

Exhibit A – Robert & Kay Frank’s Comments on Docket 11-10007, Smart Meters

Robert E. Frank and Louise Kay Frank adamantly oppose the terms and conditions of the proposed Nevada Energy “Smart Meter” program based on the following summary of issues and the attached exhibits containing factual matter in support of our position.

1. **WHEREAS, there are no federal or state mandates to force citizens and businesses to use digital smart meters.**

See these web links for supporting facts:

- <http://ppjg.wordpress.com/2011/08/15/smart-meters-no-federal-mandate/>
- <http://www.ferc.gov/whats-new/comm-meet/2009/071609/E-3.pdf>
- <http://www.davidicke.com/headlines/52175-smart-meters-no-federal-mandate>
- <http://www.stopsmartmetersnow.com/?p=113>
- http://www.rense.com/general94/smt2_dev.htm
- <https://sites.google.com/site/nocelltowerinourneighborhood/home/wireless-smart-meter-concerns/first-and-foremost-are-wireless-meters-mandatory>

2. **WHEREAS, smart meters are much more dangerous to the health of many citizens than admitted by Nevada Energy and other power providers.**

The evidence of serious health hazards to perhaps hundreds of thousands of NV citizens with certain types of health problems has been rapidly expanding. It is also clear that mandatory installations of smart meters will create serious liability risks for the power companies all over the nation and Canada. My spouse and one of the signers of this submission, Louise Kay Frank, is 67 and suffering from frequent irregular heart beating and severe fibromyalgia.

She is extremely anxious to avoid the potential risks of smart meter radio broadcasts affecting her serious health conditions. She is also extremely stressed over thoughts that secret, smart meter reports to Nevada Energy about our home usage patterns could come to the attention of the types of criminals who break into the homes of elders in nice homes when they are away or asleep.

The Henderson Police Department Neighborhood Watch Program statistics strongly reinforce such health and safety concerns of elderly residents. PUCN should be mindful that seniors in retirement communities are the kinds of people who can afford to sponsor very damaging litigation and class action suits against

Nevada Energy if smart meters are confirmed in the future to be very dangerous to the health of many people. Here are some links as references:

- <http://www.ferc.gov/whats-new/comm-meet/2009/071609/E-3.pdf>
- http://emfsafetynetwork.org/?page_id=2292
- <http://www.kcra.com/r/25639450/detail.html>

3. **WHEREAS, the intrusive home and business area networking features and related energy management services planned for smart meters violate privacy laws and are not legally or morally defensible as being required Nevada Power company services.**

Sophisticated energy conservation and management tools and services are available to customers from a wide variety of third party companies. If customers wish to use such advanced capabilities now or in the future, they can do so even when analog meters are installed. It is an outrageous demand to try to force customers to pay for a smart meter when customers get no cost-effective benefits from them.

Nevada Energy smart meter networking tools do not have to be installed to achieve most of the benefits claimed for consumers. There are even simple ways for customers to read their analog meters and report their energy consumption on a monthly basis to avoid the company need to employ meter readers.

In other words, smart meters are not required for customers to be able to install and use sophisticated energy management tools within their properties. And, there can be no valid business or legal reasons for the power companies to obtain the massive amounts of private data on customer power usage that smart meters are designed to produce. See these links for some examples of smart energy management products for the consumer that do not require a smart meter installation.

- <https://www.chooseup.com/measure-monitor-electricity>
- <https://sites.google.com/site/nocelltowerinourneighborhood/home/wireless-smart-meter-concerns/smart-meter-consumers-anger-grows-over-higher-utility-bills>
- <http://www.lasvegassun.com/news/2011/may/04/nv-energy-does-good-so-it-wants-raise/>

4. WHEREAS, Smart Meters appear to be a smart idea for the power companies to increase their profits and exorbitant executive salaries, but they are a dumb idea for the consumers and businesses that have to pay for them.

We find no evidence that the cost of electricity to consumers will be reduced from the 2011 rates in Nevada due to the use of smart meters. Instead, it seems clear that smart meters are nothing more than a “big brother” way of adding unjustified costs, creating avoidable health risks, adding unsafe and unreliable elements into the power system, and exercising massive control over American citizen’s lives without showing any kinds of reasonable justifications.

It is clear that Nevada Energy intends for the cost of electricity for consumers and businesses to “skyrocket” (as stated by President Obama) as the extremely high cost of so-called “renewable” energy sources and special extensions to the power grid are forced on to the public to replace coal-burning power plants. It seems clear that retrofitting coal plants with natural gas or modern nuclear reactor heat sources would provide vastly cheaper electricity in much less time than solar or wind.

Such changes in heat sources could also drastically cut all kinds of pollution and avoid spending the billions required to expand the NV power grid to isolated solar and wind plants. Converting heat sources in coal plants would help NV citizens and business actually save money while drastically cutting all kinds of pollution.

In conclusion, we find no compelling evidence that smart meters or internal energy management appliances will do more than simply help some interested consumers avoid some future energy consumption and avoid some of the “skyrocketing” costs of inefficient air and solar energy plants. Digital meters appear to us to be nothing more than a gimmick to deceive consumers while power company executives enjoy new profits.

- <http://janderson99.hubpages.com/hub/Will-Smart-Meters-cut-Energy-Use-and-Save-you-Money-on-your-power-bills>

- <http://www.lasvegassun.com/news/2009/apr/06/commission-urged-reject-proposed-nv-energy-rate-hi/>

5. WHEREAS, implementing the Nevada Energy smart meter program as currently proposed appears to violate or be non-compliant with one or more NV Governor Executive Orders focused on business development and job creation.

For example, it is commonly known that a key element to company manufacturing operations is the forecasted cost and reliability of energy for

production and transportation. Heavy manufacturing is exceptionally impacted by high energy prices.

And, while low income tax rates can make NV more attractive than some other States for locating new manufacturing plants and their associated jobs, “skyrocketing” energy rates are powerful negative forces that drive skilled workers out of Nevada as well as block new businesses from coming in.

In addition, the Nevada Governor’s Executive Order implementing the Nevada Reinvestment and Recovery Act on August 14, 2009 specifically directed the Director of ARRA to ensure the stimulus funds were used for “job creation, infrastructure development, energy efficiency, developing new technologies, and State and local fiscal stabilization...”

It appears that Nevada Energy should be considered to be in serious conflict with the Governor’s Executive Orders by spending scarce federal funds to buy, install and support high-cost smart meters in spite of widespread public objections and no apparent customer value from the program. This is particularly true in light of the serious deficiencies in terms of health risks, product safety and privacy violations are clearly not complying with the economic letter and intent of the Executive Orders.

Moreover, by pressing to install smart meters that generate high litigation risks and contribute to skyrocketing energy rates during these disastrous economic times is just plain unwise and an indicator of poor management.

See these links for relevant Executive Orders concerning NV business development policies. We ask that the PUCN consider how major increases in energy prices and smart meter hassles will seriously degrade NV efforts to attract new business and critically-needed jobs.

- <http://nsla.nevadaculture.org/dmdocuments/2009-08-14-arra.pdf>
- <http://nsla.nevadaculture.org/dmdocuments/2010-04-07-economicdevelopmentinteragencytaskforce.pdf>
- <http://www.lvrj.com/news/sandoval-signs-order-to-spur-business-in-nevada-112831854.html>