

The Honorable \_\_\_\_\_, Pennsylvania House of Representatives

Address  
City, PA

March 12, 2024

Dear Representative \_\_\_\_\_,

**I urge you to vote for, sponsor and do all in your power to enact *House Bill 1202* -- smart meter choice legislation -- in 2024. Here is why.**

**Biological harm.** People across the state are being adversely affected by the man-made, pulsed radiofrequency radiation (RFR) emitted constantly by smart meters mounted on peoples' homes against their will. Many have objected, but the PA PUC and PECO singularly refuse to implement best practices and offer a non-transmitting/receiving meter opt-out as a customer service policy.

Pennsylvania is the only state among the 40+ states with smart metering (i.e. advanced metering infrastructure – “AMI”) where the PA PUC and utilities claim that they can enforce a smart meter mandate. As of Nov. 15 2019, neighboring Maryland’s Public Service Commission reported that 40,369 consumers opted out of the AMI smart meter, which resulted in Baltimore Gas & Electric reducing the opt-out fee in half to \$5.50 per month.

**Privacy.** I object to these wireless AMI meters’ surveillance and invasion of privacy of my home, nor do I consent to PA utilities providing my meter data to third parties. Consumer consent is required per PA Act 129 § 2807(f)(3)

**Consumer choice.** Where there are documented health risks and privacy violations there should be consumer choice. The TSA grants all air traffic passengers the right to opt out of the TSA millimeter wave body scan, which emits pulsed RFR at passenger for 5 second duration. Yet, in Pennsylvania alone, consumers are refused the right to opt-out of the smart meter that pulses RFR incessantly on your home and family.

I have put background information on the back to aid your investigation and discussions with other lawmakers. I regard **HB 1202** to be necessary legislation that deserves fast tracking and passage in 2024. Please reply whether you will or will not vote for HB 1202 Meter Choice when it comes to the floor.

Thank you.

Respectfully,

Your Name  
Your Address

## Additional Background Information To Support HB 1202

**Science.** Thousands of peer reviewed scientific studies report adverse health effects from microwave radiation of the type transmitted by these smart meters. Although government authorities and scientific bodies have documented cases of microwave sickness from man-made RFR for over 60 years, this reached some notoriety a few years ago with approximately one thousand U.S. diplomats and intelligence agents affected by the “Havana syndrome”. A panel of medical experts for the U.S. Department of State concluded that their symptoms were consistent with pulsed RFR effects. The panel's findings expanded on a 2020 NASEM report of the “Havana syndrome” cases which stated “RF sources may trigger symptoms by transiently inducing alterations in brain functioning. Studies published in the open literature more than a half century ago...provide circumstantial support for this possible mechanism.”<sup>1</sup> The Biden Administration compensated the RFR-harmed up to \$187k per individual.<sup>2</sup>

**Case Law.** The Pennsylvania Public Utility Commission (PUC) insists smart meter radiation is safe because it complies with FCC standards. A DC Circuit US Court of Appeals ruled in *Environmental Health Trust (EHT) v FCC* (2021) that the FCC failed to address EHT's 11,000 pages of scientific evidence reporting adverse health effects and did not provide a reasoned explanation that FCC's safety standards for this radiation is protective of public health.

**History.** House and Senate Legislative Journals of 2008 reveal that lawmakers supported the final language of *Act 129* because smart meter installations were **not mandated but voluntary**. The relevant excerpt in PA Act 129 § 2807(f)(3) is provided below.

(2) Electric distribution companies shall furnish smart meter technology as follows:

- (i) Upon request from a customer that agrees to pay the cost of the smart meter at the time of the request.
- (ii) In new building construction.
- (iii) In accordance with a depreciation schedule not to exceed 15 years.

(3) Electric distribution companies shall, with customer consent, make available direct meter access and electronic access to customer meter data to third parties, including electric generation suppliers and providers of conservation and load management services.

In *Povacz v. PUC* (2020) the PA Commonwealth Court ruled that the PUC erred in interpreting *Act 129* as a smart meter mandate. However, at the PA PUC and PECO's request, the PA Supreme Court reversed the Commonwealth Court's decision in 2022. The PA Supreme Court stated its role was not to insert an opt out provision where none existed; rather, it's the General Assembly's role to amend *Act 129* statutory language *Title 66, Section 2803* to allow opt out. Yet, in their ruling, the PA Supreme Court did state that PA utilities may offer an opt-out to customers based on a customer service policy.

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<sup>1</sup> National Academies of Sciences, Engineering, and Medicine. 2020. An Assessment of Illness in U.S. Government Employees and Their Families at Overseas Embassies. Washington, DC: The National Academies Press. <https://doi.org/10.17226/25889>.

<sup>2</sup> CNN News, “Biden administration to compensate some ‘Havana syndrome’ victims up to \$187,000.” June 24, 2022.