

2024 - New York Safe Utility Meter Association (NYSUMA)

New Yorkers Need the Protection of Legislation for Utility Meter Choice

Summary of Relevant Facts

1. There are two categories of utility meters that are approved by the New York State Public Service Commission:

- **Analog Utility Meter** - A purely electro-mechanical utility meter that has been safely used for decades to measure electric, water and gas usage. Analog meters are not flammable. They do not contain electronic components. Therefore, they do not transmit or conduct radiofrequency (RF) radiation. Analog meters protect privacy and have no capability to collect private utility usage data. An analog meter, for electric service, acts as a built-in mechanical grounding system, with surge/lightning arrestors that protect a consumer's electric system from fires and damaging power surges from the grid.¹
- **Digital Utility Meter (AMR, ERT, AMI, PLC, Smart, non-transmitting digital)** - A computerized electronic utility meter that has been widely deployed in New York State since the late 2000s. Digital meters contain flammable electronic components, including switch mode power supply, antennae, batteries and more, to extract, measure, store and/or transmit electric, water or gas usage. These components contaminate electrical wiring and the grid with conducted RF radiation and electromagnetic interference (dirty electricity). Digital meters that utilize one-way or two-way communication pollute the environment with transmitted pulsed RF radiation for great distances around the meters. Digital meters are filled with electronic components but do not contain surge arrestors or circuit breakers, which are essential for electrical fire safety.

2. There is effectively no utility consumer protection in New York State:

This is especially evident in the New York State Public Service Commission's (NYSPSC) position that allows utilities to force New Yorkers to accept digital utility meters that are a risk for health, safety, privacy and security.

3. In the mid-2000s, the NYSPSC approved the deployment of digital utility meters:

In doing so, the NYSPSC relied on testing procedures from the 2003 NYSDPS Operating Manual 92.² These procedures are specifically designed to test analog utility meters for accuracy. The NYSPSC ignored the importance of performing appropriate safety testing for digital meters. Had testing for fire risks, electrical interference and RF radiation been done, the meters could not have been approved. Proper tests would have revealed that digital meters pose electrical fire risks and intolerable transmitted and conducted RF radiation emissions. Digital meters are not Underwriter's Laboratories (UL) approved.

¹ U.S. Patent No. [US3735259A](#) *Overvoltage Surge Arrester for a meter*

² Department of Public Service [16 NYCRR Part 92 Operating Manual - March 14, 2003](#)

4. Once the NYPSC approved digital meters, utility companies began, without prior notification or consumer consent, to remove safe analog meters from New Yorkers' homes and businesses and replace them with unsafe digital meters:

Digital meters eliminate meter reading jobs and can extract customers' private utility usage data for utilities to sell to third parties, at a profit, without customers' permission. In addition, utilities plan to use digital meters to force time-of-use utility pricing on customers. This would cruelly discriminate against certain customers who cannot, for various reasons, choose when they use electricity.

5. By 2010, utility customers began reporting electromagnetic injuries caused by digital meters:

Customers have documented reports of headaches, memory and cognitive problems, intestinal, hormone and eye problems, insomnia, heart arrhythmia and palpitations, ringing in the ears, exhaustion, skin rashes, vertigo, tingling in extremities, nose bleeds, burning sensations and more. As a result, some victims of these injuries are now unable to tolerate RF radiation from transmitting and non-transmitting digital meters and also from other electronic and wireless devices. For them, the ability to choose an analog meter is imperative.

6. There are no known reported health or electrical fire complaints related to analog utility meters.

7. For over a decade, the NYSPSC and utility companies have continued to ignore health, safety, security and privacy complaints about digital meters:

This is documented in NYSPSC proceedings dating back to 2010.³ In 2016, the NYSPSC suddenly refused to post public comments "if they related to health". This is a dereliction of the NYSPSC's duty to protect and serve the best interests of New Yorkers. Presently, there is no way to know how many public comments the NYSPSC receives and simply discards.

8. Since 2011, in response to public nonacceptance of digital meters, many utilities across the United States have offered an analog meter choice, but most utilities in New York State do not:

Historically, there was never a reason to offer a utility meter choice because analog meters never caused harm. Within a short time after the introduction of digital meters, customers began fighting for an analog meter choice because digital meters proved to be unsafe. Across the country, thousands of people reported fires and injuries caused by digital meters. Obviously, there is a problem with digital utility meters and of course utility companies in New York State know this.

