

FILE

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**PUCO EXHIBIT FILING**

Date of Hearing: 7/16/19

Case No. 18-1828-EL-CSS

PUCO Case Caption: \_\_\_\_\_

Ned Bushong vs. AEP Ohio

List of exhibits being filed:

Complainant Ex - A and M

AEP Ohio Ex - 1

PUCO

Reporter's Signature: Michael O. Spencer  
Date Submitted: 8/5/19

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BEFORE THE PUBLIC UTILITIES COMMISSION OF OHIO

- - -

In the Matter of the :  
Complaint of Ned Bushong, :  
Complainant, : Case No.  
vs. : 18-1828-EL-CSS  
Ohio Power Company, :  
Respondent. :

- - -

PROCEEDINGS

Before Anna Sanyal, Attorney Examiner, held at  
the Public Utilities Commission of Ohio, 180  
East Broad Street, Hearing Room 11-D, Columbus,  
Ohio, on Tuesday, July 16, 2019, at 11:00 A.M.

- - -

Armstrong & Okey, Inc.  
222 East Town Street, 2nd Floor  
Columbus, Ohio 43215  
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- - -



31 May 2011

## IARC CLASSIFIES RADIOFREQUENCY ELECTROMAGNETIC FIELDS AS POSSIBLY CARCINOGENIC TO HUMANS

Lyon, France, May 31, 2011 – The WHO/International Agency for Research on Cancer (IARC) has classified radiofrequency electromagnetic fields as **possibly carcinogenic to humans (Group 2B)**, based on an increased risk for **glioma**, a malignant type of brain cancer<sup>1</sup>, associated with wireless phone use.

### Background

Over the last few years, there has been mounting concern about the possibility of adverse health effects resulting from exposure to radiofrequency electromagnetic fields, such as those emitted by wireless communication devices. The number of mobile phone subscriptions is estimated at **5 billion globally**.

From **May 24–31 2011, a Working Group of 31 scientists from 14 countries has been meeting at IARC in Lyon, France, to assess the potential carcinogenic hazards from exposure to radiofrequency electromagnetic fields**. These assessments will be published as Volume 102 of the IARC *Monographs*, which will be the fifth volume in this series to focus on physical agents, after **Volume 55** (Solar Radiation), **Volume 75** and **Volume 78** on ionizing radiation (X-rays, gamma-rays, neutrons, radio-nuclides), and **Volume 80 on non-ionizing radiation (extremely low-frequency electromagnetic fields)**.

The IARC Monograph Working Group discussed the possibility that these exposures might induce long-term health effects, in particular an increased risk for cancer. This has relevance for public health, particularly for users of mobile phones, as the number of users is large and growing, particularly among young adults and children.

The IARC Monograph Working Group discussed and evaluated the available literature on the following exposure categories involving radiofrequency electromagnetic fields:

- occupational exposures to radar and to microwaves;
- environmental exposures associated with transmission of signals for radio, television and wireless telecommunication; and
- personal exposures associated with the use of wireless telephones.

International experts shared the complex task of tackling the exposure data, the studies of cancer in humans, the studies of cancer in experimental animals, and the mechanistic and other relevant data.

<sup>1</sup> **237 913 new cases of brain cancers** (all types combined) occurred around the world in 2008 (gliomas represent 2/3 of these). Source: **Globocan 2008**

Exhibit K

## **Fire Problems**

The fact that smart meters cause house fires is now widely known, mainly because of the bankruptcy filing of Americas largest utility, Pacific Gas and Electric. They have been sued for \$30 billion concerning the California wildfires (Exhibit D), and have actually admitted to it.

It is also becoming popular for municipalities to order utility companies to remove smart meters, after learning they cause fires. Saskatchewan is the biggest so far, at 105,000 smart meters (Exhibit E).

So far, I've found one in Lima, on the west side (Exhibit F).

## **Constitutional Violation**

Many scholarly people have debated whether Smart meters violate the 4th Amendment, which states very clearly 'the right of the people to be secure in their houses'. And there is no doubt that smart meters are an invasion of privacy. Utilities advertise them as such.

In what should be the end of the debate: The 7th Circuit just handed down a landmark decision, stating that the 4th Amendment applies to smart meter data (Exhibit G).

The bottom line: The use of Smart Meters is Unconstitutional.

## **Mandate**

I have read many reports stating the Smart Meters are not mandatory. The Columbus Dispatch seems to address this debate the best: They claim that the PUCO has ruled Smart Meters are not mandatory, and AEP can not charge the opt-out fee unless they can clearly show that the customer would have been better off, with the Smart Meter (Exhibit H).

