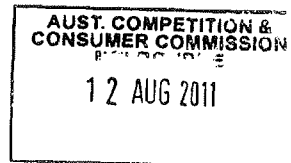


Wendy and Stewart McClelland
PO Box 369, Sebastopol, Vic 3356

Wednesday 10th August 2011

Ms Michelle Groves
Chief Executive Officer
Australian Energy Regulator
GPO Box 520
MELBOURNE, VIC 3001



Dear Ms Groves

RE: Review of the 'Advanced Metering Infrastructure' program of smart meters
Public submissions invited on A.E.R. Draft due in by 9th September 2011

After reading this, I see the authors of this AER draft have missed the most important issues and problems associated with the smart meters, whether by ignorance or by intent. The Australian Energy Regulator only acknowledges the cost recovery – 'money' – not a mention of the most important issues. This is only geared around pricing, times of use, savings to the public which don't exist, and forcing people to use less electricity while being charged far more for it.

If the Liberal Government honestly wanted the Victorian public's true opinion, then a letter of notification of this public submission was required to be posted to every household and business due to receive a smart meter. That did not happen, and this media release was not widely distributed therefore the vast majority of the Victorian public do not know of its' existence. I only found out about it by a friend who came across it by chance in a newspaper article. Therefore, this response will be by no means a true indication of the amount of anger that exists amongst the Victorian public over this disastrous smart meter program.

A referendum should have been undertaken if the Government wanted to introduce such a flawed system well before this implementation and a thorough and comprehensive look into its many problems, otherwise the 'responsible authorities' leave themselves wide open to litigation. This was obviously not done and now look at the disastrous mess this government is in with smart meters.

The entire smart meter roll out IS the problem which needs to be abandoned in full – completely.

This Energy Regulator document misses that point and instead asks the public to comment on hypothetical issues of possibilities when the smart meter is operating. Another area of great confusion (which is certainly no accident) is when the smart meter is first installed and operates similar to the old analogue meter. It is at a later date when the upgrade of microwave radiation in the air is increased from 3G towers to 4G often by the means of extra radiation emitting antennas on street power poles, that the pulsed high frequency microwave radiation is then turned on to operate through homes and properties from the power company to the smart meters. That is when people are becoming very sick and sometimes forced to flee their homes. As shown on Channel 9 'A Current Affairs' program on Tuesday 26th May 2011 and Channel 7 Today Tonight programs, two examples of this in Melbourne suburbs are Glenyce and Ian Murray of McLeod, and Peggy and Drew Beltsiis of Seaford. Even their plants near the smart meter have died. The microwave readings from the smart meters were so high that the spectrum analyzer meter used by David Mould, (the Victorian distributor for YShield Products from Germany) to measure the microwave radiation levels had to be turned off or the machine could have been damaged. If you wish to contact them personally for further information, I have their details. There are many others suffering from this microwave radiation who do not wish to be interviewed on TV programs.

'Smart meter refugees' is the name given to people in the US who have had to flee their homes due to smart meters pulsing microwave radiation through their homes and properties at frequent intervals

(15 minutes to constant) 24 hours every day. I have a five page report from a whistle blower who was employed by Wellington Energy in California installing wireless smart meters for P.G. & E. He had been lied to by his boss and employer who told him the radio frequency fields were only weak, couldn't hurt anyone and would only pulse to the smart meter a few times a month. He eventually found out the truth – that the microwave radiation from the wireless smart meters was making people very sick as it was pulsing through their homes and properties every 15 minutes or constant to the meters.
http://stopsmartmeters.files.wordpress.com/2011/01/img_2586jpg

The World Health Organisation has finally admitted microwave mobile radiation may cause adverse health effects in humans. On 31st May 2011 the International Agency for Research on Cancer, classified radiofrequency radiation as 'possible carcinogenic to humans'. This followed a week long meeting in Lyons in France of radiation experts from 14 countries after hearing of the increased risk of glioma brain tumors that have been associated with mobile phone use. Director of the IARC (a working group committee of the WHO) Christopher Wild said 'given the potential consequences for public health of this classification and findings, it is important that additional research be conducted into the long term, heavy use of mobile phones'. Dr Wild said 'it is important to take pragmatic measures to reduce exposure such as hands-free devices or texting'. This classification made by the IARC of the WHO is the same as was previously applied to magnetic fields from electrical sources of more than 4 milliGauss (mG) referred to as electromagnetic radiation.

