

Fairfax Town Council Minutes
Special Meeting re Smart Meters with PG&E
Fairfax Women's Club
Tuesday, November 30, 2010

Call to Order/Roll Call:

COUNCILMEMBERS PRESENT: Larry Bragman
Pam Hartwell-Herrero
John Reed
Lew Tremaine
David Weinsoff

STAFF MEMBERS PRESENT: Michael Rock, Town Manager
Judy Anderson, Town Clerk

Mayor Tremaine called the meeting to order at 7:30 pm. and reviewed the format of the meeting.

Mayor Tremaine introduced PG&E Public Affairs Manager Josh Townsend; Greg Kiraly, Vice President, SmartMeter Operations; Jana Corey, Director, Policy Planning; Jess Brown, Director, Energy Solutions and Service. Also introduced was Marzia Zapar, California Public Utilities Commission (CPUC).

Mayor Tremaine stated that he had read an article in the Chronicle about PG&E developing an alternative to the Smart Meter.

Greg Kiraly, reported that Bill Devereaux had been suspended and an investigation by PG&E had been undertaken; that what he had done was against the core values of PG&E; and that he no longer worked for PG&E. He further stated that radio frequencies from Smart Meters were safe according to their research; referred to the SF Chronicle article mentioned to by Mayor Tremaine and reiterated that they were attempting to listen to their customers and to come up with alternatives but discussion was in the early stages; and that they would make information available in the next few months.

Responses by PG&E to the following questions and concerns raised at the Listening Session Community Meeting held on September 15, 2010: Security Issues; Billing Accuracy; Other Issues raised at prior meetings (RF/Health Concerns)

Jess Brown responded to the question of billing accuracy and stated that an independent evaluation commissioned by the CPUC had concluded that the billing from Smart Meters was accurate and in line with industry standards.

Jana Corey, stated that PG&E took very seriously the protection of its customers' private data; that it could not be released without the authorization of the customer; and that state of the industry testing had been done to assure them that the data was secure. She also stated that PG&E couldn't sell customers' information to anyone without the customer's consent; that strict guidelines set up by CPUC were followed; that all data was password protected; that there was legal precedence to protect customer information including case law, legislation, civil code, and disclosure laws. She further stated that PG&E didn't share information with any government bodies unless there was a court-ordered subpoena or the account was in default.

PG&E's response to other questions previously asked:

Question: Whether information could be obtained about when certain appliances were used by a consumer, Ms. Corey stated that the information was not specific to each household.

Question: Whether or not access to a consumer's property was in compliance with personal

property rights, Ms. Corey stated that PG&E already had access to service equipment. Question: Whether or not a burglar could tap into consumer information, Ms. Corey responded that the systems only transmitted kilowatts and a badge number. She explained that PG&E had a very sensitive privacy policy and that the consumer's affirmative consent was needed to release any personal information.

Mayor Tremaine opened the discussion to the public.

Sierra Salin, Cascade Drive, read a letter from someone in San Geronimo condemning PG&E for the explosion in Brisbane, their financing of Proposition 19 opposition and pollution in the valley, a letter that concluded that PG&E had different values. Mr. Salin stated that "looking at economically viable options" meant wired meters. He referred to Marcia Gaines statement about purchasing a home in Forest Knolls and having her request for a delay in the installation of a Smart Meter honored because of her hypersensitivity but stated that the meters surrounding her in the neighborhood nullified her choice. He stated that the fact that there was no choice was unfair.

Alexander Binik, Meadow Way, asked about the frequency of transmissions and clarified that the fear of someone accessing personal information was about a potential hacker and that data was flying around in the environment.

Ms. Corey of PG&E, stated that the meters had the capability of tracking appliances but they didn't do it; that it would be a customer choice; and that data was collected hourly at the meter and sent back to PG&E 3 or 4 times per day. She further stated that there was no guarantee against hackers, but that PG&E had the most secure communications available and that there hadn't been any hacking with the 7.5 million meters already in service.

Mr. Kiraly stated that the \$46 million used to oppose Proposition 19 had come from earnings of shareholders, not from ratepayers.