9. Utility companies have no basis for claiming that digital utility meters are safe:

³ 2016 - *Tariff filing by Central Hudson Gas & Electric Corporation to establish fees for residential customers who choose to opt out of using Automated Meter Reading devices* (See Filed Documents and Public Comments - [14-01027/14-M-0196](#)); 2014-16 New York State Public Service Commission *Reforming the Energy Vision* (See Public Comments mainly on pages 13, 14, 15 - [14-00581/14-M-0101](#)); 2010-15 - *Proceeding on Motion of the Commission to Consider Regulatory Policies Regarding Smart Grid Systems and the Modernization of the Electric Grid* (See Public Comments - [10-01355/10-E-0285](#)); NYSPSC Public Hearing Kingston, New York - *Reforming the Energy Vision (REV)* – (Public Comments [Part 1](#), [Part 2](#) - Public Comments, opposing digital utility meters, were also made at REV public hearings in Long Island and Westchester)

Thousands of independent, non-industry funded, government and peer-reviewed scientific studies and military documents show that RF radiation exposure causes biological harm.⁴

10. Utilities falsely claim that RF radiation from digital meters falls within “safe” RF guidelines set by the Federal Communications Commission (FCC). This ignores three important points:

- In 2019, the FCC admitted that RF frequencies used in operating all digital utility meters, ranging between 3KHz and 10MHz, are harmful to humans.⁵
- On August 13, 2021, the US Court of Appeals for the District of Columbia Circuit overruled the FCC’s decision not to update its current RF radiation exposure guidelines. The court found that the FCC had violated the Federal Administrative Procedure Act by failing to respond to significant comments and documentation it had received from scientists, doctors, elected officials and other concerned members of the public. The court concluded that the FCC failed to provide a reasoned explanation for the determination that its current guidelines adequately protect against the harmful effects of exposure to RF radiation unrelated to cancer. The FCC’s violations are consistent with the NYSPSC’s dereliction of its duty by ignoring public comments and disregarding documented evidence that has been submitted in NYSPSC.
- The FCC is not a health agency and has never established health or safety guidelines for utility meters. The industry and the NYSPSC base their digital meter safety claims on flawed FCC testing for licensing. This test, Part 15.247 Certification, is performed in an FCC accredited laboratory that is designed to test electronic equipment with power cords. Utility meters do not have power cords. In order to fit a digital meter into a test modality that is not designed to test utility meters, the lab alters the meter by adding a power cord to it and then plugs that into an isolated outlet. This test fails to include consumer and utility electrical wiring to which meters would need to be connected and the unpredictable variables found within actual electrical systems. This is the only FCC testing procedure that we know of. In it, the digital utility meter was not connected to, nor did it interact with realistic conditions found within electrical systems, electronic and wireless equipment, building materials and biological systems.⁶ These are all essential to determining if there will be electrical problems, electronic equipment failures, fires and/or adverse health effects, after digital meters are installed.

11. Utilities falsely claim that RF radiation from digital meters falls within “safe” standards set by the American National Standards Institute (ANSI):⁷

⁴ [U.S. NTP Study – Microwaves and Cancer; Bioinitiative Report; Dr. Joel Moskowitz: Thirty Years of Research; Dr Alexia McKnight – Tech Ted Talk - Video](#)

⁵ Brief of Children’s Health Defense and Building Biology Institute, *Povasz v. Pennsylvania Utility Commission* – Supreme Court of Pennsylvania Middle District, No. 24 Map 2021, September 14, 2021 (Pages 18 – 19)

⁶ [Isotope Report – Pages 9, 10 and 12](#) - *Report on Examination of Selected Sources of Electromagnetic Fields at Selected Residences in Hastings-on-Hudson*

⁷ *American National Standard for Electricity Meters for the Measurement of DC Energy* - [ANSI C-12.32-2021](#)

This is erroneous and misleading. The ANSI standard the utilities refer to is not a safety standard but instead a standard for accuracy and performance.