AEP has never attempted to establish that Jane and I would be better off.

Smart Meters are not mandatory.

## Meeting PUCO

My name is Ned Bushong, my wife is Jane. We live at 1191 Gloria, Lima, Ohio, at the house we built. We have been customers of AEP for 30 years, and have payed them about \$75,000 for their service, over the years.

Now they want to rescind our service contract and negotiate a new one. But Jane and I are not interested in what they are offering. They want to attach a dangerous devise to our house, and are attempting to do this at gun-point. This devise is an EMF emitting smart meter. We want nothing to do with their smart meter. They are a monopoly, and as such have become our assailant. That's why we are here, we're fighting for our lives.

Please allow me to explain my case:

### Health Problems

EMF radiation is probably the most widely study health problem on the earth, with over 30,00 reports written. But all of them are private, none are official, not even an Environmental Impact Assessment. This is a giant 'red flag'.

Eight year ago, the World Health Organization ruled the EMF was a possible cancer causing carcinogen to humans (Exhibit A). Since then, there have been many studies that agree, and some have gone further and have declared that Cell phone use will cause brain cancer.

One study was done by Daniel Hirsch, a California radiation expert and UCSD instructor, who found that smart meters produce up to 160 times more radiation than cell phones (Exhibit B). He and others concluded that it is the cumulative effect that makes them dangerous. (tell my story)

But one doctor, Frank H. Springob, a very well known west coast doctor, has done many tests to show that even 2 minute in front of a smart meter will start to deteriorate human blood cells (Exhibit C). (explain)  
Smart meters are a health hazard.

More and more people are wising up, the most recent being the state of New Hampshire, who just passed a bill, HB 522, which questions why the FCC is ignoring evidence of health dangers. The bill asks a lot of questions.

## **Personal Health Issues**

My wife and I are 73 and 72 years old, and each have physical problems that we feel will quickly deteriorate, due to EMF radiation poisoning, if we were forced to get a smart meter. My wife has two cysts on her brain (Exhibit I), and I have a heart pacemaker (Exhibit J). From everything I've seen, these conditions are very vulnerable to EMF radiation.

Forcing us to get a Smart Meter is 'Attempted Homicide'.

If one of us were to get sick or die, I'm certain there would be a very large lawsuit.

This case provides plenty of evidence that all involved were 'Put On Notice'.

## **Final Note**

Jane and I are fighting because we have to. Tolerance is something we can no longer tolerate. We have tolerated ourselves right in to Auschwitz. And we're being gassed every day.

We want to keep our present analogue meter, and we do not want to pay any additional charges.

Also, we want to be compensated for the harassment of the past few months. We want \$6000.

End of statement

**BEFORE  
THE PUBLIC UTILITIES COMMISSION OF OHIO**

In the Matter of the Complaint of       )  
Ned Bushong,                                )  
  )  
                          Complainant,       )  
  )  
                          v.                     )  
  )  
Ohio Power Company,                     )  
  )  
                          Respondent.       )

Case No: 18-1828-EL-CSS

**DIRECT TESTIMONY OF  
PAULA S. IGO  
ON BEHALF OF  
OHIO POWER COMPANY**

1    **I.    INTRODUCTION**

2    **Q.    WHAT IS YOUR NAME AND BUSINESS ADDRESS?**

3    A.    My name is Paula S. Igo. My business address is 700 Morrison Road, 4<sup>th</sup> floor, Gahanna,  
4        Ohio 43232.

5    **Q.    BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?**

6    A.    I am employed by Ohio Power Company (“AEP Ohio” or the “Company”) in the  
7        Regulatory Consultant, Principle position.

8    **Q.    WHAT IS YOUR EDUCATIONAL AND PROFESSIONAL BACKGROUND?**

9    A.    I am an attorney, but I am not employed as or practicing as an attorney for American  
10       Electric Power Company (“AEP”) or AEP Ohio. I received my Juris Doctorate from the  
11       University of Dayton School of Law in May 1996. I was admitted to the Ohio Bar in  
12       November 1996. Prior to that, I received a Bachelor of Arts in Psychology from Wright  
13       State University in March 1993. I have also completed my Project Management  
14       Professional certification.

15       I have over 10 years of electric utility experience with AEP Ohio. I started my career as a  
16       Contract Analyst supporting distribution and AEP’s gridSMART projects. I then became  
17       an AEP Ohio Project Manager, responsible for the contracts that supported the AEP Ohio  
18       gridSMART Demonstration Project as well as the project reporting. Following that  
19       project’s successful completion, I joined the AEP Ohio Regulatory Operations group.

