

BEFORE THE PUBLIC SERVICE COMMISSION OF THE STATE OF MISSOURI

James Dickson and Angela Dickson,

Complainants,

v.

File No. EC-2016-0230

KCP&L Greater Missouri Operations Company,

Respondent.

Brief

Plaintiffs James and Angela Dickson filed this complaint as consumers with concerns regarding the safety of the Smart Meter placed on their home by KCP&L/GMO. We do not have the means to hire experts or legal counsel to assist with this matter.

We respectfully request that the court take on as Judicial Review the documents we submitted by various motions to assist in documenting the effects of both the Smart and Digital Meters. We point out that the studies submitted by KCP&L/GMO and the Commission are based on information much older than some of the more recent studies which we have requested the court to review.

It is interesting to note that the report prepared in 2008 for PG&E and submitted by KCP&L/GMO titled *Supplemental Report on an Analysis of Radiofrequency Fields Associated with Operation of the PG&E SmartMeter Program Upgrade System* refers to guidelines adopted from reports completed in 1997, 1998, and 1999. In the subsequent 16 years, new studies have questioned the safety standards proposed by these outdated reports. One has to ask yourself why KCP&L/GMO did not use more updated and accurate studies when proposing the change to SmartMeters and why did the Commission not inquire as to more recent scientific studies when our complaint was filed.

The Complainants request that the court order KCP&L/GMO to replace the Smart Meter with an Analogue Meter.

The Smart Meter should be removed on the following grounds:

- 1) The Commission reviewed documentation from KCP&L/GMO which included data from report/studies much earlier (1997, 1998, 1999) than the documentation we have requested the

court to review. Current studies refute the safety of the current FCC standards regarding human exposure to RF fields. We request the court to find the current papers/reports to be more accurate and reflective of the actual dangers of this technology. The World Health Organization International Agency for Research on Cancer has also stated that RF exposure is a potential risk to health.

- 2) The Complainants have also requested analysis of the cumulative affect of the multiple meters pointed towards their house but KCP&L/GMO and the Commission have not provided any analysis or documentation regarding the safety of all of the meters surrounding our house. Per the testimony of Charles Poston, a Staff Engineer for the State of Missouri, he requested a power density reading to confirm the Smart Meter was within standards but was told by KCP&L/GMO that they did not have the equipment for such a reading. It is unbelievable that a multi-million dollar company which has placed 700,000 Smart Meters on homes in the Kansas City area, allegedly does not have the proper equipment to attest to the density of the output of the meters. No analysis of the density occurring in our house was completed. KCP&L/GMO has not sufficiently addressed concerns regarding the cumulative effect of the multiple meters. We request the court find this unresolved safety issue as sufficient grounds to have our Smart Meter replaced with an Analogue Meter. KCP&L/GMO has not proven that the Smart Meter or Digital Meter is in fact compliant in all safety aspects as alleged by the Complainants.
- 3) The Committee's report of May 13, 2016 did not address any of the documentation we submitted regarding more current papers/reports but was biased towards the information submitted by KCP&L/GMO. As the Committee's report did not address current scientific research, we request the Committed to review and update their initial report dated May 13, 2016.
- 4) KCP&L/GMO was unable at the hearing to address the allegations that the Smart Meters and Digital Meters had numerous safety issues including:
 - Not having a surge arrester. This safety feature prevents surges from entering a home and reduces the risk of fire and dirty electricity. Without a surge protector, the Smart Meters and Digital Meters permit "dirty electricity" into our home which increases the chance of fire and other health issues.
 - Both the Smart Meters and Digital Meters have cheap plastic back plates instead of the metal alloy back of an Analogue Meter. Plastic has a lower melting point resulting in a greater risk of fire.
 - Smart Meters have a remote disconnect and thinner blades than Analyst Meters. Both of these increase the chance of arcing which increases the chance of a fire.

We request the court find these unresolved safety issues as sufficient grounds to have our Smart Meter replaced with an Analogue Meter.

