

Kansas Corporation Commission
Office of Public Affairs & Consumer Protection
FORMAL COMPLAINT
AMENDED



Received
on

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS
IN THE MATTER OF THE COMPLAINT AGAINST: Westar Energy

DEC 12 2014

By: Jami Riehm

My contact information:

Full Name(s): Jami Riehm

Address: 711 Rockledge Road, #1N, Lawrence, KS 66049

E-mail address (optional): 444jami@gmail.com

by
State Corporation Commission
of Kansas

15-WSEE-211-COM

FORMAL COMPLAINT:

Jami Riehm states that the above-named respondent is a public utility providing service in Kansas and is subject to the jurisdiction of the State Corporation Commission.

The facts and circumstances surrounding the complaint are set out in detail below:

I am having health and noise pollution problems from the smart meter you (Westar Energy) have put on my apartment without my permission as a mandatory product. After complaining to you multiple times about my health problems you are refusing to change things to help reduce my situation. I have been requesting you change the smart meters on my apartment building to analog ones to help me and you keep refusing. This is an easy solution to reducing the amount of radiation and noise pollution in my life to help restore a higher quality of life to me.

My legal complaints against you (Westar Energy) are:

- 1) You (Westar Energy) are not fulfilling your promise to us in a tariff on your website. Your Tariff under Residential Services states that your rate schedule is restricted to residential electric service used in customer's homes which is for the maintenance or improvement of the customer's quality of life. You are failing to honor this here in Lawrence, Kansas by charging us for service that has greatly diminished our quality of life by making a product mandatory in our lives that is causing health problems and noise pollution. You are therefore failing to fulfill this tariff. I don't understand you refusing to do whatever is necessary to help someone who is having health problems from radiation because of your unnecessary product (it's an easy solution to switch back to an analog meter).
- 2) You (Westar Energy) are not fulfilling your service obligation under Limitation of Liability (7.02) listed on your website under your General Terms and Conditions section. This obligation states that you are liable for injuries and damages caused by your company's willful or wanton conduct. But you are not honoring that obligation since you are willfully (with full knowledge of my health problem from radiation) refusing to change things to help my situation which is causing huge disruptions in my life. This is including needing to move out of Lawrence to get away from your smart meters. Your smart meters are radiating us in our homes 24/7 with a dangerous pulsed radiation. I am miserable in my homes at times, have had to cut down on

most all wireless in my home, I am spending lots of money on items to protect me from radiation, and I'm sleeping elsewhere since there is now too much radiation in my bedroom (it's not far from six smart meters). If each of those is pulsing me with 10,000 (on average) pulses a day that's 60,000 (on average) pulses of radiation a day into my apartment and body. That is approx. 41 pulses of radiation a minute. I am now electrosensitive. I also hear high pitched noises at times throughout the day that is very annoying and distracting. I believe the smart meters are also causing dirty electricity in my apartment. Because you (Westar Energy) know of my health situation and are refusing to remove your smart meter from my apartment (which you could easily do) this is not just willful on your part but may be wanton also. Wanton because the only explanation I could possibly come up with for refusing to help me is a desire to save money. It is known that us having smart meters saves utility companies money since you no longer have to pay people to go to homes to read meters. If this is the case that you are putting the desire to save money over people's health and quality of life then that could be described as cruel.

Complainant requests that the respondent utility be required to provide an answer to the complaint and requests the following action be ordered by the Commission: (State action or result desired.)

I am requesting that my smart meter and seven other smart meters close by my apartment all be changed back to the old analog models to help my quality of life to improve. I am asking for all eight meters close by to be changed since I am probably being radiated by all of them and so just changing mine alone would not stop the radiation from the others in my apartment.

Another request is that you (Westar Energy) allow all residents of Lawrence the right to change back to analog meters at any time they request that and for no extra charge. If meter reading is an issue I request you trust those of us with analog meters to read them for you and report the readings to you each month. If we fail to do this and you have to send someone out to read it I can see then charging us for that reading but not if we do the reading by the time you require.

Radiation poisoning is a very serious issue. It's time you acknowledge that and warn your customers. So another request of mine is that you send out the truth to all of your customers about how much your smart meters are radiating us and the harmful health problems that constant pulsing radiation can have on the human body. I ask that these warnings be sent out to people before a smart meter is put on someone's residence and then once a month along with the monthly bill continually as long as a customer has a smart meter.

and for such further order or orders as the Commission may deem necessary.