An IARC working group member, Professor Anders Ahlbom is also a director of a consulting firm that works for the telecommunications industry. Interesting, Ahlbom's study papers that he had published in recent years all failed to find evidence of a health risk from RF exposure. Since his 'conflict of interest' has now been exposed, the IARC dismissed him from the working group committee, but the damage he has done remains. The Swedish Radiation Authority is now considering whether this 'conflict of interest' prejudices Ahlbom's involvement on the country's Radiation Safety Scientific Council. The IARC had also invited other telecommunications industry representatives to attend their deliberation meetings. 'The presence of people such as Joe Elder, representing the Mobile Manufacturers Forum (previously a long term Motorola employee); Jack Rowley, representing the GSM Association (a previously long term Telstra employee); and Mays Swicord representing the Cellular Telecommunications Industry Association (previously a long-term Motorola employee), create an environment of scientific intimidation and suppression through the presence of these influential corporate interests', said Alex Swinkels, of the International Electro-Magnetic Fields Alliance. The IARC classification calls in to question the adequacy of those standards which were designed to protect only against short term heating effects of radiation and not the long term effects. A report detailing the IARC decision was published in the 1st July 2011 issue of 'The Lancet Oncology Journal'. The above gives the reader of this material a small insight into how the facts on adverse health effects are often suppressed from the public. Smart meters will be turned on to operate using this high frequency microwave radiation.

'I am astounded at the high degree of self-regulation in Australia. Industry and users of the technology are in the majority on the standards committee' – spoken by Dr. Neil Cherry.

Australia's formation of our current regulation standards history – ARPANSA

Quote from the book 'The Force' by Lyn McLean, EMR Australia P/L, pages 77 and 78.

The development of Australia's current radiation protection standard illustrates this near-sightedness. In 1996, the interim Australian standard (known as AS2772.1) allowed the public to be exposed to 2 watts per kilogram from mobile phones (and 200 microwatts per square centimeter for phone antennas). However, many third-generation (3G) mobile phones would not comply, and rather than limit the availability of the phones the Australian and New Zealand governments set about changing the standard. The committee responsible for this project was a joint Australian and New Zealand committee called TE7, under the auspices of Standards Association of Australia, the body responsible for most standards set in the country. After numerous meetings both in Australia and New Zealand, the final draft of the standard was prepared. It allowed people to be exposed to more than twice as much radiation from GSM (Global System for Mobile Communications) mobile phones and four and a half times as much radiation from the newer, higher frequency 3G phones. If approved, there would be no reason to restrict the lucrative rollout of the new technology.

As the TE7 committee members cast their vote, it soon became apparent that there were not enough in favour of the draft for it to be approved. If you imagine that the failed standard was relegated to the bureaucratic junk pile and forgotten, you are wrong. The committee was forcibly split in two, and the New Zealand members were asked to vote again. After one member of the group changed his vote, the document was approved and became the New Zealand standard. However, Australia was still without an updated standard and those lucrative 3G dollars. The standoff was resolved when the project was withdrawn from Standards Australia and given to the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), which also has the regulatory authority to make standards. A new committee was set up, and the starting point for the committee was – surprise, surprise – the failed TE7 standard. After more years, more meetings, and more quoting of scientific studies, the new standard was ready to be approved. By an amazing coincidence, its limits allowed public exposure at the frequencies used by 3G technology and were closer to the levels in the ICNIRP guidelines. Just as the committee members were wondering when they would be asked to cast their votes, it became apparent that there was to be no voting for this new standard. The document was adopted by ARPANSA's Radiation Health Committee and became enforceable. Success! The standard was safely 'harmonised' with the WHO and the future of 3G technology in Australia was assured.

This is the reason why we have no standards that protect us from radiation exposure in Australia.

The smart meter grid requires the installation of 4G (fourth generation) wireless networks.