A Fairfax property owner described her experience at her property in San Rafael. She stated that two Smart Meters were installed in San Rafael without notice to her as the property owner. She further stated that when she contacted PG&E she was told that the meters could not be removed and replaced with old meters and that she feared her new tenants would not move in with the Smart Meters.

Valeri Hood, Dominga Avenue, asked how many PG&E employees were in the room and about ten people raised their hands. She urged the other members of the audience to attend an upcoming meeting about Smart Meters to voice their concerns; cautioned that you had to sign up to speak ahead of time at CPUC meetings; and announced that she had "NO SMART METER" signs available.

Ms. Zapar, CPUC staff member, stated that an Administrative Law Judge had denied the EMF Safety Network petition; that Smart Meters emitted 1/6000 of the allowed standards for EMF; quoted some studies that had determined that there were no negative health effects of Smart Meters; and noted that other health organizations had stated that there were no health impacts.

Katherina Zanada, West Marin Citizens against Smart Meters, read a prepared statement; stated that she believed that the installation of Smart Meters was harmful to the health of her children; that she had a right to protect her children; that she was ready to participate in civil disobedience, that she would block installations in their community; that they were not a fringe group; and that they demanded a halt to the installation of Smart Meters until there was a wired alternative.

Judy Hitchcock, Chester Ave., submitted a whole list of questions about health issues raised by Smart Meters; confirmed from Ms. Corey that transmitting information about appliances was at the customer's discretion. In response to other questions Ms. Hitchcock posed, PG&E representatives confirmed that electric Smart Meters acted as repeaters but not the gas ones;

and that transmissions happened every four hours at the most and for 45 seconds out of 24 hours at the least. Ms. Hitchcock's contention that the average pulse of a Smart Meter was 1000 times that of a cell phone was disputed by the PG&E representatives. Ms. Hitchcock asked for a map of all the repeater locations in Fairfax; for alternatives for people with EMF sensitivities and with pacemakers; and asked if there was a way to have a meter that did not serve as a repeater.

Mike of PG&E stated that they would continue to look at options for people with special needs and asked that such people contact PG&E directly. He noted that Smart Meters were not usually in such close proximity as cell phones and other devices; and that information was available so that people could consult with their doctors about their issues.

Tony Yudice, Forrest Terrace, asked if there was a service that would enable PG&E to use the wireless for other services and ascertained that if such services were offered, it would be by choice of the consumer.

Joseph Odom, Porteous Ave., stated that the legal case would boil down to whether or not an outside agency had the right to install microwave appliances in people's homes; that he believed that the unwanted installation of Smart Meters qualified as trespass under California law; and suggested that Fairfax should update the Town's telecommunications ordinance to adopt standards like those in Europe.

David Glick, Cascade Drive, stated that people didn't want Smart Meters installed for various reasons; that a recent Supreme Court decision from a case involving Citizens United recognized corporations as individuals under the law; asked if the PG&E representatives were at the meeting as a corporation or as individual persons; and expressed hope that they were present as persons who were really trying to build a relationship with the community.

Alma Alyce stated that she worked in health care in Fairfax; that the most dangerous aspect of the Smart Meters was how they put our health at risk; that many scientific studies had shown that the emissions affected brain activity and hormone balance and caused insomnia, migraines, depression and other nervous disorders; that electrical sensitivity was cumulative; that she resented that she didn't have any choice about the meters but had a choice to have a cell phone; and noted that customers paid for PG&E profits.

Jessra Mason, Greenbrae, expressed concern for the meter readers who were losing their jobs and about the emissions from downtown meters/antennae that had already been turned on; asked for the locations of those devices; stated that a type of diabetes was caused by radio frequencies; and asked for the locations of existing antennae.

Richard Raznikov, Fairfax Resident, stated that he was not a scientist but that there was sufficient credible information available to substantiate health concerns; that he had a strong bias against Smart Meters; and that what was known about PG&E as a corporation historically did not promote trust. He cited the examples of people poisoned by PG&E in Hinkley and of PG&E declaring bankruptcy after paying executives a lot of money.

Roberta Antheze, Oak Manor, stated that she had read PG&E's report on the safety of Smart Meters; that she believed it was PG&E's job to make sure that the Smart Meters didn't have any long term detrimental effects; and that she didn't doesn't trust the FCC standards.