20       Prior to joining AEP, I spent 10 years as a trial attorney for the Franklin County Public  
21       Defender’s Office.

22    **Q.    WHAT WERE YOUR RESPONSIBILITIES AS A PROJECT MANAGER ON**  
23       **THE GRIDSMART TEAM?**

1 A. I was responsible for the management of the contracts for the gridSMART project. This  
2 included managing Requests for Proposals and the selection of vendors, negotiating  
3 contracts, drafting contracts with the AEP Legal Department, and project reporting. With  
4 this effort, I became familiar with the technologies being deployed within the Company's  
5 service territory, including Advanced Meter Infrastructure ("AMI") meters or "smart"  
6 meters.

7 **Q. WHAT ARE YOUR RELEVANT RESPONSIBILITIES AS A REGULATORY**  
8 **CONSULTANT, PRINCIPLE?**

9 A. In my current role, I have continued to be involved with the AEP Ohio smart grid  
10 deployment. Specifically, I have provided support with the implementation of the "opt out"  
11 process for AMI meters and Automatic Meter Reading or Radio Frequency meters.

12 **Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

13 A. The Purpose of my testimony is to address some of the allegations and policy issues raised  
14 in the Complaint filed by Complainant Ned Bushong on December 12, 2018. Through my  
15 testimony, I will demonstrate that AEP Ohio met its obligations to provide safe, reasonable,  
16 and adequate electric service to Mr. Bushong and otherwise acted in accordance with Ohio  
17 law and regulations and AEP Ohio's tariffs at all times. Although I am an attorney, I am  
18 not attempting to address any of the legal issues presented in this proceeding.

19 **II. SUMMARY OF COMPLAINT**

20 **Q. PLEASE BRIEFLY DESCRIBE THE NATURE OF MR. BUSHONG'S**  
21 **COMPLAINT.**

22 A. Mr. Bushong's Complaint relates to AEP Ohio's deployment of AMI meters in the  
23 Company's service territory, which includes Mr. Bushong's residence. The Complaint

1 indicates that Mr. Bushong does not want an AMI meter and does not believe he should be  
2 subject to the Company's Commission-approved Advanced Meter Opt Out tariff  
3 provisions and opt-out fee. In lieu of paying the opt-out fee, Mr. Bushong wishes to read  
4 his meter himself and send the Company his monthly meter readings, or to have the  
5 Company estimate his bill every month.

6 **III. METERING OPTIONS FOR RESIDENTIAL CUSTOMERS**

7 **Q. IS A RESIDENTIAL CUSTOMER REQUIRED TO HAVE AN AMI METER?**

8 A. No. Under Paragraph 16 of the Terms and Conditions of Service in the Company's  
9 Commission-approved tariff, a residential customer may request to "opt-out" of having an  
10 AMI meter installed at his or her service address.<sup>1</sup> In such cases, the Company's typical  
11 practice is to install a non-emitting, non-communicating digital meter at the customer's  
12 premises. A customer who elects not to have an AMI meter is required to pay a \$24.00  
13 monthly opt out fee.

14 **Q. DOES A CUSTOMER WHO DECLINES THE INSTALLATION OF AN AMI**  
15 **METER HAVE THE RIGHT TO KEEP HIS OR HER EXISTING METER?**

16 A. No. It is first important to keep in mind that electric meters are owned by AEP Ohio, not  
17 by individual customers.<sup>2</sup> Additionally, AEP Ohio's tariff expressly provides that opt-out  
18 service does not guarantee that a customer will retain the existing meter at their premises  
19 and that the Company "maintains the right to replace meters for customers on opt-out  
20 service with meters that do not have one-way or two-way communications."<sup>3</sup> When a

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<sup>1</sup> P.U.C.O. No. 20 at 3<sup>rd</sup> Revised Sheet No. 103-12 (¶ 16).

<sup>2</sup> P.U.C.O. No. 20 at 3<sup>rd</sup> Revised Sheet No. 103-10 (¶ 14).

<sup>3</sup> P.U.C.O. No. 20 at 3<sup>rd</sup> Revised Sheet No. 103-13.

1 customer declines an AMI meter, the Company's normal practice is to install a digital non-  
2 emitting, non-communicating meter. However, if a dispute arises regarding the type of  
3 meter installed or to be installed at a customer's residence, the Company works with the  
4 customer to try to reach a mutually-agreeable metering solution.

