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Supervisors approve SmartMeter moratorium

By **TIFFANY REVELLE** The Daily Journal

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At the urging of 16 speakers and what was described as a larger than usual amount of contact from constituents, the Mendocino County Board of Supervisors on Tuesday joined a widespread effort to keep SmartMeters out of the homes of local Pacific Gas & Electric customers.

The board unanimously adopted an emergency ordinance that imposes a temporary moratorium on "the installation of SmartMeters and related equipment in, along, across, upon, under and over the public streets and other places within the unincorporated area of Mendocino County."

Questions about the health effects of exposure to radio frequency emissions, bills going up for customers who already have the meters and lack of adequate information from PG&E prompted the board to consider the moratorium, according to 5th District Supervisor Dan Hamburg, who put the issue on the agenda along with 2nd District Supervisor John McCowen.

Hamburg said PG&E in October stated its intention to hold workshops on the wireless devices, and on the company's plans to install them in Mendocino County this year, to allay concerns about health, privacy and bill overages.

"I think PG&E waited a bit too long to start those meetings," Hamburg said. "It seems like if the company was going to try to allay the fears of the public, they kinda waited until they were already

sending out notices, and that did not seem to me to have been a very wise way to go ... PG&E really has not convinced the public that this is a necessary

program or even an official program."

PG&E touts the wireless devices as a way for customers to track their energy use online and a more accurate way to bill customers. Company representative Alison Talbot told the board the California Public Utilities Commission mandated "some sort of automated metering by 2012."

Expected benefits include being able to track outages and restore power faster, integrating solar and wind power, and more information about energy consumption for consumers.

"There's no question that PG&E ought to have done a better job educating customers about the program," Talbot said. "We're taking pains to do that now in Mendocino County with open houses, education centers; we have a dedicated phone line and a robust website."

She said common concerns raised about SmartMeters "are relatively easily addressed; meter readers were not left without jobs; independent tests have shown that the meters are not overbilling; and PG&E has a state-of-the-art encryption system to protect privacy; if we were to get hacked, the names and account numbers are kept separate from the account information."

Regarding the most common concern about the health effects of radio frequency emissions, she said recent studies show "SmartMeters, which emit a radio frequency signal for 45 seconds a day, are not hazardous; the RF is vanishingly small, especially when compared with many other common household items."

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The 16 people who appeared before the board Tuesday regarding the moratorium cited concerns about the cumulative health effects of exposure to RF emissions, higher bills and a general need for more information.

"It's being pushed down our throats and taken out of our pockets; this technology is not necessary," Mendocino resident Antonia Lamb said. "The question of why is this invasive mandate going on is a little too big for us to discuss right now, but I would urge you ... let's investigate this thing as far as we can."

Philo resident Greg Krouse said he'd gathered "550 petitions" in a week-and-a-half, and spearheaded an effort to reject the meters. He voiced concerns about health effects, energy information being vulnerable to hackers and people who had the meters being overcharged, saying it can take months for customers to get the charges reversed.

Mendocino resident Carol Robson noted one study on the thermal effects of the meters "showed that a large man will not be cooked inside your house if you have a SmartMeter on it; now, I don't find that totally reassuring as proof of safety."

She said other studies showed the meters may not cause thermal damage, but voiced concern about DNA damage. Robson urged the board to "give the state a chance to change and investigate and find safer ways to monitor our electricity."

Other speakers expressed concerns about the signals the wireless devices send in pulses being magnified by neighbors' meters, relays, and reflective surfaces.

"Nobody knows how the net is going to work, with all these SmartMeters interlinking, until it's in action," Ukiah resident Michael Maltas said. "I'm sure

in my mind that some SmartMeters are going to be much, much more active than others, because they relay."

Ellen Drell of the Willits Environmental Center called PG&E's recent meetings to educate its customers "form without function," and said they hadn't been advertised well.

Drell said people were calling her "panicked" because they were being told the meters would be installed within days and that they had no choice about it, despite Talbot's assurance to the board that PG&E was honoring the wishes of customers who didn't want the meters installed.

Marlena Baxter suggested using fiber-optic technology instead.

PG&E representative Austin Sharp said that option was expensive, but confirmed when asked by McCowen that the CPUC didn't mandate that the technology be wireless. Sharp said the company chose wireless because it's inexpensive and can be upgraded remotely.

Sharp said PG&E is investigating alternatives, but said there is currently no way for customers to "opt out" of the program. Customers can be put on a delay list to have the meters installed at their homes last in a given area, which, in Mendocino County, is the end of February, he said.

The moratorium will hold until PG&E offers its customers an alternative to the wireless devices and provides information about the technology and risks associated with the models the company plans to install in Mendocino County, according to a memo from County Counsel Jeanine Nadel.

Nadel said the urgency ordinance could be challenged legally on pre-emption grounds because

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PG&E is regulated by the California Public Utilities Commission, and the Federal Communications Commission regulates radio frequency emissions. Hamburg asked at the outset of the discussion what the county's exposure to a lawsuit might be if it adopted the moratorium.

"I still stand behind the ordinance on the grounds that you, as the local legislative body have broad powers, your police powers, to adopt ordinances that protect the health, safety and welfare of the citizens," Nadel said.

"What would happen if PG&E sued us?" Hamburg asked.

"I think at that point it would be up to the court to determine whether or not your police powers overrules the pre-emption issue that PG&E would raise," she said.

Chairwoman Kendall Smith noted Mendocino County would not be alone in adopting a SmartMeter moratorium.

San Francisco, Santa Cruz and Marin counties adopted similar bans, along with the cities of Sebastopol, Berkeley, Fairfax, Santa Cruz, Piedmont, Scotts Valley, Capitola, Watsonville, Sausalito and San Anselmo.

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