

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF CALIFORNIA



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Order Instituting Investigation on the  
Commission's Own Motion into the  
Operations and Practices of Pacific Gas &  
Electric Company regarding Anti-Smart  
Meter Consumer Groups

Investigation 12-04-010  
(Filed April 19, 2012)

**MOTION OF EMF SAFETY NETWORK FOR PARTY STATUS**

Pursuant to Rule 1.4 of the California Public Utilities Commission (CPUC) Rules of Practice and Procedure, EMF Safety Network, (Network) requests party status in the *Order Instituting Investigation on the Commission's Own Motion into the Operations and Practices of Pacific Gas & Electric Company regarding Anti-Smart Meter Consumer Groups*.

Rule 1.4(b) requires that a person seeking party status shall disclose the persons or entities in whose behalf the motion for party status is made, and the interest of such persons or entities in the proceeding. Network is a group authorized pursuant to its articles of organization and bylaws to represent and advocate the interests of residential and small commercial customers of electrical, gas, water and telephone utilities in California. Network has members that are customers of PG&E and other California utilities. Network has an interest in delivery of safe, and reliable utility service. Network intends that it will participate actively in this matter.

On November 4, 2010, William Devereaux, the Senior Director of the PG&E Smart Meter program tried to infiltrate an EMF Safety Network online discussion group called the California EMF Safety Coalition (CA EMF)<sup>1</sup> using the false identity of "Ralph". "Ralph Florea" also joined other online groups opposed to Smart Meters, including Smart Warrior Marin, Transpacific Smart Meter discussion list, and Stop Smart Meters.org. Devereaux admitted to the deceit.

<sup>1</sup> Network established CA EMF (a Google discussion list) in June 2010 to include activists throughout California. Having already established a Google discussion list named "EMF Safety Network" for Sonoma County organizing, Network choose a new name for the statewide group. CA EMF is Network's main organizing list serve. Maurer has retained the position of moderator since it's inception.

The following is the email “Ralph” sent Sandi Maurer, moderator of CA EMF, in order to access Network’s discussion list. Maurer’s computer exposed his true identity.

On Nov 4, 2010, at 3:23 PM, William Devereaux wrote:

Hi Sandi,  
Sorry for the delay in getting back to you, I’ve been travelling a lot.  
I live in Oakland where Smart meters have been sweeping across town and wanted to learn more about them and join the conversation to see what I can do to help out here.  
Thanks,  
Ralph

The Investigation Report by the CPUC Consumer Product and Safety Division (CPSD) states on page 7: “ It is clear that Mr. Devereaux lied about his identity to infiltrate the above mentioned groups in order to discredit and/or influence those with views against PG&E’s deployment of smart meters. The deceitful manner in which he obtained and disseminated information regarding a ratepayer-funded utility program is improper, unreasonable, and betrays the trust of the consumers PG&E serves.”

At the time of the infiltration, Network was engaged in a legal proceeding against PG&E Smart Meters at the CPUC. A decision for Application 10-04-018 was posted on October 26, 2010 and comments were due on November 15, 2010. According to the CPSD Investigation Report, PG&E met with the CPUC 10 times while A.10-04-018 was an open proceeding. *PG&E failed to post an exparte for any of the meetings it held at the CPUC.* On August 24, 2010 PG&E gave an RF presentation at the CPUC. Shortly after this meeting Network was invited to present RF information to CPUC decision makers.<sup>2</sup>

PG&E was ordered by the CPSD to provide documents related to this scandal. In mid-December 2010, PG&E redacted PG&E and other third party names and email addresses from these requested documents and then provided the redacted documents to the media. PG&E’s concern for privacy stopped with their own company and third parties. Names and email addresses of PG&E customers were exposed to the media. One example is on page 250 of 309<sup>3</sup> Sandi Maurer’s name and home phone number is not

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<sup>2</sup> EMF Safety Network EXPARTE filed on 9/14/2010 <http://docs.cpuc.ca.gov/EFILE/EXP/123548.htm>

<sup>3</sup> Attachment CPSD\_001-13-1

redacted. This egregious display of contempt is further illustrated by documents that reveal PG&E labeled customers “insurgents”; coordinated moving an entire Smart Meter distribution yard in order to avoid a peaceful protest; and spied on our activities, including taking photos.

Based on the above information, Network requests that the Commission grant party status to Network.

\* \* \*

Dated: June 5, 2012 at Sebastopol, California.

Respectfully submitted,

/s/

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