



SanAnselmo-FairfaxPatch



GOVERNMENT

Fairfax doesn't want to get Smart

Concerns raised over PG&E Smart Meter program.

By **Kelly Dunleavy** July 30, 2010

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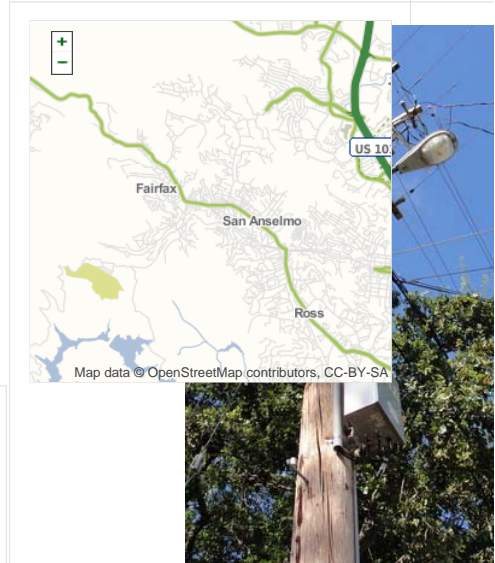
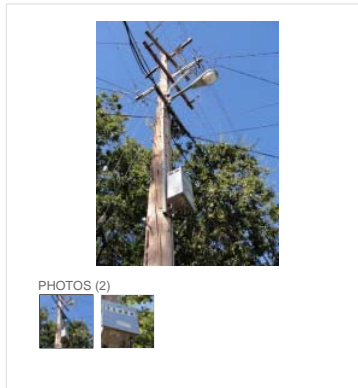
Fairfax is not content to merely complain about the incoming PG&E Smart meters. The town is using all the weapons in its arsenal to keep the wireless meters out of its borders.

"Their little social experiment is not welcome in this community. We are not going to be their guinea pigs," said Mayor Lew Tremaine at the July 7 Town Council meeting.

The council voted to do three things -- all the things it could -- to stop the meters from coming. It filed a motion in support of San Francisco's petition to the California Public Utilities Commission (CPUC) to suspend deployment of Smart meters until some of the issues are resolved.

The council also voted to enforce an existing ordinance requiring companies to apply for a use permit with the town before installing any telecommunications devices. Without acquiring a permit from the town, PG&E has already installed transponder devices on a telephone pole at Cascade Drive and Frustruck Avenue, on Inyo Avenue and in two other locations. The council is alleging those were installed illegally and are enforcing the current law with PG&E.

Lastly, the council voted to draft a new ordinance banning Smart meters from within the town limits. Previously, the council had success in drafting an ordinance banning plastic bags. When that ordinance was challenged in court by the plastic bag manufacturers, the town was able to withdraw and bring the ordinance to the voters, where it passed.



PG&E has installed transponder units on telephone polls. These units rec signals form the smart meter.

PHOTOS



The council felt confident in their three-pronged approach, noting that a similar ordinance helped stopped cell phone towers from coming to town in the mid-1990s.

"We have to be prudent in managing how we dance with them and their lawyers," said Tremaine. "You have to be deft, but you can dance that dance."

Tilting against giants

So far, the town has sent PG&E a cease and desist letter telling the utility it must stop installing the wireless transponder devices on town telephone poles until it applies to the town for a use permit and goes through the appropriate town approval process.

[Learn how the Smart Meters work here. \(/articles/how-smart-meters-work\)](/articles/how-smart-meters-work)

According to the town, the utility could face fines of up to \$500 per day per each device.

Councilman Larry Bragman said that PG&E has continued to install the transponder devices despite warnings from the town. Bragman also said PG&E had responded by saying Fairfax doesn't have the authority to tell PG&E what to do and that PG&E is regulated by the CPUC -- meaning that only the CPUC could tell PG&E that it must stop installing SMART meters.

"The CPUC is who regulates us," said PG&E spokesman Jeff Smith.

The petition filed by San Francisco, with Fairfax filing a supportive motion, has much the same fate in its future. That petition urges the CPUC to place a moratorium on the installation of the meters until further investigation can be done. A number of towns including the Cotati, Scotts Valley and the County of Santa Cruz have also signed onto the petition.