- 5) Representative from KCP&L/GMO testified the company had no evidence that AMI meters have caused any fires. A simple search identified news articles where representatives from KCP&L/GMO stated that the company KCP&L uses to provide Smart Meters has had past issues in other places, that KCP&L has had a total of six problems involving Smart Meter fires, and that the utility has returned a couple of meters which have overheated to its supplier. These statements directly contradict the testimony as well as KCP&L/GMO's written response to the Complainant's discovery request. We request the court find these intentionally misleading statements as sufficient grounds to have our Smart Meter replaced with an Analogue Meter.
- 6) Both the testimony, on site test, and documents submitted by KCP&L/GMO regarding how the Smart Meters function attest to the fact that Smart Meters emit EMF pulses every few seconds, up to 190,000 times per day. These frequent emissions have been documented in multiple current scientific studies to cause health issues, especially in younger adults and children. Ms. Dragoo's testimony was at best insincere, when she was repeatedly asked the number of times the Smart Meter emitted a signal and she repeatedly stated they only download data once every four hours. The fact Ms. Dragoo would not admit to the actual frequency of the signal should displease the court and alert the court to the obvious negative consequences of such a high number of signal pulses. Scientists around the world have cautioned on the expansion of WI-FI and EMF emitting devices. Other countries had lowered the amount of exposure considered acceptable well below the U.S. standard and have even outlawed WI-FI and EMF emitting devices from schools and other public areas. Based on the current information purporting health concerns involving the technology found in Smart Meters, the Complainants request the court to order KCP&L/GMO to replace our Smart Meter with an Analogue Meter to protect our three young children.
- 7) KCP&L/GMO's opt out provision also does not address all health and safety concerns as the proposed Digital Meter for the Opt Out has the same safety issues as listed in #4. The Digital Meters also do NOT have a surge arrester. This safety feature prevents surges from entering a home and reduces the risk of fire and dirty electricity. Without a surge protector, the Opt Out Digital Meters permit "Dirty Electricity" into our home which increases the chance of fire and other health issues. "Dirty Electricity" is a pulsed, highly variable electrical current that rides through all the circuitry of a building and results in devastating health effects. Based on these continued issues, the Complainants request an Analogue Meter. The Complainants were able to purchase an Analogue Meter. The purchased meter is a standard meter used in all 50 U.S. states. It is suitable for power systems that are compatible with the U.S. 60 Hz 120/240 volt with U.S.

compatible socket. The meter has been calibrated, set to 0, tested and certified and safety/tamper sealed. The meter is calibrated to within 1% accuracy whereas the industry standard is 2%.

Conclusion

Based on the arguments listed above, we request the court find sufficient evidence that Smart Meters and Digital Meters are a reasonable danger to our health and are a potential fire hazard and to order KCP&L/GMO to replace the Smart Meter with an Analogue Meter with no additional charges or fees for replacing the meter or for reading the meter. We request the court to find that KCP&L/GMO has violated MO Statute Title XXV Section 393.130.1, Section 393.130.2, and Section 393.130.3. We believe the concerns listed and the evidence submitted requires the court to at least act in caution to protect individual consumers, especially young children, from any potential harm.

As individual consumers with limited financial means to produce witnesses or expert testimony, we request the court to seek further information including but not limited to:

- 1) Order KCP&L to review and address the concerns outlined in the current scientific research papers the Complainants submitted.
- 2) Order KCP&L to submit all document relating to any potential fires involving Smart Meters including but not limited to:
 - Fire Inspection Reports
 - Witness Statements
 - Insurance subrogation demands, letters, documents or other information pertaining to causation.
 - Any and all documents pertaining to settlement discussion, releases, or settlement agreements.
 - Any and all documents, reports and findings regarding causation completed by any persons or entities regarding issues with the Smart Meters.

Respectfully Submitted,

James Dickson

Angela Dickson

Complainants