine with this

26. Please send any items that address the potential for said advanced meters have a history of catching fire. Please send any items that address whether having a thermostat in the meter eliminates all risk of the meter catching fire, what temperature will trigger the thermostat, and whether the thermostat can turn off the meter.

Commented [c1]: sentence is scrambled

44. Please send me any items pertaining to the qualifications of the installers of said advanced meters and whether they are certified electricians. Include any items that state whether or not electricians will inspect and certify said advanced meters to be safe.

45. Please send me any items that pertain to whether so-called advanced meters, including non-communicating advanced meters, contain surge protection.

46. Please send me any items that pertain to whether analog meters and GE non-communicating digital meters contain surge protection.

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47. Please send me any items pertaining to whether so-called advanced meters, including non-communicating advanced meters are grounded.
48. Please send me any items pertaining to whether analog meters contain surge protection.
49. Please send me any items pertaining to whether analog meters are grounded.
50. Please send me any items pertaining to whether the GE digital non-communicating meters installed in Seattle contain surge protection.
51. Please send me any items pertaining to whether the GE digital non-communicating meters installed in Seattle are grounded.
52. Please send me any items describing the back plate or base of said advanced meters.
53. Please send me any items describing the back plate or base of analog meters in use in Seattle
54. Please send me any items describing the back plate or base of GE digital non-communicating meters in Seattle.
55. Please send me any items pertaining to the Seattle City Light policy that customers are responsible for everything past the meter back plate or base.
56. Please send me any items pertaining to the current or future or possible implementation of 5G cellular antennas in Seattle.
57. Whereas customers' monitoring of their usage is only available through said advanced meters on a next-day basis and not in real time, please send me any items that compare the next-day monitoring information available to customers through said advanced meters versus real time monitoring available on the open market.
58. Please send any items that discuss whether so-called advanced meters will increase total electrical usage and whether they violate the letter and the spirit of the Kyoto and Paris climate protocols.

I am sending courtesy copies of these Requests for Production of Documents to:

**Demand That So-Called Smart Meters be Banned**

**March 8, 2018**

**Page Ten**

Jenny Durkan, Seattle Mayor  
P.O. Box 94749  
Seattle WA 98124-4749  
Also sent by email to: [jenny.durkan@seattle.gov](mailto:jenny.durkan@seattle.gov)

Seattle City Council  
P.O. Box 94749  
Seattle WA 98124-4749  
Submitted through Seattle Public Records Request Center at  
[www.seattle.gov/public-records/public-records-request-center](http://www.seattle.gov/public-records/public-records-request-center)

Timothy Harris, Assistant Seattle City Attorney  
701 Fifth Avenue, Suite 2050  
Seattle WA 98104-7097  
Also sent by email to: [timothy.harris@seattle.gov](mailto:timothy.harris@seattle.gov).

Governor Jay Inslee  
PO Box 40002  
Olympia, WA 98504-0002

Bob Ferguson, Washington Attorney General  
1125 Washington Street SE  
PO Box 40100  
Olympia WA 98504-0100

Sid Logan, Kathy Vaughn, Toni Olson, Commissioners  
Snohomish County PUD  
PO Box 1107  
Everett, WA 98206-1107  
Sent by email only to: [emailcommissioners@snopud.com](mailto:emailcommissioners@snopud.com)

Sincerely,

James Robert Deal, as Attorney for  
Coalition Against So-Called Advanced Meters  
WSBA Number 8103