There will be up to 2 million extra devices on the Energy Australia Network alone which are in addition to the multiple telecommunications networks, paging services, Wi-Fi networks and other broadcast services already in existence. This microwave radiation has been associated with brain tumors, genetic damage, cancers, and changes to the body consistent with ill health at levels of radiation far below international standards. Many scientific studies have linked these levels of microwave radiation with initially getting depression, irritability, sleep problems, memory and concentration problems, and headaches before more serious side effects eventually occur.

Utility companies claim that emissions comply with international standards, but international standards do not protect against the sort of radiation emitted and pulsed out by this equipment. They do not protect against cumulative, non heating, long-term effects, nor do they make allowance for individual susceptibility. If you somehow consider the possibility that people will not notice this, and will be able to carry on their day to day lives normally without adverse health effects, then you are sadly mistaken, very naive, and have a lot to learn on this subject in what is becoming a very short period of time for you.

The evidence for adverse health effects from RF and microwave radiation is currently very strong and growing stronger with each new study, said Dr. David Carpenter from the University at Albany in 2008.

Prime Minister Julia Gillard stated on national television news on Monday 23rd May 2011:-

'We must take notice and act on what the scientific world and the scientists are saying – they are the experts in their field'. Julia was referring to the climate change report just handed down, however, the extensive scientific research on pulsed microwave radiation is just as compelling, if not more so.

Some of the hundreds of scientific studies –all peer reviewed from around the world showing adverse health effects from telecommunications microwave radiation similar to wireless smart meters:-

- (1) **The Seletun Statement** – meeting held at Seletun in Norway from 17-21/11/ 2009. Scientists urge authorities to take action now based on current scientific evidence for 'potential global health risks'
- (2) **The Porto Alegre Resolution**, Brazil held in May 2009 – follows the 'International Workshop on Non-Ionising Radiation, Health and Environment.
- (3) **The Bio-Initiative Report** of August 2007 - instrumental in the Appeals Court case held in Versailles, France. Verdict handed down on 4/2/2009 against a telecommunications company to have their microwave radiation communications tower dismantled due to public health problems. www.bioinitiative.org.2007)
- (4) **Abdel-Rassoul Report**, Egypt (2006)
- (5) **Benevento Resolution** , Italy (2006) www.icems.eu/resolution.htm
- (6) **Helsinki Appeal**, Finland (2005)
http://www.emrpolicy.org/news/headlines/helsinki_appeal_05.pdf
- (7) **Santini Report** (2002) – Santinietal (Paris)
http://www.emrnetwork.org/position/santini_hearing_march6_02.pdf

- (8) **Bamberg Report** (2005)
- (9) **Cypress Report, Preece** (2005)
- (10) **Valladolid, Spain – White Storks study** (2005)
- (11) **The Microwave Syndrome – Press International Conference in Kos, Greece** (2004) - further aspects of a Spanish study – Oberfeld Gerd.
<http://www.mindfully.org/technology/2004/microwave-syndrome-oberfeld1may04.htm>
- (12) **Freiburger Appeal** (2002) http://www.laleva.cc/environment/freiburger_appeal.html
- (13) **Catania Resolution – September 13 and 14** (2002)
 - **Bamberg – July 2005 – Dr. Cornelia Weldman Selsam**
 - **International Association of Fire Fighters** oppose the use of fire stations as transmitter sites because of the health problems of its members.
<http://www.iaff.org/safe/content/celltower/celltowerfinal.htm>
 - **EM Radiation Research Trust**, www.radiationresearch.org
 - **Human Ecological Social Economic**, www.hese-project.org
 - **Seriously Concerned Residents against Masts**, www.scram.uk.com
Subjective symptoms, sleeping problems, and cognitive performance in subjects living near mobile phone base stations. This is the same microwave radiation now planned for Victoria's wireless smart meter operation.
Download from oem.bmjournals.com/cgi/content/full/63/5/307. (18/4/2006)

Further References:

- (1) healthachievers@hotmail.com
- (2) info@stopsmartmeters.org
- (3) http://stopsmartmeters.files.wordpress.com/2011/01/mg_2586.jpg
- (4) <http://sites.google.com/site/nocelltowerinourneighborhood/home/wireless-smart-meter-concrns/emf-safety-network-finds-smart-meter-fcc-compliance-violations-dec-14-2010>
- (5) EPRI, 2010. A Perspective on Radio-Frequency Exposure Associated With Residential Automatic Meter Reading Technology, Electric Power Research Institute, Palo Alto, CA.
- (6) <http://www.theforecaster.net/content/s-scarsmartmeterforum2-121710>
- (7) <http://www.smartmeters.com/the-news/1472-silver-springs-smart-meter-recall-halted.html>

ECOLOG report in 2000 by Telecommunications company T-Mobil in Germany on health effects.