5 **Q. WHY IS IT THE COMPANY'S NORMAL PRACTICE TO INSTALL A DIGITAL**  
6 **NON-EMITTING, NON-COMMUNICATING METER AT AN AMI OPT-OUT**  
7 **CUSTOMER'S RESIDENCE?**

8 A. Analog meters are no longer standard metering equipment. Those meters are no longer  
9 manufactured, and replacement parts and components are not available. AEP Ohio does  
10 not purchase or use such meters and, in fact, has not purchased an analog meter in over ten  
11 years. Based on these factors, the Company has moved to installing non-emitting digital  
12 meters at opt-out customers' residences. Non-emitting digital meters measure the electrons  
13 a consumer uses (like a traditional dial meter) and displays the reading on a digital display  
14 that is easier for a meter reading technician to read.

15 **Q. DOES AEP OHIO'S TARIFF PROVIDE CUSTOMERS WITH ANY OTHER**  
16 **OPTIONS REGARDING SMART METER INSTALLATION?**

17 A. Yes. Another metering solution that a customer may choose is to relocate their meter  
18 location (at the customer's expense) and have an AMI meter installed at the new location.<sup>4</sup>  
19 No monthly opt-out fee is required for a customer who chooses this option.

20 **Q. WHAT TYPE OF METER IS INSTALLED AT MR. BUSHONG'S RESIDENCE?**

21 A. The analog meter that was installed at Mr. Bushong's residence on July 1, 1989 continues  
22 be in place today.

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<sup>4</sup> P.U.C.O. No. 20 at 3<sup>rd</sup> Revised Sheet No. 103-12 (¶ 16(1)).

1   **Q.    WILL THE COMPANY ALLOW THE ANALOG METER AT MR. BUSHONG'S**  
2   **PREMISES TO REMAIN IN PLACE?**

3   A.    Yes. The Company is willing to allow the meter currently installed at Mr. Bushong's  
4   residence to continue to serve the residence as long as that meter is functioning within the  
5   standards set forth in Ohio Adm. Code 4901:1-05 and Paragraph 14 of the Terms and  
6   Conditions of Service in AEP Ohio's tariff.<sup>5</sup> Consistent with the Advanced Meter Opt Out  
7   provisions set forth in Paragraph 16 of the Company's tariff, Mr. Bushong will also be  
8   required to pay the Company's Commission-approved monthly opt-out fee.

9   **Q.    IS MR. BUSHONG'S REQUEST TO READ HIS OWN METER AND SEND THE**  
10   **COMPANY HIS USAGE INSTEAD OF MR. BUSHONG ACCEPTING AMI OR**  
11   **OPTING OUT AND PAYING THE COMPANY'S OPT-OUT FEE**  
12   **APPROPRIATE?**

13   A.    No, it is not appropriate or reasonable. Although a customer may be able to read his meter,  
14   AEP Ohio is unable to use that reading for billing purposes. Such an approach would not  
15   be appropriate because there would be both an opportunity for inadvertent error and for a  
16   customer to manipulate a reading. The Company also has no systems in place to enter a  
17   customer-provided reading or store information or photographs a customer might provide  
18   to document the reading. Such systems would be costly to develop and of little utility in  
19   any event, given the Company's concerns about the accuracy of a customer-provided  
20   reading and the fact that the vast majority of customers' metering information is obtained  
21   and recorded through other means.

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<sup>5</sup> P.U.C.O. No. 20 at 3<sup>rd</sup> Revised Sheet No. 103-10 and 103-11.

1   **Q.    IS MR. BUSHONG’S SUGGESTION THAT THE COMPANY ESTIMATE HIS**  
2       **ELECTRIC USAGE EVERY MONTH INSTEAD OF MR. BUSHONG**  
3       **ACCEPTING AMI OR OPTING OUT AND PAYING THE COMPANY’S OPT-**  
4       **OUT FEE REASONABLE?**

5   **A.    No, it is not. Ohio Adm. Code 4901:1-10-05(I)(1) requires the Company to obtain actual**  
6       **readings of all its in-service customer meters at least once per calendar year. Mr.**  
7       **Bushong’s suggestion is inconsistent with that requirement.**

8   **Q.    DOES THIS CONCLUDE YOUR TESTIMONY?**

9   **A.    Yes.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and accurate copy of the foregoing was served upon Complainants at the address listed below by regular U.S. mail, postage prepaid, on this 2nd day of July, 2019.

Ned Bushong  
1191 Gloria Ave  
Lima, Ohio 45805

**Complainant**

/s/ Tanner S. Wolffram  
Tanner S. Wolffram

**This foregoing document was electronically filed with the Public Utilities**

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**Case No(s). 18-1828-EL-CSS**

Summary: Testimony -Direct Testimony of Paula S. Igo on Behalf of Ohio Power Company  
electronically filed by Tanner Wolfram on behalf of Ohio Power Company