

Cause No. _____

Devvy Kidd, John Kidd, M.J. Shadden,)
John Cole, R.M.Dailey, Tracy Stephens,)
Patricia Stroyick, Dorothy Morrow,)
Charles Morrow, Amy Williams,)
David Williams, Norman Kuehn,)
Elizabeth Theiss, Rebecca Gutierrez,)
Marie Nugent, Steve G. Crutchfield,)
Linda A. Crutchfield, Kendall C. Palmer,)
MA Kirk, Kaydene Jordan, Bobby Jordan,)
Tom Brazen, David J. Allen, Patt Allen,)
David Scot Houlette, Denis Lullenkamp,)
Kathy Lullenkamp, China Lanier)
Donna Lee Wilson, Julia Nathan, M.D.,)
Giselle Ellis, Gerald Sawyer,)
Beverly Hickman, Thomas Hickman,)
Cindy Carriger, Deborah Wiseman,)
Newly Sage, Russell Sage, Beth Biesel,)
Lacy Crary, Dardine Roedel,)
Harold Boenig, Joyce Kelley,)
Brenda Denholm, Michael Denholm,)
Mark Atkins, Robert Paul,)
Thelma Taormina, Nick Taormina,)
Sherman Rogers, Judy Chambers,)
Wayne Chambers, Jeffrey Emrich,)
Jill Freidman, Dolores Bolock,)
Bruce Bolock, Jackqulyn Bodenstedt,)
Twyla Parsons, Amanda M. Voelkel,)
Michelle T. Voelkel, Nell Reynolds,)
Stanley Reynolds, Katrina Evenhouse,)
Randall Evenhouse, Patricia Ignazio,)
Joseph Ignazio, Gina Gentile,)
James Gentile, John Tyson,)
Steve Gagnon, Thomas Bailey,)
Alfreda Ballard, James Bengel,)
Linda Rund, Frank Harriss,)
Sam Harris, Lysbeth Warneke,)

IN THE DISTRICT COURT
OF
TRAVIS COUNTY, TEXAS
____ JUDICIAL DISTRICT

Ralph Shawver, Shelley McCoy,)
Brian Dansby, Mo Bond, David Bond,)
John Buffa, Melissa Gochnour,)
Jeffrey Gochnour, Amy Watkins,)
Donald Anderson, Carol Dean,)
Michelle Guy, Terry Guy,)
Evelyn Montalvo, Abel Montalvo,)
Gay Armstrong, Dave Armstrong,)
Diane Wilson, John Wilson,)
Beatrice Worley, Lawrence Worley,)
Eva Finegan, Patti Glass, Ken Glass,)
Dagne Florine, Ph.D., Cynthia Wilkes,)
Michael Wilkes, Lolly Nayola,)
John Tweedell, Carolynne Tweedel,)
Marita Segal, Howard Segal, Rita Trauth,)
Dr. Christopher Trauth, Toni White,)
Janice Pearson, Ricky Pearson,)
JoAnn Louise Zant, Nathan Lloyd Zant,)
Hoi Heldt, Rochelle Wilkes, Corey Wilkes,)
Daryl Hampton, Kathleen Grimes,)
Brian Grimes, Cindy Schafer,)
Mary Stayton, Ellen Mickle, Ingrid Stassi,)
Joe Stassi, Gaye Haehnel, Billy Haehnel,)
Erin Konkel, Nancy Lochridge,)
Byron Lockridge, Gemi Powell,)
Gregory Johnson)
)
Plaintiffs,)
)
v.)
)
Texas Public Utilities Commission,)
)
Defendant.)
)

ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiffs file this, their Original Petition for judicial review of decisions by Defendant Texas Public Utilities Commission (“Commission” or “Defendant”) denying their request for (1) a public hearing pursuant to 16 Texas Administrative Code § 22.282; and (2) the initiation of rulemaking proceedings. These requests were made in The Petition for Initiation of Rulemaking Proceedings filed with the Commission on May 17, 2012. This Petition was assigned Project No. 40404 by the Commission.

16 Texas Administrative Code § 22.282(d) provides that “[a]n opportunity for public hearing *shall* be granted if requested by at least 25 persons” (emphasis added). At least 25 Petitioners made the request for a public hearing in Project 40404. The language used in the rule (“shall”) is mandatory, yet the Commission refused to grant a public hearing.

