



FortisBC Inc. (FortisBC or the Company) Application for a Certificate of Public Convenience and Necessity for the Advanced Metering Infrastructure Project	Submission Date: February 7, 2012
Information Request No. 1 to West Kootenay Concerned Citizens (WKCC) Evidence (Exhibit C19-6; C19-8)	Page 1

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11.0 **Reference: Exhibit No. C19-8, Letter from Curtis Bennett re: Intervener
2 Filed Evidence for West Kootenay Concerned Citizens; Exhibit
3 No. C19-6, Letter from Curtis Bennett re: Community Input
4 Session in Trail, B.C.**

5 1.1 Please confirm that Mr. Bennett does not have any academic qualifications or
6 degrees in the fields of medicine, the health sciences, molecular biology or
7 geology.

8 I am an Adjunct Faculty Member for 2 medical education groups and lecture medical
9 education for education credits required for ongoing medical licensing. Approved
10 across North America.

11 Our program has been approved by the American Academy of Family Practice (9.25
12 CME), the American Holistic Nurses Association (9 contact hours) and through
13 CE Brokers for the State of Florida for all health disciplines. We are also
14 approved for 11 PDAs by the National Certification Commission on Acupuncture
15 and Oriental Medicine (NCCAOM), the Kentucky Board of Dentistry and by the
16 National Certification Board for Therapeutic Massage and Bodywork.

17 1.2 Please confirm that Mr. Bennett is not a physician.

18 I am not a physician but have lectured them for education credits required for
19 ongoing medical licensing.

20 1.3 Please confirm that Mr. Bennett has never had any clinical experience with
21 patients.

22 I have consulted in clinical environments with patients.

23 1.4 Please confirm that Mr. Bennett is not a registered professional engineer.

24 I am not a professional engineer but have been retained by them for consultation.

25 1.5 If in any respect the confirmation requested in 1.1 to 1.14 cannot be provided,
26 please detail in what respect the statements are in error.

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1.6 Has Mr. Bennett previously submitted evidence to and/or testified before courts or regulatory tribunals in Canada or the United States in relation to any of the following: the potential health effects of non-ionising radio frequency emission (“RF”), medicine, health sciences, molecular biology, geology, wireless technologies, the costs and capabilities of “smart grid technologies” generally, applications and network communication protocols, including metering protocols, or applied cryptography? If so, please submit a list that includes the date the evidence was submitted, the matter/docket under which the evidence was submitted, and the name of the court/regulatory tribunal.

[Parliament of Canada, 40th Parliament, 3rd Session](#)
[Standing Committee on Health, Evidence on Thursday, October 28, 2010](#)
<http://www.parl.gc.ca/HousePublications/Publication.aspx?Language=E&Mode=1&DocId=4738168&File=0>

[United States District Court, District of Oregon, Portland Division](#)
[http://www.thermoguy.com/pdfs/filings/\[22\]%20Second%20Amended%20Declaration%20of%20Curtis%20Bennett.pdf](http://www.thermoguy.com/pdfs/filings/[22]%20Second%20Amended%20Declaration%20of%20Curtis%20Bennett.pdf)

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter of the application and request)
of the DETROIT EDISON COMPANY)
seeking approval and authority to)
implement its Advanced Metering) **Case No. U-17053**
Infrastructure Opt Out Program. **December 4, 2012**

[Expert Panel For Texas Public Utilities Commission on Smart Meter Safety on August 21, 2012](#)

[Written Testimony for the Texas Senate Committee on Business and Commerce on October 9, 2012](#)

[Texas Senate Committee on Business and Commerce requesting input on framework for SB 241 for consumer to opt out of smart meter installations \(February 6, 2013\)](#)



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1.7 Has Mr. Bennett ever previously been disqualified from acting as an expert witness before any courts or regulatory tribunals in Canada or the United States? If so, please submit a list of the date Mr. Bennett was disqualified, the matter/docket under which the evidence was submitted, and the name of the court/regulatory tribunal. [Not to my knowledge.](#)

62.0 Reference: Exhibit C19-4, Letter from Curtis Bennett re: Community Input Session in Trail, B.C.

2.1 Mr. Bennett states at p. 5 that “[a]t 900 MHz, it equates to measurable molecular earthquakes 1.8 billion times per second. Buildings won’t comply with Part 4 of BC Building Code (4.1.3.6). Structural components and fire separations will be compromised.” Has Mr. Bennett submitted any of his research results, studies, reports or opinions to the B.C. Building and Safety Standards Branch regarding the alleged violation of the B.C. Building Code resulting from wireless advanced meters? If so, please provide a copy of any responses received. If not, please explain why not.