A review of over 220 pieces of peer reviewed and published papers which found adverse health effects from high frequency telecommunications microwave radiation (similar to wireless smart meters). The report cited evidence linking exposure by mobile telecommunications systems to increased risk of cancer, DNA damage, chromosome aberrations, changes to enzymes, changes in brain, interruption of cell cycle and cellular communication, debilitation of the immune system and changes to the central nervous system. “A multitude of studies found the type of damage from high frequency electromagnetic fields which is important for cancer initiation and cancer promotion” said the author. T-Mobil's report found that these effects from mobile telecommunications were proven and for levels of radiation far below those currently permitted by International Standards.

[http://www.ecolog-institut.de/index.php?id=49&no_cache=1&sword_list\[\]=T-Mobil](http://www.ecolog-institut.de/index.php?id=49&no_cache=1&sword_list[]=T-Mobil)

Concerns about Privacy with smart meters

Thieves could obtain this information from hacking the system or by bribery. Other remote devices in our homes will be able to be controlled (similar to programming your TV channels) to allow access into remote garage doors, wireless computers, digital TV sets, mobile phones and other appliances. There are already plans to control gas and water usage in the same way.

Dr Roger Clarke, Chairman of the Australian Privacy Foundation, said that he was ‘seriously concerned’ about the privacy implications of this technology. ‘There is little doubt that most designs are highly privacy invasive’ he said. Not only will the information collected by the utilities companies provide information about the absence of people from their property, but it will provide patterns of usage that will allow observers to infer much about what is actually going on inside someone's home.

Dr. Clarke expressed astonishment that electrical utilities have not consulted the Privacy Foundation about the installation of this technology and said that they don't seem to have a basic understanding of

the privacy law or privacy considerations of the public. Dr Clarke said this is a serious oversight.

References:

- (1) Critique of report by California Council on Science and Technology 'Health Impacts of Radiofrequency from Smart Meters'.
- (2) Sage Associates, 'Assessment of Radiofrequency Microwave Radiation Emissions from Smart Meters', 1 January 2011, available from <http://sagereports.com/smart-meter-rf>
- (3) <http://www.net.gov.au/energy/energy%20programs/smartgrid/pages/default.aspx>

NOTICE OF NO CONSENT TO TRESPASS AND SURVEILLANCE, NOTICE OF LIABILITY

If you intend to install a 'Smart Meter' or any activity monitoring device at the property owned by the above, you and all other parties are hereby denied consent for installation and use of all such devices on the above property.

Installation and use of any activity monitoring device is hereby refused and prohibited.

Informed consent is legally required for installation of any surveillance device and any device that will collect and transmit private and personal data to undisclosed and unauthorized parties for undisclosed and unauthorized purposes. Authorization for sharing of personal and private information may only be given by the originator and subject of that information. That authorization is hereby denied and refused with regards to the above property and all its occupants. 'Smart Meters' violate the law and cause endangerment to residents by the following factors:-