In Project 40404, Plaintiffs also requested the adoption of a new rules relating to the deployment of smart meters by electrical utilities and others as part of their Advanced Metering System (AMS) program. Plaintiffs also sought an emergency rule that would place a moratorium on continued installation of smart meters until further study and evaluation permits adoption of rules governing smart meters, and ordinary rulemaking to mandate the permanent prohibition and removal of smart

meters and other devices that emit radio frequencies (RF) or electromagnetic fields (EMF).

In the alternative, Plaintiffs requested that the Commission formulate and adopt rules to provide for safe implementation of smart meters, to allow customers to decline participation in the AMS program, and to protect those members of the public at increased risk of injury or death from radiation emitted by neighboring services.

They also proposed rule language for six rules related to smart meter deployment. The six proposed rules would (1) allow customers to opt-out of receiving smart meters, (2) require certain notices to be posted and disclosures to be made regarding smart meters' effects on health, and (3) limit the number of smart meters installed in a given area so as to reduce RF or EMF congestion.

For support, Plaintiffs respectfully show the following:

I. DISCOVERY

1. This case is an appeal of an administrative agency's decision. If discovery is necessary, it should be conducted under Level 2, in accordance with Texas Rule of Civil Procedure 190.4.

II. PARTIES

2. Plaintiffs are all residents of the State of Texas and have the identical

interest in this proceeding.

3. Defendant Commission is an administrative agency created under the laws and Constitution of the State of Texas with the responsibility of implementing and administering the laws of Texas related to Public Utilities. Defendant may be served with citation by serving its Executive Director, Brian Lloyd, Public Utility Commission of Texas, 1701 N. Congress Ave., PO Box 13326, Austin, TX 78711-3326. Plaintiffs request that the Clerk of the Court serve the Commission pursuant to Tex. Rules Civ. P. 106(a)(2).

III. JURISDICTION AND VENUE

4. This Court has jurisdiction over Defendant Commission as an agency of the government of the State of Texas.

5. This Court has jurisdiction over the controversy and venue is mandatory in this Court because this action is brought under section § 2001.176 of the Texas Government Code. This Petition is filed within 30 days after the Defendant's Order became final and appealable, in accordance with § 2001.176 of the Texas Government Code

6. Plaintiffs filed a timely motion for rehearing of the Commission's decision, which is attached to this Petition. All other conditions precedent have been performed or have occurred.

IV. Factual Background

7. Commencing on or about 2007 and continuing to date, Texas electrical providers, including but not by way of limitation, Oncor, Centerpoint, Texas-New Mexico Power, AEP Texas Central and AEP Texas North, hereinafter "utilities", assisted and encouraged by others with a pecuniary interest in doing so, either as suppliers or installers of so-called "smart meters", hereinafter "purveyors", have engaged in a concerted and deliberate campaign to impose the installation, use and operation of so-called "Smart Meters" on electricity consumers in their homes and businesses, both against their expressed opposition and without their valid and free and voluntary informed consent.

8. In order to persuade consumers to permit the installation of smart meters on their residences and businesses some and, perhaps, all, utilities and purveyors have engaged in egregious misconduct, engaging in deliberate fraudulent representations and fraudulently withholding vital information material to the consumer's informed consent, and where fraud was insufficient, such utilities and purveyors have engaged in unlawful duress and even unlawful force.

9. Examples of fraudulent misrepresentations, fraudulent concealment, duress and force include, but are not limited to:

a. Fraudulently stating, both verbally and in writing, that the installation of smart meters is mandatory by law, citing Texas HB 2129 as authority for such, all the while knowing that there is no law making the

installation of smart meters mandatory;

b. Implicating personnel of the PUC in their fraudulent activities by persuading them to aid and abet in their fraudulent representations by fraudulently responding to complaints and inquiries by concerned citizens that "Customers do not have the opportunity to "opt-out" of having their meter replaced with an AMS meter" even though the PUC official or representative could not pretend to be unaware of Texas Administrative Code, Title 16, Part II, § 25.130(d)(1), which clearly states that " Deployment and use of AMS by an electric utility is voluntary. . ."