"We do not believe a moratorium is necessary and the CPUC agrees with us," said Smith.

Bragman said the CPUC never responded to a letter the town sent in April requesting a moratorium and has not responded to attempts by the town to communicate their concerns.

"It's like see no evil, hear no evil," said Bragman.

Concerns mount over privacy and security

"There's a whole range of issues you can pick from to be critical of Smart meters," said Bragman.

Concerns center around a few key issues: privacy, security, accuracy and health problems.

The meters are intended to be part of a smart grid system across the state. PG&E states the Smart meters and grid will decrease energy use, because people can see what energy they are using. [Read about the basics of the program here.](#) (/articles/the-ins-and-outs-of-pges-smart-meter-program)

For communities like Fairfax, concern over the wireless technology trumps any possible benefits from a smart grid.

Despite assurances from PG&E about its IT security practices, some customers claim the wireless grid is surprisingly easy to hack into, making an individual's information and information about when they're home or on vacation available to anyone with a laptop.

Even if highly specific personal data isn't stolen along the wireless route it must travel, PG&E will have very detailed information about what individuals are using at exactly what times.

"They can tell when you wake up, when you put on the coffee, when you take a bath and whether you're home or not," said Bragman.

That information can legally, he said, be shared with other agencies and commercial entities and it is subject to warrants by law enforcement. The National Institute of Standards and Technology has said the cyber-security concerns "remain a work in progress."

PG&E has said that it will not and is not allowed by law to share the information nor will it use the data to control an individual's usage. The data, itself, will be managed and overseen by Oracle, who has a number of homeland security contracts and originally evolved from a software project as part of the CIA.

One of the more common concerns over PG&E Smart meters, and one that even the CPUC has said is a problem, is that of accuracy. Read about the basic problems raised here. A class-action lawsuit in Bakersfield regarding accuracy concerns prompted an audit of the meters. The audit, which is expected to be completed in the coming weeks, will cost \$1.4 million. PG&E will reimburse the CPUC for the cost.

No getting out?

In April, when the Fairfax Town Council voted to send a letter to the commission requesting a moratorium on the meters, CPUC spokesperson Andrew Kotch said there would not be a moratorium on the meters and residents do not have the option of opting-out of receiving a Smart meter. The CPUC has maintained that policy.

Fairfax resident Diane Hoffman said in April she tried to call the PG&E hotline when she received notice that she would be receiving a Smart meter, but they told her she couldn't opt out.

Hoffman and many Fairfax residents are concerned about health problems caused by electro-magnetic frequencies. Although all the PG&E devices have been approved by the FCC, it's been noted the FCC merely tests to see if the frequencies cause an object to warm up.

A woman from San Francisco spoke at the July 7 Town Council meeting and said she was the first person to have a meter removed because she experienced such severe health effects, including nausea and dizziness.

PG&E wouldn't comment on whether they would remove meters because of health problems, simply noting the World Health Organization has found no problems with electro-magnetic frequencies.

"Unfortunately, we can't discuss any customer's accounts without their permission," said Smith.

Fairfax fights a growing battle

Fairfax is not the only town that has increasingly grown concerned over Smart meters. A number of cities have signed onto San Francisco's request for a moratorium. The Marin County Board of Supervisors and the Marin Association of Realtors have both issued their own letters asking the CPUC for a moratorium.

San Anselmo considered the issue, opting to wait and see what the audit said, at its July 27 meeting.

Fairfax takes the last step in its battle when it considers an ordinance banning Smart meters within town limits at its Aug. 4 town council meeting. Though PG&E contends it is not bound by local ordinances, the town believes a clause in the public utility code gives the town the right to regulate devices on its public right of way – such as transponder units on telephone poles. The town also has a franchise agreement with PG&E giving it the authority to impose terms in the public's interest.

How PG&E will respond to such an ordinance remains to be seen.

The council was adamant, however, that it is not against a smart grid and many of the problems could be addressed by getting rid of the wireless component of the meters.

"It's not rocket science to figure out when you're using electricity; it doesn't take a Smart meter to do that," said Councilman John Reed.

Have you had a Smart Meter installed? [Tell us in the comments.](#)

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