- (1) They individually identify electrical devices inside the home and record when they are operating causing invasion of privacy.
- (2) They monitor household activity and occupancy in violation of rights and domestic security.
- (3) They transmit wireless signals which may be intercepted by unauthorized and unknown parties. Those signals can be used to monitor behaviour and occupancy and they can be used by criminals to aid criminal activity against the occupants.
- (4) Data about occupant's daily habits and activities are collected, recorded and stored in permanent databases which are accessed by parties not authorized or invited to know and share that private data by those who's activities were recorded.
- (5) Those with access to the smart meter databases can review a permanent history of household activities complete with calendar and time-of-day metrics to gain a highly invasive and detailed view of the lives of the occupants.
- (6) Those databases may be shared with, or fall into the hands of criminals, blackmailers, corrupt law enforcement, private hackers of wireless transmissions, power company employees, and other unidentified parties who may act against the interests of the occupants under metered surveillance.
- (7) 'Smart Meters' are, by definition, surveillance devices which violate Federal and State wiretapping laws by recording and storing databases of private and personal activities and behaviours without the consent or knowledge of those people who are monitored.
- (8) It is possible for example, with analysis of certain 'Smart Meters' data, for unauthorized and distant parties to determine medical conditions, sexual activities, physical locations of persons within the home, vacancy patterns and personal information and habits of the occupants.
- (9) Your company has not adequately disclosed the particular recording and transmission capabilities of the smart meter, or the extent of the data that will be recorded, stored and shared, or the purposes to which the data will and will not be put.
- (10) Electromagnetic and microwave radiation contamination from smart meters exceeds allowance safe exposure limits for domestic environments as determined by the EPA and scientific evidence.

I forbid, refuse and deny consent of any installation and use of any monitoring, eavesdropping, and surveillance devices on my property, my place of residence and my place of occupancy. That applies to and includes 'Smart Meters' and activity monitoring devices of any and all kinds. Any attempt to install any such device directed at me, other occupants, my property or residence will constitute trespass, stalking, wiretapping and unlawful surveillance and endangerment of health and safety, all prohibited and punishable by law through criminal and civil complaints. All persons, government agencies and private organizations responsible for installing or operating monitoring devices directed at or recording my activities, which I have not specifically authorized in writing, will be fully liable for any violations, intrusions, harm or negative consequences caused or made possible by those devices whether those negative consequences are justified by 'law' or not.

This is a legal notice. After this delivery the liabilities listed above may not be denied or avoided by parties named and implied in this notice. Civil Servant immunities and protections do not apply to the installation of smart meters

due to the criminal violations they represent.

Notice to principal is notice to agent and notice to agent is notice to principal. All rights reserved.

<http://www.forbiddenknowledge.com/videos/technology/smartconnect-meter-upgrade-c>.

video: <http://www.forbiddenknowledge.com/page/840.html>

Wireless Smart Meters and their Potential for Electrical Fires

by Cindy Sage, Sage Associates and James J. Biergiel, EMF Electrical Consultant, July 2010.

Typical gauge electrical wiring that provides electricity to buildings (50Hz power) is not constructed or intended to carry high frequency harmonics that are increasingly present on normal electrical wiring.

The exponential increase in use of appliances, variable speed motors, office and computer equipment and wireless technologies has greatly increased these harmonics in community electrical grids and the buildings they serve with electricity. Harmonics are higher frequencies than 60 Hz that carry more energy, and ride along on the electrical wiring in bursts. Radio frequency (RF) is an unintentional by-product on this electrical wiring.

It may be contributing to electrical fires where there is a weak spot (older wiring, undersized neutrals for the electrical load, poor grounding, use of aluminium conductors, etc.) The use of smart meters will place an entirely new and significantly increased burden on existing electrical wiring because of the very short, very high intensity wireless emissions (radio frequency bursts) that the meters produce to signal the utility about energy usage.

There have now been electrical fires reported where smart meters have been installed in several counties in California, in Alabama, and in other countries like New Zealand. Reports detail that the meters themselves can smoke, smolder and catch fire, they can explode, or they can simply create overcurrent conditions on the electrical circuits.

Electrical wiring is not sized for the amount of energy that radio frequency and microwave radiation. These unintended signals that can come from new wireless sources of many kinds are particularly a worry for the new smart meters that produce very high intensity radio frequency energy in short bursts. Electrical fires are likely to be a potential problem.

Electrical wiring was never intended to carry this – what amounts to an RF pollutant – on the wiring. The higher the frequency, the greater the energy contained. It's not the voltage, but it is the current that matters. RF harmonics on electrical systems can come from computers, printers, FAX machines, electronic ballasts and other sources like variable speed motors and appliances that distort the normal, smooth 50 hertz sine wave of electrical power and put bursts of higher energy RF onto the wiring.