Mike, PG&E, stated that the limits enforced by FCC were set by other agencies like the World Health Organization; that studies were available; that most of the research had been done on cell phones which were held next to the body with greater exposure than Smart Meters.

Diane Hoffman, Porteous Ave., reported that the Marin Association of Realtors was writing brand new disclosure documents about Smart Meters and antennae that could affect the price of homes.

Stephanie Cramer, San Anselmo, an electrician for 31 years in Marin, San Francisco and Sonoma County, stated that he had worked with PG&E for many years; that the workers were honorable but company was questionable; that PG&E had cut back on maintenance employees by 50%; that he questioned their credibility; that PG&E had hired Wellington with only two weeks of training to do the Smart Meter installations; that Wellington workers were expected to install forty meters per day to get a bonus; and the way they treated their workers was why she didn't have any faith in their assurances.

Mike, PG&E, stated that it was not true that they had cut back on maintenance.

Connie Garon, San Rafael resident, stated that she had worked with technology and computers for a career; that she was aware of efforts to provide for efficiencies of power use; that she became electrically sensitive and had contracted cancer; that meters were close to her home office; that the cancer was in her knee closest to the meters; that other people had complained about the accuracy of the meters; and asked if any analysis had been done in response to complaints about billing accuracy.

Mr. Kiraly, PG&E, responded that a study had been conducted by the CPUC that concluded that the billing was accurate; that they couldn't deny her sensitivity and that PG&E would be looking at alternatives to explore to see if there were viable options.

Mark Bell, Dominga Ave., referred to the book Outrageous Conduct that had early asbestos standards listed that were considered safe at the time but had proven to be extremely harmful. He asked if the public was supposed to believe PG&E's figures and information and asked if PG&E could be sued in the future if their information proved to be wrong. He also asked what percentage Fairfax represented on the power grid, why PG&E would want to wire Fairfax if they didn't want the technology, and if they were installing meters to raise rates.

Mr. Kiraly, PG&E, stated the program was being implemented to reduce energy use.

Mrs. Bell, Dominga Ave., thought there was a moratorium on the installation of Smart Meters in Fairfax although some were still being installed and asked if they had to be on every house.

Mr. Kiraly, PG&E, stated that yes, they had to be on each house; that they were regulated by the CPUC, not by the legal decision of a local jurisdiction; and that they were voluntarily respecting the Fairfax moratorium, but were not sure how long into the future it would be honored.

Ms. Zapar, CPUC, stated that the Smart Meters were mandated for installation by 2012; that there were currently no alternatives; and that the Smart Meters were intended to give the customers more information to reduce overall usage to avoid developing more sources of electricity.

Alexander Binik, asked about the possibility of using fiber optics instead of wireless devices; noted that fiber optics wouldn't provide protection from the other meters in the area or the antennae; that attempts at remediation were never as effective as prevention; that the cautionary principle was important; that FCC guidelines were outdated; and that there wasn't enough time for him to contest other statements made.

Lou Vaccaro, Olema Road, stated that people from outside Fairfax should complain at the County level; that he had been retired from PG&E for almost 24 years; that he was born in 1924 when each room only had one light; that he had worked for PG&E for many years; that he was familiar with meters and transmissions in California; that he had worked in the engineering department when the building boom of the 50's happened; that PG&E wasn't the only one that was getting Smart Meters; that they were all over the US; that there were good things about the Smart Meters like the ability to help PG&E to keep up with the demand and to let PG&E know when there was an outage.

Rebekka Collins, Fairfax resident, stated that she expected regulatory agencies to be public agencies; that she found it hard to believe when told that FDA, EPA, CPUC and FCC were protecting us; that gluten allergies were prevalent because foods were so hybrid that our systems couldn't absorb them; that we could no longer tolerate the pollution of our environment for profit; and that, if a regulatory agency was willing to compromise; it meant that we were taking on another pollutant.

Anastasia Sheldon, Sleepy Hollow resident, stated that she was at the meeting for the opportunity provided to talk to PG&E and asked for contact information so that she could contact the CPUC and PG&E directly.