[I contacted the Buildings Standards Branch and because it isn't a typical situation for Building Standards, I contacted my MLA Norm Letnick. I contacted Minister Rich Coleman as Energy Minister and Minister for Building Code. **No Response**](#)

2.2 Has Mr. Bennett advised any local governments who are authorized to enforce the B.C. Building Code through the *Local Government Act* or *Community Charter* of the alleged violation of the B.C. Building Code resulting from wireless advanced meters? If so, please provide a copy of any responses received. If not, please explain why not.

[City of Kelowna, MLA Norm Letnick & Minister Coleman – No Response](#)

263.0 Reference: Exhibit C19-8, Letter from Curtis Bennett re: Intervener Filed Evidence for West Kootenay Concerned Citizens; Exhibit No. C19-6, Letter from Curtis Bennett re: Community Input Session in Trail, B.C.

3.1 Please confirm that the Mr. Bennett who sent letters to the Commission on behalf of West Kootenay Concerned Citizens is the same Curtis Bennett who swore written declarations on behalf of the Plaintiffs between AHM, by and through her Guardian *ad litem* and father, David Mark Morrison, and David Mark Morrison, individually, and Portland Public Schools, United States District Court, District of Oregon, Portland Division (**AHM Litigation**). [Yes](#)

3.2 Please confirm that the AHM Litigation was dismissed with prejudice before trial.

[A lawyer taking on a precedent setting case didn't represent the wireless interaction properly. They kept making reference to power density levels instead of](#)



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1 understanding power is watts and it meant the children were in the circuit. The
2 lawyer did not represent the Wi-Fi Routers weren't discussed as how the
3 frequencies were hitting the children.

44.0 Reference: Exhibit C19-8

5 4.1 Please confirm that Mr. Bennett is the owner of Thermografix Consulting
6 Corporation. **Yes**

7 4.2 Please confirm that Mr. Bennett's title of Chief Science Officer is with respect to
8 his position at Thermografix Consulting Corporation and indicate the number of
9 technical staff overseen by Mr. Bennett. If Mr. Bennett's title relates to a position
10 at another organization, please give the name of that organization and indicate
11 the number of technical staff overseen by Mr. Bennett.

12 **The number of technical staff overseen refers to our clients staff in consultation and may**
13 **vary in number depending on whether it is governments, engineers, medical**
14 **education, fire, military, DFO, building management, etc.**

15 4.3 Mr. Bennett states at p. 1 that "Safety Code 6 admits to missing science linking
16 the frequencies to adverse health effects and the Code will be changed if
17 deemed necessary once science is submitted." Please quote the passage in
18 Safety Code 6 (2009) which purportedly "admits to missing science linking the
19 frequencies to adverse health effects".

20 **Basing the effects of frequency exposure of humans as thermal or non thermal is**
21 **ridiculous science. No bio electrical considerations in a frequency equation or how**
22 **the frequencies are hitting them.**

23 **Page 9, 3rd paragraph**

24 **At present, there is no scientific basis for the premise of chronic and/or cumulative health**
25 **risks from RF energy at levels below the limits outlined in Safety Code 6.**
26 **Proposed effects from RF energy exposures in the frequency range between 100**
27 **kHz and 300 GHz, at levels below the threshold to produce thermal effects, have**
28 **been reviewed. At present, these effects have not been scientifically**
29 **established, nor are their implications for human health sufficiently well**
30 **understood. Additionally, a lack of evidence of causality, biological**
31 **plausibility and reproducibility greatly weaken the support for the**
32 **hypothesis for such effects.**

33 **When add the grid frequencies hitting people from head to toe and going through them**
34 **as well as the bio electrical information associated with biological systems? You**
35 **have causality, biological plausibility and reproducibility missing above.**

36 **Directly below is the last paragraph on Page 3 and code will be modified if deemed**
37 **necessary.**



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The safety limits in this code are based on an ongoing review of published scientific studies on the health impacts of radiofrequency electromagnetic energy. This code is periodically revised to reflect new knowledge in the scientific literature and the exposure limits may be modified, if deemed necessary.

4.4 Mr. Bennett states at p. 1 that “January 2011 the dangers of the wireless frequencies was lectured in medical education for education credits required for ongoing medical licensing. I lectured the missing mechanisms linking the frequencies to adverse health effects in that program.” Please confirm that Mr. Bennett is a member of the faculty of the Integrative Health Forum.

Yes

4.4.1 Please confirm that the education credits referenced for ongoing medical licensing are related to programs, including lecturing, offered through the Integrative Health Forum.

Yes

4.4.2 Please provide a list of the medical boards that have approved the programs offered by the Integrative Health Forum for credits for continuing education.