c. Fraudulently stating that the installation of smart meters will reduce consumers' electric bills and conserve energy;

d. Fraudulently withholding and concealing from the consumer the fact that the smart meters, once installed and initiated, will emit dangerous levels of radiofrequency (RF) radiation and electromagnetic field (EMF) radiation into their residences and businesses;

e. Fraudulently withholding and concealing from the consumer the health risks associated with both short term and long term exposure to such RF and EMF radiations, particularly with respect to children and medically compromised and sensitive persons and the likelihood that such emanations will interfere with medical equipment and devices such as pacemakers and insulin injectors;

f. Fraudulently contending that utility easements entitle them to come

onto the consumer's premises at reasonable times and in a reasonable manner to install and maintain their equipment knowing all the while that the installation of smart meters also includes the permeation of the interior of their residences and businesses with RF and EMF radiation at all hours of day and night, grossly exceeding the limitations of any utility easement, both with respect to the access to their exterior equipment and with respect to intrusions at reasonable times and in a reasonable manner;

g. Imposition of unlawful duress in the form of threats to discontinue electrical service to consumers unless they permit installation of the smart meter;

h. Imposition of unlawful duress by actually interrupting service to consumers and refusing to restore service unless they permit installation of the smart meter; and

i. Imposition of unlawful force in the form of installing the smart meter over the stated objection of the consumer.

10. Accordingly, every smart meter installation performed to date and those being currently performed have been and are upon the basis of fraud, deceit, concealment, undue duress and unlawful force, rendering any consent thereto or acquiescence therein null and void.

11. As set forth in the various authorities submitted to the Commission, the dangers and risks to public health and wellbeing in general associated with the radio frequency radiations (RF) and electromagnetic field radiations (EMF)

generated by smart meters are well established in the global scientific community and the level of such radiations emitted by a single smart meter are sufficient to cause heart irregularities, headaches, insomnia, hypertension, dizziness and nausea in people who are in good health.

12. Plaintiffs incorporate by reference the analysis of the Supreme Court of Maine in *Friedman v. Public Utilities Commission*, 2012 ME 90, 2012 Me. LEXIS 92 (decided July 12, 2012).

13. Plaintiffs who have been subjected to forced or compelled installation of smart meters or have been exposed to RF and EMF radiation generated by smart meters fraudulently installed on neighboring homes and businesses have experienced difficulties with symptoms of insomnia, headaches, dizziness, nausea and other symptoms. Plaintiffs further report that the installation and operation of smart meters, whether on their own homes or in direct proximity to their homes, has caused pets to behave strangely and in some cases to demonstrate severe distress.

14. Those consumers and residents of served homes who are medically compromised or sensitive, however, are not only subjected to additional risk and peril of their health directly. RF and EMF radiations such as those emitted by smart meters have been demonstrated to have interfered with life-sustaining medical equipment, such as pacemakers and insulin injectors, yet no rules thus far adopted make any provision for the protection of such medically sensitive persons

from involuntary exposure to the smart meters' RF and EMF radiations.

15. Scientific research indicates there is strong evidence that long term effects of repeated exposure to RF and EMF radiation may cause cancer, particularly in children and elderly, and can interfere with and alter DNA structure and function. The EPA and the President's Council on Cancer, have indicated that the potential for harm to public health caused by RF and EMF radiation is significant and that the exposure of the public to such radiation should be limited where possible until further studies determine whether and, if so, how equipment and devices that emit RF and EMF radiation can be safely employed.

16. Other facts are detailed in the Petition submitted to the Commission, which is contained in the administrative record and which is hereby incorporated herein and made part hereof, which was submitted on May 17, 2012 and was assigned by the Commission to be Project No. 40404.

17. The Petition was denied in an order filed on or about July 13, 2012 (Exhibit A). In that order, the Commission denied the Petition for Initiation of Rulemaking Proceedings, on the grounds that it has another project to address the Petitioners' concerns about smart meters, under Project No. 40190. The Commission denied the request for the emergency rule stating that no emergency exists as to the issues raised in the Petition as an additional ground. The Petition did not grant a hearing as required by 16 Texas Administrative Code § 22.282(d).

18. Plaintiffs filed a timely motion for rehearing, a copy of which is which

is contained in the administrative record and which is hereby incorporated herein and made part hereof.

19. Neither Project No. 40404 nor 40190 has had a public hearing as required by 16 Texas Administrative Code § 22.282(d), despite the fact that 16 Texas Administrative Code § 22.282(d) provides that “[a]n opportunity for public hearing *shall* be granted if requested by at least 25 persons” (emphasis added) and at least 25 Petitioners made the request for a public hearing.