Sarah Riley, health care provider, thanked PG&E for being present at the meeting; expressed the hope that they were being heard; that electromagnetic and RF sensitivity from overexposure was a reality; that healthy people were getting sick after the installation of Smart Meters; and asked how the issue was being addressed.

Mr. Kiraly, PG&E, stated that he was not aware of the complaints referenced; that he wasn't disagreeing that the speaker or others were having adverse health impacts; that they were looking at different options and were installing at different times so that other options might be available; that adverse reactions were handled on a case-by-case basis; and that analog meters were no longer manufactured.

Dr. Sandy Ross stated that the Marin Municipal Water District (MMWD) was ready to piggy-back on the Smart Meters.

The public portion of the meeting was closed and the discussion returned to the Town Council.

Vice Mayor Bragman stated that there was an emphasis on "informed consent" by PG&E at the outset; that there was no informed consent on the deployment in Fairfax; that there was no democracy in the deployment; that West Marin was ready to commit civil disobedience to keep the Smart Meters out of their community; that he was still researching to see if FCC guidelines were valid; that his primary concern was to keep Fairfax's moratorium in effect; he asked the PG&E representatives if they were willing to continue to honor the moratorium; suggested that another meeting be scheduled with PG&E after the State study was completed; that PG&E listening to the community's concerns was not getting the informed consent of the citizens; and that another meeting was needed after the study was published.

There was agreement from the PG&E employees present that they would voluntarily delay deployment in Fairfax until the process was completed.

Vice Mayor Bragman stated that he had heard from citizens that there were still inaccuracies in billings; that he would like to know what the protocol was to address errors; requested information about reporting protocols given to meter readers; and asked if there had been any masking of the inaccuracies. He stated that he would like to have a discussion about PG&E's privacy standards at the next meeting.

Ms. Zapar, CPUC, stated that the CPUC would address the subject of privacy early in 2011.

Ms. Corey, PG&E, stated that PG&E was very involved in the development of privacy policies; that the terms and elements of the privacy rules were based on the guidelines set up by Homeland Security and Fair Information Practice Principles; that she would provide that information to the Town Council; and suggested that the Town get on the CPUC contact list.

Councilmember Reed, thanked everyone for attending the meeting; stated that there was a lot of mistrust in government, in the PUC, and in PG&E; that the Smart Meter system was proposed to the CPUC by PG&E; that a hard-wired system would be more expensive but would also be more secure with fewer problems; that people didn't want more wireless technology; that ratepayers were on the hook for the cost of Smart Meter deployment; that PG&E should be

urged to go for hard-wired technology; thanked PG&E for attending the series of meetings; stated that people were frustrated that even if they opted out, they were still impacted by the technology of their neighbors.

Councilmember Weinsoff stated that there was a fear that PG&E would use their considerable power and just do it; asked PG&E to consider doing it differently and to benefit from the positive publicity created; and thanked them for attending the meeting and bringing so many staff to address the concerns of the public.

Councilmember Hartwell-Herrero stated that she was weighing the benefits vs. the drawbacks; that installations in Canada and other places had resulted in higher rates and little or no conservation; that she had trouble believing that PG&E was really motivated to provide benefits; that she would support the program if she believed it was going to reduce power usage; that she hadn't seen the benefits for the program and would like to be shown the benefits; and she thanked the audience for attending and doing the research.

Mayor Tremaine thanked the public for attending; noted that discussions had been begun with a former PG&E employee and the Marin Energy Authority about how to accommodate those who didn't want Smart Meters and asked if those discussions would be resumed; that PG&E needed to pursue an alternative; that PG&E shouldn't have the right to install meters on private property unless the people wanted it; that providing an alternative to Smart Meters was the right thing to do to start repairing PG&E's image; asked that this opinion be taken back to the decision makers at PG&E and to the CPUC; that he hoped their minds were open to alternatives to the Smart Meter; and suggested that, if PG&E and Marin Clean Energy sat down and worked it out they could go to the CPUC together and they would get a response.

The meeting was adjourned at 10:15 p.m.

Respectfully submitted,

Judy Anderson, Town Clerk