Wireless smart meters don't intentionally use the electrical system to send their RF signal back to the utility (to report energy usage, etc). But, when the wireless signal is produced in the meter it boomerangs around on all the conductive components and can be coupled onto the wiring, water and gas lines, etc. where it can be carried to other parts of the residence or building.

It is an over-current condition on the wiring. It produces heat where the neutral cannot properly handle it. The location of the fire does NOT have to be in close proximity to the main electrical panel where the smart meter is installed. A forensic team investigating any electrical fire should now be looking for connections to smart meters as a possible contributing factor to fires. Every electrical fire should be investigated for the presence of smart meter installation. Were smart meters installed anywhere in the main electrical panel for this building? For fires that are 'unexplained' or termed electrical in nature, fire inspectors should check whether smart meters were installed within the last year or so at the main panel serving the buildings. They should question contractors and electricians who may have observed damage from the fire such as damage along a neutral, melted aluminium conductor or other evidence that would imply an overcurrent condition. They should also look for a scorched or burned smart meter, or burn or smoke damage to the area around the smart meter. Problems may be seen immediately, with a smart meter smoking or exploding. Or, it may be months before the right conditions prevail and a neutral circuit overloads and causes a fire. The fire may or may not be right at the smart meter.

Some questions that should be asked include:-

- Were smart meters installed in the main electrical panel for this building? Problems may be seen immediately, with a smart meter smoking or exploding. Or, it may be months before the right conditions prevail and a neutral circuit overloads and causes a fire. The fire may or may not be at the smart meter.
- Any smart meter installed in a main panel might start an electrical fire in that building; it would not be necessary for the unit itself to have a smart meter. The RF emissions from any smart meter in the main panel might trigger an electrical fire at any location in the building served by this main panel because

harmonics can and will travel anywhere on electrical wiring of that building.

- Is there damage at the smart meter itself (burning, scorching, explosion)?
- Was there fire damage, a source or a suspicious area around the neutral where it connected to the main panel or at the breakers panel?
- Was the fire damage around a lug at a connection on the neutral conductor in the attic at Xanadu? Was there any indication of heating or scorching or other thermal damage around the neutral in the area of the fire?
- Was aluminium conductor present? Aluminium conductors that were installed in the 1970's are today recognized as more of a problem for heating than copper wire. Was the aluminium, if present, showing heat damage or melting?

Even before smart meters were being installed widely in California, people who know something about EMF and RF were expressing concerns that this kind of thing would likely happen (electrical fires due to overcurrent condition from RF signals). What is already postulated, and of concern, is that the rising use of equipment that put RF harmonics onto the electrical wiring of buildings may overload that wiring. Faulty wiring, faulty grounding or overburdened electrical wiring may be unable to take the additional energy load.

Advanced Metering Infrastructure; January 2010 Semi-Annual Assessment Report and Smart Meter Program Quarterly Report (Updated), Pacific Gas and Electric Company.

<http://eon3emfblog.net/wp-content/uploads/2010/09/Wireless-Smart-Meters-and-Potential-for-Electrical-Fires.pdf>

Each smart meter only has 40amps of power compared to the current analogue household meter which has 60 amps of power. The reduced 20 amps of power in the smart meters is the most probable reason that people's appliances have all suddenly started to fail or be destroyed because they are not getting the required amount of power to operate correctly, therefore they are damaged. This has been shown on TV news as householders complain about their failed appliances.

Ordinance passed to halt smart meter installation for one year.

In 2010 Assemblyman Jared Huffman from Marin County introduced a bill that would require utility companies to provide wired meters where residents objected to wireless devices. The California Public Utilities Commission, after strong lobbying from residents and councils, agreed to investigate. On 4th January 2011 the Board of Supervisors in the County of Marin, north of San Francisco, voted unanimously for a one-year ordinance against the installation of smart meters. In the ordinance no. 3552, the Board referred to concerns about radiation from the meters, privacy concerns, and inaccurate readings from smart meters that had drastically increased electricity bills.

It noted that federal standards do not protect against 'chronic long-term exposure' which it linked with 'sleep disorders, irritability, short term memory loss, headache, anxiety, nausea, DNA breaks, abnormal cell growth, cancer, premature aging etc.' Because of the potential health risks of the technology, the Board denied permission for the installation of the smart meters pending a comprehensive study of the effect of the technology.