V. ERRORS OF DEFENDANT

Error No. 1: The Commission should not have declined to consider the merits of the Petition on the grounds that another proceeding was pending. That proceeding involves different issues and there is no justification for abstention.

Error No. 2: The Commission should have considered the health and safety issues raised on the merits.

Error No. 3: Because the Commission explicitly declined to make determinations on the merits of the health and safety concerns raised by the complainants in this proceeding, having never determined whether smart-meter technology was safe, the Commission was in no position to dismiss the proceeding on the merits.

Error No. 4: Under the law (16 Texas Administrative Code § 22.282(d)), Petitioners were entitled to a hearing on the merits and the failure of the

Commission to accord Petitioners a full hearing and determination on the merits was arbitrary and capricious and an abuse of discretion.

VI. RELIEF REQUESTED

WHEREFORE PREMISES CONSIDERED, Plaintiffs request that the Order Denying Petition for Rulemaking be reversed and that the matter be returned to the Commission with directions as follows:

Direct the Commission to conduct an immediate initiation of rulemaking procedures as described hereinabove;

Plaintiffs further pray that due to the genuine risk of irreparable injury to the public as amply shown by this Petition and the exhibits attached hereto; and that the continued employment by utilities and purveyors of unlawful fraud, duress in order to continue with the installation of additional RF and EMF emitting devices on homes and businesses, thereby increasing not only the irreparable harm and risk of harm to the public, but also exacerbating the expense and effort required to remove previously installed meters, should Commission determine, as have equivalent authorities in many other states, to prohibit their deployment in the State of Texas, that the PUC exercise its emergency rulemaking authority and issue an order immediately prohibiting the installation of any so-called "smart" meters during the pendency of this process and until further order of the Commission;

Plaintiffs further pray that a hearing be held as required by Administrative Code, Title 16, Part II, § 22.282(d) during which they will be afforded an opportunity to present evidence and arguments in support of this Petition and that after hearing the Commission promulgate and adopt a substantive rule prohibiting the continued installation of smart meters and ordering the removal of all such meters previously installed.

AND NOW, IN THE ALTERNATIVE, and only in the event that the Commission shall find that the RF and/or EMF emitting meters can be installed and deployed in a manner and under conditions that will guarantee and preserve the safety, health and wellbeing of the public, then, in that event, Petitioners pray that any such rules regarding such deployment include and provide for, but not by way of limitation, the following:

A. Recognize the right of every consumer to refuse to participate in the AMI program without being penalized for preserving the safety of himself, his family, invitees, licensees, employees, customers, clients and/or tenants;

B. Require that any utilities, meter purveyors, installers, or any other person, firm or corporation engaging in the deployment and/or installation of such RF and/or EMF emitting devices must prior to any installation notify the consumer in writing that:

The installation and operation of such device or devices is totally voluntary on the consumer's part;

The proposed advanced metering device emits RF and/or EMF radiation at levels known to have caused health risks and illness including, but not by way of limitation, heart irregularities, headaches, insomnia, hypertension, thyroidal dysfunction, dizziness and nausea and that children, elderly persons and persons in poor health are more likely to suffer such side effects;

That RF and/or EMF emissions have been known to cause life supporting medical devices such as pacemakers and insulin injectors to malfunction and that long-term exposure to RF and/or EMF radiation is suspected of being a cause of cancer and DNA disruption;

That the installation of such meters will not result in any savings of energy or reduction in the consumer's electric bill;

And, only after providing such disclosures in writing, obtain the written consent of the consumer to the proposed installation.

C. Requiring that every household and business where a RF and/or EMF emitting meter has been installed be notified in writing of the foregoing (items b (1)-(4)) which notice shall include an offer to remove the device and replace it with an analog meter without any expense to the consumer and shall provide a means of notifying the utility of the consumer's election to have the device so replaced;

D. Requiring any business or other facility open to the public with a RF and/or EMF emitting meter installed on, at or in its premises to post a

conspicuous notice at or near all entrances used by the public that RF and/or EMF emitting devices are in use and that such equipment is known to interfere with the proper functioning of medical devices such as pacemakers, insulin and other auto-injectors, internal auto-defibrillators, portable heart monitors and similar devices;

E. Prohibiting the installation of any RF and/or EMF emitting meters within a particular distance to be determined by the PUC from any residence occupied by or business employing any person who relies on a pacemaker, insulin or other auto-injector, pain management auto-injector, internal auto-defibrillator, portable heart monitor, or similar medical device once the utility has been placed on notice of such;

F. Prohibiting the installation of any RF and/or EMF emitting meters within a particular distance from another RF and/or EMF emitting meter in order to remain within limitations of cumulative radiations consistent with FCC rules and regulations concerning "ganging" of such devices; and

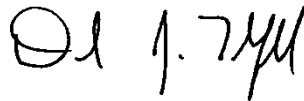
G. Any other rules or regulations the PUC should determine to be necessary and proper in order to ensure the health, safety and wellbeing of the public.

