

RE: Case 2012-00428 (Smart Grid)

Kentucky Public Services Commission
PO Box 615
Frankfurt, KY 40602
Executive Director Jeff Derouen
May 12, 2014

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PUBLIC SERVICE
COMMISSION

Dear Director Derouen:

I would like to intervene in case number 2012-00428, still pending at this date, to make a request on behalf of myself and other concerned citizens. I request that citizens be allowed to opt out of the smart grid without penalty of any kind, and that Fleming Mason be required to provide detailed information about the pros and cons of smart metering, so that citizens of Kentucky may make an informed choice that is in their best interest.

On May 5th of this year, I called Fleming Mason Energy to ask that my account be notated as not consenting to a smart meter. I was forwarded to someone in the office who is "in charge of this." Though the phone call was very cordial, my concerns over privacy and RF emanations were not given much consideration. I was told that Fleming Mason had requested an allowance of opt-outs from the Kentucky Public Services Commission, but the commission would not grant these at this time. Therefore I would have no choice but to accept the smart meter. The person I talked with offered to send me a FAQ sheet to "help" me change my mind.

The fact sheet arrived two days later in the mail. A statement on the sheet claimed that the smart meters were a "net health benefit" to the consumer, but had no data to support such a claim. Therefore, I questioned the accuracy of the entire fact sheet, and did my own research and fact checking. I find the FAQs presented by Fleming Mason to be slanted and inaccurate regarding the safety of smart meters.

At the bottom of one of the pages sent to me, I found the PSC case number 2012-00361, and went to the PSC website to review these files. Nowhere in the files could I find anything that suggested the PSC had prohibited Fleming Mason from allowing opt outs. Frustrated, I called the 1-800 number, to ask if it was true that the PSC was refusing to allow smart meter opt outs. I was told that the case number I needed to reference was 2012-00428 and that there had been no restriction made on opt-outs by the PSC.

Angered at the false claims made by the person I spoke with at the Fleming Mason office, I immediately sent a certified letter of notification of non-consent to the smart meter (see attached). I will follow up with legal action as is necessary. I feel that the misinformation I was given by Fleming Mason is coercive and a violation of my rights. I seek relief for myself and any other citizens who may wish to opt out of smart metering by way of intervention through the Kentucky Public Services Commission.

Sincerely,


Susan Hedgecock

TO: Agent for Service @ Fleming Mason Energy

1449 Elizaville Rd
P.O. Box 328
Flemingsburg, KY 41041

Date: 5-8-14

Re: 4609 W Hwy 36
Owingsville, KY 40360

NOTICE OF NO CONSENT TO TRESPASS AND SURVEILLANCE, NOTICE OF LIABILITY

Sent By Certified Mail

Dear President/CEO Perry, Chairman Board of Directors Smith, agents, officers, employees, contractors and interested parties

Be advised, you and all other parties are hereby denied consent for installation and use of any and all "Smart Meters," remotely-read meters, or any other surveillance and activity monitoring device, or devices, at the above property. Installation and use of any surveillance and activity monitoring device that sends and receives communications technology is hereby refused and prohibited. Informed consent is legally required for installation of any surveillance device and any device that will collect and transmit private and personal data to undisclosed and unauthorized parties for undisclosed and unauthorized purposes. Authorization for sharing of personal and private information may only be given by the originator and subject of that information. That authorization is hereby denied and refused with regard to the above property and all its occupants. Remotely-read meters and "Smart Meters" violate the law and cause endangerment to residents by the following factors:

1. They transmit wireless signals which may be intercepted by unauthorized and unknown parties. Those signals can be used to monitor behavior and occupancy and they can be used by criminals to aid criminal activity against the occupants.
2. Data about occupant's daily habits and activities are collected, recorded and stored in permanent databases which are accessed by parties not authorized or invited to know and share that private data by those whose activities were recorded.
3. Those with access to the smart meter databases can review a permanent history of household activities complete with calendar and time-of-day metrics to gain a highly invasive and detailed view of the lives of the occupants.
4. Those databases may be shared with, or fall into the hands of criminals, blackmailers, corrupt law enforcement, private hackers of wireless transmissions, power company

employees, and other unidentified parties who may act against the interests of the occupants under metered surveillance.

5. "Smart Meters" are, by definition, surveillance devices which violate Federal and State wiretapping laws by recording and storing databases of private and personal activities and behaviors without the consent or knowledge of those people who are monitored.

6. Your company has not adequately disclosed the particular recording and transmission capabilities of the new meters, or the extent of the data that will be recorded, stored and shared, or the purposes to which the data will and will not be put.