The Hon. Michael O'Brien stated on Channel 9 A Current Affairs program on 31/5/2011 that 'we have spoken to the distribution businesses, we have urged them to ensure that no body is forced to accept a smart meter at this point in time'. However, in reality this is still not happening.

Courts that found against microwave radiation – similar to radiation in wireless smart meters

The Court of Appeals in Versailles, France handed down their judgment on 4th February 2009 which upheld the previous Crown Court of Nanterre's judgement given on 18th September 2008, against Bouygues Telecom. The Court acknowledged the health risk of the high frequency microwave radiation from the relay base station close to residential properties and ordered Bouygues Telecom to take down the phone tower, compensate the affected residents, and more compensation money for every day it remained standing. The scientific BioInitiative Report of August 2007 was instrumental in this ruling.

The Court of Appeals in Brescia, Italy in 2009 found in favour of Mr. Innocente Marcolini, 57, a company executive who claimed his disability was caused by occupational exposure to mobile phone radiation. He had a benign tumour on the left side of his head where he used the mobile phone on the

trigeminal ganglion nerve. After the tumour was removed, he suffered from paralysis, eye problems and difficulties in talking and eating. This was all supported by a neurosurgeon and two neurologists. Another man from Cremona who had a very similar job to Mr Marcolini developed a malignant parotid tumour on the left side of his head and died.

The Court of Appeals in Rancagua, Chile in 2009 ordered the demolition of a mobile phone base station in Santa Cruz. In making the decision the judge, Carlos Bunados, stated that the base station violated several conditions of the Chilean Constitution – ‘the right to life and to physical and psychological integrity’; ‘the right to health protection’ and ‘the right to live in a healthy environment free from all pollution’.

The recent Victorian test case of residents at Cranbourne suing over the issue of leaking gas into their properties where the people took out a class action against their Council and won shows an example of what can be achieved. The Court awarded them a \$20 million settlement in May 2011. This was a relatively small group of people with an isolated problem. Imagine how much money thousands of people would get over the smart meter disaster – billions!

The Hon. Michael O’Brien stated in a letter he signed to the public that ‘since 1 January 2010 all Victorian households (and most businesses) are paying for smart meters through their electricity bills whether or not they have a smart meter installed’. In your reply to this submission, I wish to know how much money a smart meter will cost each household including myself, and how much we are paying for the smart meter in each quarterly (three monthly) bill.

Since we are being charged for this smart meter, we own it. It is not a lease as we have not entered into any agreement or contract with the Power company on this matter. We did not ask or agree to be charged for this, it was forced on us and money taken from us under false pretences without our consent. This cost is hidden in our power bills so we are unable to determine and decipher the exact amount which we are forced to pay on each bill **for a smart meter that we have not got and will not be getting.**

In Australia, where a democracy is supposed to be law and rule, the people have the right of choice to say no and the freedom to decide their own fate. This smart meter destroys the values held dear to a democracy and challenges people’s democratic rights. The Executive Government and elected representatives are public servants and encumbered with ‘duty of care’ obligations to act in the best interests, including health interests of “we the people”. Laws that are against the interests of our health are ‘ultra vires’ the power of the government to enact. With the recent French legal precedent now set, it enables government ministers and the ‘responsible authorities’ under their oath of office, to be held accountable and liable. These ‘responsible authorities’ who continue to give approval for radiation towers or microwave emitting objects may now finally be held liable not only in civil law courts as has already happened, but also in criminal law courts, as still trying to plead ignorance of these established facts is no longer a sufficient excuse given the overwhelming amount of proof that now exists from so many varying sources. There are now thousands of Victorians ready to take class legal action should this materialize. You may think there has already been too much money spent on it so far to scrap it, but that will be nothing compared to the billions of dollars you will be spending if you allow this smart meter roll out continue to fruition. If, by any chance you still underestimate the amount of resolve in the community to refuse these smart meters, then you are sadly mistaken and will inevitably pay the consequences of your flippant disregard.

You will be held accountable.

Yours faithfully



Wendy McClelland.

Posted by Registered Mail Number... 502901271010 Dated 11/8/2011