Our program has been approved by the American Academy of Family Practice (9.25 CME), the American Holistic Nurses Association (9 contact hours) and through CE Brokers for the State of Florida for all health disciplines. We are also approved for 11 PDAs by the National Certification Commission on Acupuncture and Oriental Medicine (NCCAOM), the Kentucky Board of Dentistry and by the National Certification Board for Therapeutic Massage and Bodywork.

4.5 Mr. Bennett states at p. 2 that “The incorporation of errors or omissions in Safety Code 6 links the frequencies to adverse health effects and substantiates reporting on health effects... Incorporating the errors and omissions in the revision will make the wireless smart meters illegal as applied because the frequencies will stimulate tissue.” Please provide the specific errors or omissions in the evidence that Health Canada has considered to date that Mr. Bennett considers will result in revisions to Safety Code 6.

Safety Code 6 left out the grid as a mechanism of action as to how people are hit by the frequencies as well as the bio electrical information of biological systems. That has been reported and I do not know what Health Canada has considered to date. 3 emails to MP Ron Cannan's office has him looking into it and waiting for a response from Health Canada.



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Alex Atamanenko confirmed in his submissions to the BCUC Health Canada is revising the code and has retained the Royal Society of Canada. Revisions of a code by an authority cannot leave out causality, biological plausibility and reproducibility.

FortisBC lawyers should ensure the above has been incorporated to avoid liability for their client.

4.6 On pp. 1-2 of Exhibit C19-8, Mr. Bennett states that Health Canada’s Safety Code 6 will be updated to incorporate new information in relation to potential health effects of non-ionising radio frequency emission (“RF”). Please fully explain the basis for suggesting what information Health Canada has or has not considered in setting its Safety Code 6 limits for exposure to RF.

http://www.thermoguy.com/pdfs/Peachland_City_Council_on_Smart_Meters_and_Land_Use_2013.pdf

4.6.1 Please confirm that Health Canada advises it “continues to monitor the science regarding RF exposure and will take action if future research establishes that RF energy exposure poses a health risk to Canadians.” (Reference: Smart Meters – It’s Your Health <http://www.hc-sc.gc.ca/hl-vs/iyh-vsv/prod/meters-compteurs-eng.php>)

We are waiting for Health Canada to respond as to what they did with the science presented by expert witness through Canadian Parliament as well as what they did with the Recommendations of the Committee recommending they thoroughly investigate. The Auditor General of Canada has instructed us on an avenue get the information from Health Canada.

4.6.2 Please confirm that in Safety Code 6 (2009), Health Canada states at p. 7:

“The exposure limits specified in Safety Code 6 have been established based upon a thorough evaluation of the scientific literature related to the thermal and possible non-thermal effects of RF energy on biological systems. Health Canada scientists consider all peer-reviewed scientific studies, on an ongoing basis, and employ a weight-of-evidence approach when evaluating the possible health risks of RF energy.” (underlining added)

Yes, we are waiting to see the revision as to what they did with the weight of evidence approach with the science linking the frequencies to adverse health effects submitted to them.



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2 4.6.3 Please confirm that in Safety Code 6 (2009), Health Canada states at p.
3 9:

4 “The scientific literature with respect to possible biological effects
5 of RF energy has been monitored by Health Canada scientists on
6 an ongoing basis since the last version of Safety Code 6 was
7 published in 1999. During this time, a significant number of new
8 studies have evaluated the potential for acute and chronic RF
9 energy exposures to elicit possible effects on a wide range of
10 biological endpoints including: human cancers (epidemiology);
11 rodent lifetime mortality; tumor initiation, promotion and co-
12 promotion; mutagenicity and DNA damage; EEG activity; memory,
13 behaviour and cognitive functions; gene and protein expression;
14 cardiovascular function; immune response; reproductive
15 outcomes; and perceived electromagnetic hypersensitivity (EHS)
16 among others. Numerous authoritative reviews have summarized
17 this literature.

18 Despite the advent of thousands of additional research studies on
19 RF energy and health, the predominant adverse health effects
20 associated with RF energy exposures in the frequency range from
21 3 kHz to 300 GHz still relate to the occurrence of tissue heating
22 and excitable tissue stimulation from short-term (acute)
23 exposures. At present, there is no scientific basis for the premise
24 of chronic and/or cumulative health risks from RF energy at levels
25 below the limits outlined in Safety Code 6. Proposed effects from
26 RF energy exposures in the frequency range between 100 kHz
27 and 300 GHz, at levels below the threshold to produce thermal
28 effects, have been reviewed. At present, these effects have not
29 been scientifically established, nor are their implications for human
30 health sufficiently well understood. Additionally, a lack of evidence
31 of causality, biological plausibility and reproducibility greatly
32 weaken the support for the hypothesis for such effects. Thus,
33 these proposed outcomes do not provide a credible foundation for
34 making science-based recommendations for limiting human
35 exposures to low-intensity RF energy.”