7. Electromagnetic and Radio Frequency energy contamination from remotely-read smart meters is site specific and may exceed allowable safe and healthful limits for domestic environments as determined by the EPA and other scientific programs (sagereports.com/smart-meter-rf/).

8. Remotely read smart meters can be hacked and will be hacked. The small CPU in these meters cannot protect itself as good as a home PC can, and home PCs are well known for being compromised. By deploying these in the millions with the same exact software and hardware they become a huge target and will endanger the community if an attacker can switch the power on and off from remote in mass. This makes these meters dangerous and a liability to the ratepayers who would have to ultimately pay for any damage.

9. Disabling the receiver will not prevent other forms of "hacks". For example a malicious attacker could confuse the internal CPU, reset it, change random memory locations, change the KWH reading, force a power disconnect, or completely disable a remotely-read smart meter with a simple coil of wire and a small battery. This can't happen with a mechanical meter. It is well known that a wide EMP can take out car computers; remotely-read smart meters will now make that possible on the city wide electric infrastructure.

10. A thief or burglar could use the same EMP or hacking methods to turn off the house power even if the electrical switch box is locked.

11. Data about an occupant's daily habits and activities are collected, recorded and stored in permanent databases which can be accessed by parties not authorized or invited to know and share that private data by those whose activities were recorded. This can be done by cyber-attacks or disgruntled employees and has been done before where the attacked company may not know of the intrusion for months.

12. The power company has misled the public by leaving out publicly available facts and information regarding smart meters. There are many downsides to this new technology that the power company has not presented to the general public. Information is slanted and doesn't address the negative issues fully (*AMI FAQ, mailed to this consumer 5-5-2014*).

13. Smart meter installation is not mandatory. The Kentucky Public Services Commission only gave permission to install the meters (*PSC Case Nos 2012-00361, 2012-00428*). There is no forced mandate. The PSC has no such delegated authority from the People to make a forced mandate. If they did make a forced mandate, it's clearly null and void on its face. The Energy Policy Act of 2005 really only covers Federal areas within the limited jurisdiction of the CONSTITUTIONALLY LIMITED United States Government, even if it did apply, it also only mandates that a power company "offer" smart meters to the public, upon customer request. Any suggestion by the power company to customers that smart meters are mandatory is a false statement, fraudulent, and false commercial speech which is punishable by law and also opens the power company to liability via lawsuit.

14. The power company has no delegated authority from the People to install a security risking, privacy invading, health threatening, hackable, unfair billing, or wide power grid security threatening device on anyone's property.

15. Installation of a smart meter will lower this property's value due to all the stated issues and controversy. This could subject ALL the ratepayers to higher rates due to lawsuit claims for value lost. The power company has no delegated authority from the People to use its easement or install equipment in a way that will lower property values or make a property less desirable to a buyer.

I demand an immediate stop to the installation of all Smart Meters until all issues are resolved, the Smart Meters to be removed at customers request with no extra charge, an opt-in only for customers who are properly and fully informed and that must have this technology for their own specific need. This is in the public's best interest.

I demand an immediate investigation into these issues by the Kentucky Public Services Commission.

I demand that the Kentucky Public Services Commission immediately order the power company to fully inform all customers of ALL the known facts, including complaints and downsides of this technology within 30 days.

I reserve the right to amend this notice and complaint at any time, this is not a complete list of concerns since this technology is new and new information is being found every day. Concerns listed here are not in any particular order.

I forbid, refuse and deny consent of any installation and use of any monitoring, eavesdropping, and surveillance devices on my property, my place of residence and my place of occupancy. That applies to and includes "Smart Meters" and surveillance and activity monitoring devices of any and all kinds. Any attempt to install any such device directed at me, other occupants, my property or residence will constitute trespass, stalking, wiretapping and unlawful surveillance and endangerment of health and safety, all prohibited and punishable by law through criminal and civil complaints. All persons, government agencies and private organizations responsible for installing or operating monitoring devices directed at or recording my activities, which I have not specifically

authorized in writing, will be fully liable for any violations, intrusions, harm or negative consequences caused or made possible by those devices whether those negative consequences are justified by "law" or not..

This is legal notice. After this delivery the liabilities listed above may not be denied or avoided by parties named and implied in this notice. Civil Servant immunities and protections do not apply to the installation of smart meters due to the criminal violations they represent.

Notice to principal is notice to agent and notice to agent is notice to principal. All rights reserved.

Susan Hedgecock

4609 W Hwy 36

Owingsville, KY 40360