Complainant's (Your) signature:



Date signed: 12/10/2014

FILING INSTRUCTIONS:

This form may be filed in person at the Kansas Corporation Commission's Office or by mail. All formal complaints, whether filed by mail or delivered in person, must be directed to:

Executive Director
Kansas Corporation Commission
1500 SW Arrowhead Road
Topeka, KS 66604



American Academy of Environmental Medicine

6505 E Central • Ste 296 • Wichita, KS 67206
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Executive Director

De Rodgers Fox

January 19, 2012

Decision Proposed Decision of Commissioner Peevy (Mailed 11/22/2011)
BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA
On the proposed decision 11-03-014

Dear Commissioners:

The Board of the American Academy of Environmental Medicine opposes the installation of wireless "smart meters" in homes and schools based on a scientific assessment of the current medical literature (references available on request). Chronic exposure to wireless radiofrequency radiation is a preventable environmental hazard that is sufficiently well documented to warrant immediate preventative public health action.

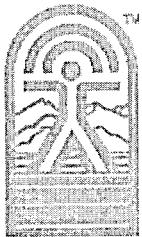
As representatives of physician specialists in the field of environmental medicine, we have an obligation to urge precaution when sufficient scientific and medical evidence suggests health risks which can potentially affect large populations. The literature raises serious concern regarding the levels of radio frequency (RF - 3KHz – 300 GHz) or extremely low frequency (ELF – 300Hz) exposures produced by "smart meters" to warrant an immediate and complete moratorium on their use and deployment until further study can be performed. The board of the American Board of Environmental Medicine wishes to point out that existing FCC guidelines for RF safety that have been used to justify installation of "smart meters" only look at thermal tissue damage and are obsolete, since many modern studies show metabolic and genomic damage from RF and ELF exposures below the level of intensity which heats tissues. The FCC guidelines are therefore inadequate for use in establishing public health standards. More modern literature shows medically and biologically significant effects of RF and ELF at lower energy densities. These effects accumulate over time, which is an important consideration given the chronic nature of exposure from "smart meters". The current medical literature raises credible questions about genetic and cellular effects, hormonal effects, male fertility, blood/brain barrier damage and increased risk of certain types of cancers from RF or ELF levels similar to those emitted from "smart meters". Children are placed at particular risk for altered brain development, and impaired learning and behavior. Further, EMF/RF adds synergistic effects to the damage observed from a range of toxic chemicals. Given the widespread, chronic, and essentially inescapable ELF/RF exposure of everyone living near a "smart meter", the Board of the American Academy of Environmental Medicine finds it unacceptable from a public health standpoint to implement this technology until these serious medical concerns are resolved. We consider a moratorium on installation of wireless "smart meters" to be an issue of the highest importance.

The Board of the American Academy of Environmental Medicine also wishes to note that the US NIEHS National Toxicology Program in 1999 cited radiofrequency radiation as a potential carcinogen. Existing safety limits for pulsed RF were termed "not protective of public health" by the Radiofrequency Interagency Working Group (a federal interagency working group including the FDA, FCC, OSHA, the EPA and others). Emissions given off by "smart meters" have been *classified by the World Health Organization International Agency for Research on Cancer (IARC) as a Possible Human Carcinogen.*

Hence, we call for:

- An immediate moratorium on "smart meter" installation until these serious public health issues are resolved. Continuing with their installation would be extremely irresponsible.
- Modify the revised proposed decision to include hearings on health impact in the second proceedings, along with cost evaluation and community wide opt-out.
- Provide immediate relief to those requesting it and restore the analog meters.

Members of the Board
American Academy of Environmental Medicine



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American Academy of Environmental Medicine Recommendations Regarding Electromagnetic and Radiofrequency Exposure

Physicians of the American Academy of Environmental Medicine recognize that patients are being adversely impacted by electromagnetic frequency (EMF) and radiofrequency (RF) fields and are becoming more electromagnetically sensitive.

The AAEM recommends that physicians consider patients' total electromagnetic exposure in their diagnosis and treatment, as well as recognition that electromagnetic and radiofrequency field exposure may be an underlying cause of a patient's disease process.

Based on double-blinded, placebo controlled research in humans,¹ medical conditions and disabilities that would more than likely benefit from avoiding electromagnetic and radiofrequency exposure include, but are not limited to:

- Neurological conditions such as paresthesias, somnolence, cephalgia, dizziness, unconsciousness, depression
- Musculoskeletal effects including pain, muscle tightness, spasm, fibrillation
- Heart disease and vascular effects including arrhythmia, tachycardia, flushing, edema
- Pulmonary conditions including chest tightness, dyspnea, decreased pulmonary function
- Gastrointestinal conditions including nausea, belching
- Ocular (burning)
- Oral (pressure in ears, tooth pain)
- Dermal (itching, burning, pain)
- Autonomic nervous system dysfunction (dysautonomia).

