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URGENT PETITION

Oct 6th, 2017

IDAHO PUBLIC UTILITIES COMMISSION

CASE NOS: AVU-E-17-01, AVU-E-17-09, AVU-G-17-01, AVU-G-17-05

**Petition to Commissioner Paul Kjellande, Commissioner Kristine Rape, and
Commissioner Eric Anderson of the Idaho Public Utilities Commission**

**Concerning Smart Meters, Avista Corporation, Scott L. Morris, the man, and
CEO of Avista Corporation**

by Mary Baenen, the woman, living in Sandpoint Idaho

This Petition is considered Urgent and
a timely action and response
from Idaho Public Utilities Commissioners is requested
due to
the request of Avista Corporation
to sell to a foreign country
along with rate increase
and due to
Health and Security Reasons

**Petition to Commissioner Paul Kjellande, Commissioner Kristine Rape, and
Commissioner Eric Anderson of the Idaho Public Utilities Commission**

**Concerning Smart Meters, Avista Corporation, Scott L. Morris, the man, and CEO of
Avista Corporation by Mary Baenen, the woman, living in Sandpoint Idaho Oct 6th, 2017**

WHEREAS, I met with representatives of the Idaho Public Utilities Commission at meeting on August 31st, 2017 in Coeur d'Alene, Idaho, I am aware of the actions and intentions of Utility Company, Avista Corporation;

WHEREAS, Scott L. Morris and Avista Corporation, along with supporters are acting beyond the scope of their authority by placing devices that can obtain confidential information on homes in Idaho, including my home, which is in violation of protections granted by the U.S. Constitution, Amendment IV:

The **right** of people to **be secure in their person, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated**, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized;

WHEREAS, health complaints have been reported after a smart meter is installed as well as reports of smart meters causing fires. Smart meters emit RF-EMR (Radio Frequency-Electromagnetic Radiation), which is rated by the WHO (World Health Organization) as a Class 2B carcinogen.

I consider the implementation of the so named "Smart Grid" and or some of its components, including but not limited to "Smart Meters" and or "advanced meters" to in fact cause harm of various kinds. I have asked Scott L. Morris, the CEO of Avista, to replace the digital RF-EMR emitting meter on my home with a non-EMR emitting analog meter. He refuses to do so. As per Idaho Code 61-302, Avista shall provide me with **equipment that shall promote safety, health, comfort and convenience;**

WHEREAS, Arista Corporation has requested a rate increase and intends to sell the company to Canada. As stated in **Idaho Code 61-328 (a), the Idaho Public Utilities Commission shall not approve a transaction that is not consistent with the public interest.** Putting public information in the hands of a foreign country and risking national security by selling to a foreign country is obviously not consistent with public interest. The Idaho Public Utility Commission must examine the scope of this risk and liability;

WHEREAS, **Idaho Code 61-328 (b)** states that **the cost and rates for supplying service will not be increased by reason of a sale.** Avista Corp. has requested two substantial rate increases along with requesting to sell to a foreign company.

Idaho Code 61-328 – Electric Utilities — Sale of Property to Be Approved by
Commission

(3) **Before authorizing the transaction**, the public utilities commission shall find:

- (a) That **the transaction is consistent with the public interest**;
- (b) That **the cost of and rates for supplying service will not be increased by reason of such transaction**;

WHEREAS, as per Idaho Code 61-302 Maintenance of adequate Service: Every public utility shall furnish, provide and maintain such service, instrumentalities, equipment and facilities as shall promote the **safety, health, comfort and convenience of its patrons, employees and the public**, and as shall be in all respects adequate, efficient, just and reasonable;

WHEREAS, since it is apparent that some or all of the various forms of harm caused by the implementation of the so named "Smart Grid" and or its various components such as smart meters, can be considered a tort;

WHEREAS, it is a **fundamental principle of law** that nobody is above the law including, but not limited to, all government actors. The **UNITED STATES SUPREME COURT** has made a ruling regarding public officials being held liable for actions done or failure to perform required actions, in the case of **MILLBROOK v. UNITED STATES () 477 Fed. Appx. 4.**

THEREFORE I, Mary Baenen, the woman, living in Sandpoint Idaho, petition the Idaho Public Utilities Commission to:

1. **Immediately take action to protect the health and support the rights of the residents of Idaho, including myself, to receive non-RF-EMR analog meters and to refuse smart meters and other RF-EMR emitting meters due to health concerns or privacy and security concerns without fees or penalties as per Idaho Code 61-302, based on the rating by the WHO (World Health Organization) rating of a Class 2B carcinogen of RF-EMR (Radio Frequency- Electromagnetic Radiation) and U.S. Constitution, Amendment IV;**
2. **Deny the rate increases requested by Avista Corporation, the CEO of Avista, and the man, Scott Morris due to Idaho Code 61-328 (a);**
3. **Deny the request of Avista Corporation, the CEO of Avista, and the man, Scott Morris to sell to a foreign country, due to Idaho Code 61-328 (b).**

Mary Baenen
Mary Baenen

10221 Baldy Mtn. Road. Sandpoint Idaho
Address

10-06-17
Date

Witnessed by
Gerald Fluhm

Date
10-6-'17