Also, in the same alternative, Petitioners further pray that a hearing be held as required by Administrative Code, Title 16, Part II, § 22.282(d) during which Petitioners will be afforded an opportunity to present evidence and arguments in

support of this Petition and that after hearing the Commission promulgate and adopt a substantive rules governing the rights of consumers to refuse installation of such devices and requiring full disclosure of the risks and perils presented by the exposure to RF and EMF emissions as set forth hereinabove.

Respectfully Submitted,

THE LAW OFFICE OF DAVID J. TUCKFIELD, PC

A handwritten signature in black ink, appearing to read "D.J. Tuckfield".

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ATTORNEY FOR PLAINTIFFS

EXHIBIT A

PROJECT NO. 40404

PETITION FOR INITIATION OF
RULEMAKING PROCEEDINGS
REGARDING SMART METERS

§
§
§

PUBLIC UTILITY COMMISSION
OF TEXAS

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REGISTRATION CLERK

ORDER DENYING PETITION FOR RULEMAKING

On May 17, 2012, Devvy Kidd, John Kidd, and 193 other signatories (Petitioners) filed a Petition for Initiation of Rulemaking Proceedings with the Public Utility Commission of Texas (Commission). Petitioners request that the Commission initiate and conduct rulemaking procedures, both emergency and ordinary, relating to the deployment of smart meters by electrical utilities and others as part of their Advanced Metering System (AMS) program.

Petitioners seek an emergency rule that would place a moratorium on continued installation of smart meters until further study and evaluation permits adoption of rules governing smart meters. In addition, Petitioners seek ordinary rulemaking to mandate the permanent prohibition and removal of smart meters and other devices that emit radio frequencies (RF) or electromagnetic fields (EMF). Pleading in the alternative, Petitioners request that the Commission formulate and adopt rules to provide for safe implementation of smart meters, to allow customers to decline participation in the AMS program, and to protect those members of the public at increased risk of injury or death from radiation emitted by neighboring services.

Petitioners further request a public hearing at which Petitioners can present evidence and testimony concerning the effects of the smart meters and the need to ban or closely regulate the use of them.

Additionally, Petitioners include proposed rule language for six rules related to smart meter deployment. The six proposed rules would (1) allow customers to opt-out of receiving smart meters, (2) require certain notices to be posted and disclosures to be made regarding smart meters' effects on health, and (3) limit the number of smart meters installed in a given area so as to reduce RF or EMF congestion.

The petition is subject to TEX. GOV'T CODE §2001.021 and P.U.C. PROC. R. 22.281. The Commission published notice of this petition in the June 1, 2012 issue of the *Texas Register* (37 TexReg 4102) with a comment deadline of June 22, 2012.

One hundred and twenty three comments were filed in this project through June 27, 2012. Most comments were filed in support of the petition. Supporting comments expressed one or more concerns regarding smart meter deployment. The concerns expressed may be organized by subject into eight categories as listed below.

First, commenters expressed concern about potential negative health effects from exposure to RF or EMF radiation emitted by smart meters. Certain commenters claimed that they experienced one or more of the following symptoms as a result of a smart meter: insomnia, fatigue, anxiety, tinnitus, headaches, dizziness, nausea, nose bleeds, seizures, elevated heart rate, heart arrhythmias, inability to focus, drainage from the eyes, tingling in the arms, shoulder pain, neck aches, blurred vision, night sweats, joint pain, and aches in knees, legs, and ankles. Many commenters cited to a World Health Organization report that purportedly states that sustained exposure to RF or EMF radiation may cause headaches, insomnia, fatigue, skin rashes, heart

arrhythmias, immune system defects, memory loss, infertility, and cancer. Finally, commenters claimed that prior health studies conducted on this topic (1) are outdated, (2) do not consider cumulative effects of multiple RF or EMF radiating devices, and (3) do not consider the effects of RF or EMF radiation on young children or people who may have implanted electrical medical devices such as pacemakers and defibrillators.