Based on numerous studies showing harmful biological effects from EMF and RF exposure, medical conditions and disabilities that would more than likely benefit from avoiding exposure include, but are not limited to:

- Neurodegenerative diseases (Parkinson's Disease, Alzheimer's Disease, and Amyotrophic Lateral Sclerosis).²⁻⁶
- Neurological conditions (Headaches, depression, sleep disruption, fatigue, dizziness, tremors, autonomic nervous system dysfunction, decreased memory, attention deficit disorder, anxiety, visual disruption).⁷⁻¹⁰
- Fetal abnormalities and pregnancy.^{11,12}
- Genetic defects and cancer.^{2,3,13-19}
- Liver disease and genitourinary disease.^{12,20}

Because Smart Meters produce Radiofrequency emissions, it is recommended that patients with the above conditions and disabilities be accommodated to protect their health. The AAEM recommends: that no Smart Meters be on these patients' homes, that Smart Meters be removed within a reasonable distance of patients' homes depending on the patients' perception and/or symptoms, and that no collection meters be placed near patients' homes depending on patients' perception and/or symptoms.

Submitted by: Amy L. Dean, DO and William J. Rea, MD

Approved July 12, 2012 by the Executive Committee of the American Academy of Environmental Medicine

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Dirty Electricity

It's Not Just Wireless That's Causing Health Problems

DTE's so-called opt-out meter is just a smart meter with the wireless turned off. It will hurt you nearly as much as the smart meter because of the "dirty electricity" generated by the meter. If you wish to avoid the health (and privacy) problems associated with smart meters, then you must keep your analog meter.

Turning off the radiofrequency will not solve the health (or the privacy) problems associated with DTE and Consumers Energy smart meters. Digital meters—whether or not "smart"—cause dirty electricity to flow through your home's wiring. The problem is what is called the "switched mode power supply." Switched mode power supplies are used to run the digital meter (whether a smart meter or DTE's radio-off opt-out meter). In order for a smart meter to be powered, the 240 volts coming off the power line to the meter must be stepped down to 4–10 volts. A switched mode power supply is the device used to step down the voltage from 240 volts to 4-10 volts. This generates an enormous amount of what is commonly known as "dirty electricity" and referred to by electricians and electrical engineers as "voltage transients," "voltage harmonics," "line noise," and "power quality issues."

Dirty electricity is a spiky, pulsed, highly variable electrical current that rides through all the circuitry of a building. It has devastating health effects. Many people are already experiencing those effects, which include high blood pressure, tinnitus, insomnia, and cognitive difficulties. The Nevada Consumer Protection Bureau reached an agreement with the Nevada Public Utilities Commission to allow individuals to keep their analog meters in part *because of health problems associated with the switched mode power supplies.* Prevention Magazine reports on the hazards of dirty electricity.



People who have had their smart meter's wireless turned off are experiencing the same health problems as people with smart meters, just to a slightly lesser degree ([click here](#) to read their personal testimony and [here](#) for another story). Our cells cannot handle a highly variable current, and build up a sugar coating around themselves, which means it's harder for nutrients to get in and wastes to get out. In addition, these

electromagnetic currents cause the bonds holding DNA together to break, increasing the risk of

cancer. Think of a jackhammer going off and on every day, 24/7. That is what the cells in your body experience. Even though you can't feel it, it's still hurting you. Brain cancers take 10 years to develop, and few people feel the cancer. In addition to all that, the electromagnetic frequencies knock calcium ions off the cell membrane, causing a host of effects.

DTE's so-called opt-out meter is just a smart meter with the wireless turned off. It will hurt you nearly as much as the smart meter. Many older-style digital meter do not seem to create the dirty electricity problems that smart meters and so-called opt-out meters do. The reason is this: the older-style digital meters do not measure electricity in the fine-grained manner that the new meters do. These meters are constantly active, recording data and making computations at up to millisecond intervals. This means they are cycling—on-off, on-off—constantly. It is this on-off cycling that is part of what creates the spiky dirty electricity. These new meters have what's called a chopper circuit—the name is illustrative of what we've just been talking about—which rapidly switches the voltage on and off. In so doing, it creates ultra-high frequencies, and very sharp, fast transient voltage spikes, up to 70,000 volts/second. Part of the reason some people hear their smart meter making sounds is that the ultra-high frequencies they generate can be picked up by some human ears.

The magnetic field generated is a huge part of the problem. The current running through your house is an *electromagnetic* current. When the *electric* current runs through the wiring, it generates a *magnetic field* at right angles to the electric current. This means that you are surrounded in every dimension by an electromagnetic current—it's like being at the center of a hurricane, with the wiring on all the walls, the ceiling lights, and the wires running through the basement completely encapsulating you.

Broadband over powerline (BPL) and wind turbines cause the same dirty electricity problems.

International Doctors' Appeal 2012

10 Years after the Freiburg Appeal

Radio-frequency Radiation Poses a Health Risk. Physicians Demand Overdue Precaution.