12. In 2011, the International Agency for Research on Cancer (IARC), part of the World Health Organization, classified RF radiation as a Class 2B possible carcinogen, along with DDT, engine exhaust and lead:

Moreover, scientists have urged that this be changed to a Class 1 carcinogen designation, due to sufficient evidence that RF radiation causes cancer in humans, as well as other illnesses.

13. In 2016, the National Toxicology Program, an arm of the National Institutes of Health, completed a highly relevant \$30 million toxicology study:

It concluded that RF radiation causes adverse health effects, including DNA damage and cancer. This study was repeated in Italy at the Ramazzini Institute with the same results.⁸

14. American Embassy workers, suffering from “Havana Syndrome”, report the same debilitating health effects as those who have been injured by pulsed RF radiation from digital meters:

The National Academy of Sciences, Engineering and Medicine concluded that Havana Syndrome is likely caused by pulsed RF radiation from directed RF microwave weapons and/or spy equipment.⁹ Utilities in New York State are deploying metering equipment outfitted with weapons-grade pulsed frequencies that make some people very sick.

15. Analog utility meters have an average life span of 40-50 years:

Analog meters have well served New Yorkers (and other utility customers worldwide) for decades and will continue to do so. In contrast, after only 10 years, some utilities are already discarding the first generation of expensive digital meters and replacing them with millions more next-generation pulsed RF radiation transmitting “smart” meters, at consumer expense. For over a decade, all of this is occurring as the NYSPSC regularly approves utilities’ requests for rate hikes. As a result, utility costs skyrocket in New York State. As an example, in 2009, Con Edison appropriated \$500 million in stimulus funds (our tax dollars) and spent it on one-way AMR digital meters. Then, within a 10 years, they began discarding those meters and replaced them with two-way smart meters. This was done with the approval of the NYSPSC.

16. Utilities falsely claim that digital utility meters benefit the environment and consumers:

To date, after billions of public dollars have been spent on digital meters, customers have seen absolutely no such benefits, nor have utility companies shown any proof of these supposed benefits. To the contrary, in 2009, utility companies in New York State abandoned investments for projects designed to secure the grid against impending severe weather events. Instead, they appropriated hundreds of millions of dollars in federal stimulus funds for one-way digital meters. In 2009, Con Edison alone received close to \$500 million in federal stimulus funds and purchased millions of digital meters while abandoning a planned relay system designed for preventing blackouts.¹⁰ Since then, hundreds of thousands of Americans have suffered and some

⁸ *Cell Phone Radiation Leads to Cancer, Says U.S. NTP in Final Report - [U.S. NTP Study](#)*

⁹ *Havana Syndrome is likely Real, Feds Admit*

¹⁰ *ABC News Con Edison Abandons Plans for Upgrades - [Power Outages on the Rise Across the USA](#)*

have died due to power outages. During this time, utilities in New York and elsewhere abandoned grid maintenance and focused instead on the deployment of digital utility meters and the expensive infrastructure needed for the meters.

17. Utilities lie and falsely claim that transmitting meters only send data for a few seconds each day:

In fact, for 24 hours per day, at an average of every few seconds, digital meters transmit extreme pulsed RF radiation into the environment and over great distances.¹¹ These frequencies also conduct on to building electrical systems, causing a dangerous RF radiation antenna effect.¹²

18. It has been reported that, immediately after electrical fires at homes and businesses, utilities have been routinely removing electric digital utility meters and replacing them with new digital meters, in what has been described as an effort to hide evidence that the fires were caused by the meters:

This is taking place before fire inspectors have had a chance to determine, through an inspection, any causal relationship between the meter and the fire.

19. For all of the reasons above, some states have banned digital meters, while other states and utilities allow utility customers to choose analog meters:

New York should do the same and require that consumers be afforded the choice of having analog meters installed on their homes and businesses. They should not be forced to accept digital meters.

Some New York State residents do not want to be forced by any company to be subjected to the health, safety, privacy and security risks associated with digital utility meters. This, just like a ramp for a wheelchair, is a basic human right.

New York State utility consumers need the protection of legislation.

¹¹ Central Hudson Digital Meters, Ulster County, New York - [Video - Pulsed RF Utility Meter](#)

¹² [Report on Examination of Selected Sources of Electromagnetic Fields at Selected Residences in Hastings-on-Hudson - Isotope Report – Pages 9, 10 and 12](#)