Second, commenters expressed concern over the privacy of their electric use information. Most commenters were unsure of who would be allowed access to this information. Commenters generally stated that they did not want their information sold to marketing or affiliated companies. Additionally, commenters were concerned that the information would allow the electric utility to know whether a building was occupied as well as what electrical devices were being used within a building.

Third, commenters expressed concern regarding the security of their electric use information. Commenters claimed that their electric use information is at risk of being intercepted by unauthorized third parties who may use the information for unlawful purposes. A frequently mentioned example of an unlawful purpose is a burglar who uses the information to know when a resident is away from a house. Moreover, commenters claimed that the increasing popularity of smart meters will make it easier for foreign organizations to exploit vulnerabilities in the electrical grid and thereby threaten grid reliability.

Fourth, commenters expressed concern over their freedom to use electricity in a manner of their choosing. Certain commenters claimed that an electric utility might remotely change a resident's

thermostat during times of peak demand to reduce the level of air conditioning in the summer or to reduce the heat in the winter. Commenters also claimed that a smart meter may be used by an electric utility in the future to interfere with a customer's ability to use electricity as the customer desires.

Fifth, commenters claimed that the inaccuracy of a newly installed smart meter resulted in a substantial increase in their electric utility bill. Commenters offered their own experience of higher than usual electric billing or cited news reports of specific instances of higher than usual electric bills.

Sixth, commenters stated concern that smart meters may cause damage to their property. Most commenters who expressed this concern claimed that smart meters caused electrical surges that caused appliances to fail. Additionally, commenters cited news reports of house fires that they claim may have been caused by smart meters.

Seventh, commenters stated concern that smart meters would make it possible for an electric utility to use dynamic time-of-use pricing in the residential market. The commenters believe that such a pricing system would increase the cost of electric service, particularly for customers who are homebound.

Eighth, commenters were concerned that the smart meters' automation of reading and transmitting electric use information would result in a reduction of jobs for meter-reading

employees and would have a negative effect on the meter-reading employees, their families, and the U.S. economy.

Four parties filed comments opposing the petition: AEP Texas Central Company and AEP Texas North Company (together, AEP Texas); CenterPoint Energy Houston Electric, LLC (CenterPoint); Oncor Electric Utility Company, LLC (Oncor); and Texas-New Mexico Power Company (TNMP) (collectively, Electric Utilities).

The Electric Utilities noted that the petition filed in this proceeding is nearly identical to the petition filed in Project No. 40199. The Electric Utilities therefore incorporated by reference or restated their comments filed in Project No. 40199. Additionally, the Electric Utilities stated that the Commission denied the petition filed in Project No. 40199 because the Commission was already considering similar issues in Project No. 40190. The Electric Utilities concluded that the Commission should similarly deny this petition because the Commission previously determined that Project No. 40190 would be a more efficient and effective forum in which to address concerns raised by Petitioners.

In addition to the Electric Utilities' comments summarized above, Oncor discussed each of the six proposed rules contained in the petition. Generally, Oncor argued that the proposed rules are contrary to the Public Utility Regulatory Act and outside of the Commission's authority.

After considering the petition and comments received, the Commission denies the Petition for Initiation of Rulemaking Proceedings, because the Commission has another project to address

Petitioners' concerns about smart meters, Project No. 40190, *PUC Proceeding to Evaluate the Feasibility of Instituting a Smart Meter Opt-Out Program*. In that project, the Commission has received extensive comments that raise concerns like those in the petition in this project. It will be more efficient and effective for the Commission to consider smart meter concerns in one project. As to the request for an emergency rule, the Commission denies that request for the additional reason that no emergency exists as to the issues raised in the petition. Therefore, consistent with Commission practice, the Commission denies the petition in this project, which will allow it to focus its consideration of concerns about smart meters to Project No. 40190.

SIGNED AT AUSTIN, TEXAS on the 13th day of JULY 2012.

PUBLIC UTILITY COMMISSION OF TEXAS


DONNA L. NELSON, CHAIRMAN


KENNETH W. ANDERSON, JR., COMMISSIONER


ROLANDO PABLOS, COMMISSIONER