More than 1000 physicians signed the "Freiburg Appeal" in 2002. It was translated into many languages. As many as 36,000 people from all over the world support its warning about the dangers of radio-frequency radiation. Today—ten years later—we as physicians and scientists call again on our colleagues and the wider global community, but also on all politicians around the world.

I. Evidence:

Despite all warnings, more and more **new wireless technologies** are introduced into our daily lives: cell phone networks, TETRA, LTE, cordless phones, Wi-Fi, baby monitors, wireless meters, digital radio and TV, and many others. All of these wireless technologies interfere with the biophysical organization of life with increasing layers and densities of electromagnetic fields.

Human, animal, and plant life is controlled by naturally occurring electromagnetic fields and signals. With their extremely low to very high frequencies, technical electromagnetic fields can interfere strongly with cell communication and metabolism. Initially, the body's natural healing capacity, in its attempt to maintain homeostasis, will correct imbalances through finely tuned control mechanisms. Prolonged electromagnetic stress, however, may lead to a chronic impairment of this important homeostatic response and result in disease.

Scientific studies repeatedly demonstrate that electromagnetic fields can **impair self-regulation** and cause adverse biological impacts, including: increased permeability of the protective blood-brain barrier, changes in brain wave activity, unbalanced release of neurotransmitters and hormones (especially the increase in stress hormones), immune system impairment, damage to genetic material, and lowered fertility, to name only a few of the well-established examples. Oxidative cell stress—a major cause of many diseases—has been shown to be a central effect mechanism of radiation exposure.

A number of pressing **mental health disorders appear to be increasing** at a worrisome rate, including depression, burnout syndrome as well as sleep, anxiety, and panic disorders. This is also evident for a number of other diseases: stroke in younger people, degenerative neurological disorders (e.g. early onset of dementia syndromes), headaches, tinnitus, autism, learning disorders, concentration problems, and behavioral disorders (ADHD). Empirical observations suggest that the increase in radio-frequency radiation exposures counts among the crucial environmental factors that are responsible for a steady increase in allergies, skin problems, pain syndromes, susceptibility to infections, high blood pressure, cardiac arrhythmias, metabolic disorders, and multi-system disorders.

Observable patterns of **temporal and spatial relationships** between the onset of these symptoms and disorders and the start of an exposure to electromagnetic fields (e.g. in the vicinity of a newly installed cell tower or after heavy cell phone use) suggest that they are causally related. The association between cell phone/cordless phone use and a clear increase in brain tumors has been repeatedly documented in the scientific literature.

Children and adolescents are most vulnerable. After leukemia, brain tumors are the second most common cancer in children. In Europe the cancer rate among adolescents has increased 1.5 percent each year. In England frontal and temporal lobe tumors in children rose significantly from 1999 to 2009. And children increasingly display addictive behavior in the use of their cell phones and other online devices. Numerous appeals and resolutions, therefore, call for the special protection of children and adolescents, as, for instance, the European Environment Agency did in the fall of 2011.

The number of those who suffer from **electrohypersensitivity** is steadily growing. In those who are affected, severe symptoms to electromagnetic fields can develop immediately or hours after the exposure to technical electromagnetic fields. Sweden has recognized electrohypersensitivity as a functional impairment. The European Parliament has called on its member states "to follow the example of Sweden," and U.S. State Governors have raised public awareness about the serious consequences of electrohypersensitivity. The Austrian Medical Association has released a guideline for the diagnosis and treatment of EMF-related health problems and illnesses.

Health care professionals worldwide make observations that are consistent with and increasingly confirmed by **scientific findings**. **Adverse effects** of electromagnetic fields and the fundamental impairment of biological control mechanisms can occur well below current exposure limits and have been demonstrated, in some instances for decades. The International BioInitiative Working Group (2007) documented a broad range of health risks based on more than 1500 scientific studies. Since then numerous studies have confirmed the worrisome results and shown that current exposure limits that only consider damage caused by thermal effects are inadequate. The **World Health Organization** (WHO) classified RF radiation as possibly carcinogenic in May 2011 based on the increased risk of brain tumors among those who heavily use their cell phones for many years. And market-leading manufacturers of cell phones corroborate the association when they justify their patent applications with the argument of cancer risk.

In **numerous appeals and resolutions over the past years**, a growing number of expert scientists and physicians have pointed to the health risks associated with radio-frequency radiation exposures. In 2008 the Russian Radiation Protection Committee RNCNIRP gave a warning about the **serious and irreparable consequences** of electromagnetic radiation especially for children, and again in 2011, intensified its warning. The European Environment Agency called for urgent precautionary action in 2009. The European Parliament repeated this call also in 2009.

In a unanimous resolution in 2011, the European Council demands abandoning wireless communication policies that are seen as unsustainable in their current form.