36 Yes, it states that. Causality, biological plausibility and reproducibility was
37 reported to Health Canada and through Canadian Parliament.

38 4.6.4 Please also review Health Canada’s response dated June 19, 2008 to a
39 petition filed by Dr. M. Havas *Request that first generation DECT phones*
40 *be banned in Canada.* A copy of this document has been requested in
41 CSTS IR 1.9.3 to Dr. Blank, and it may be found at: [http://www.oag-](http://www.oag-bvg.gc.ca/internet/english/pet_253_e_31629.html)
42 [bvg.gc.ca/internet/english/pet 253 e 31629.html](http://www.oag-bvg.gc.ca/internet/english/pet_253_e_31629.html).



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The Environment Commissioner's Office out of the Auditor General's Office forwarded me all the petitions to show them what was missed. I specifically refer to Dr. Havas's petition. Dr. Havas reports studies showing adverse health effects far below the safety limits of Safety Code 6. Health Canada kept responding it was below the limits in Safety Code 6. Reported Altered Brain Wave Activity at .1 of 1 microwatt is below the limits outlined in Safety Code 6.

Dr. Havas is talking about biological effects and Health Canada is talking about thermal effects. It is like comparing wood and rocks as the 2 will never meet. Dr. Havas is talking about biological effects of a biological unit with their own electricity. Health Canada is talking about dead tissue heating. The name Specific Absorption Rate alone substantiates inducing currents, people weren't considered as bio electrical.

The only thing missing in Dr. Havas's petition was causality, biological plausibility and reproducibility. That was reported to Health Canada, Canadian Parliament and lectured in medical education. Incorporate the frequencies hitting people from head to toe, different electrical loading(power densities) and the bio electrical information of human biological systems and it verified the studies.

4.6.5 Please confirm Health Canada states the following in that document:

“Health Canada scientists continue to carry out internally funded studies on RF fields and to review the scientific literature on an ongoing basis either as participants in standard-setting bodies and international scientific meetings, as academic or peer reviewers for publications, or as part of a continuous program of literature surveillance. Based on information to date and the weight-of-evidence from this ongoing scientific review, the exposure limits specified in Safety Code 6 remain current and valid.” (Reference: Answer to Questions 1 & 3, underlining added)

“A weight-of-evidence approach is employed when considering peer-reviewed scientific publications and assessing the possible health risks of RF fields. This method takes into account both the quantity of studies on a particular endpoint (whether adverse or no effect), and also the quality of those studies. Poorly conducted studies (e.g. incomplete dosimetry or inadequate control samples) receive relatively little weight while properly conducted studies (e.g. all controls included, appropriate statistics, complete dosimetry, and reproducibility) will receive more weight. There are numerous concerns with the studies referenced by the petitioner; therefore, these studies have lower weight in the risk assessment process.” (Reference: Answer to Questions 1 & 3)

Yes, Health Canada has continued to report the above and we are waiting for confirmation on how they used the weight of evidence approach on the science submitted. Electricity and electromagnetic induction are peer reviewed science, it is how FortisBC



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1 generates electricity. Humans and biology being electrical, brain waves, neurons, etc have been
2 validated as well as education.

3 4.7 Based on the above Health Canada statements, does Mr. Bennett agree it is
4 reasonable to assume that Health Canada has in fact considered the research
5 studies on possible RF effects unrelated to tissue heating, and has concluded
6 that such effects have not been scientifically established and that the studies do
7 not provide a credible foundation for making science-based recommendations to
8 reduce the Safety Code 6 exposure limits. If Mr. Bennett does not agree, please
9 explain the basis for the response.

10 No, Health Canada's administration has been negligent in their reporting and responses
11 which will be reflected through the investigation as well as revision of the Code.
12 There is no acceptable power density to induce into an existing electrical system
13 and FortisBC lawyers could verify this through the utility electrical professionals.

14

15 4.8 Mr. Bennett makes reference at p. 2 to U.S. Congress Bill H.R. 6358. Please
16 confirm that this bill was introduced in the 112th Congress, and did not pass the
17 committee stage.

18 Congressman Kucinich wasn't re-elected and the bill is with the Committee on Energy
19 and Commerce. The bill and issue isn't going away and FortisBC lawyers should
20 be looking at Canada is revising Safety Code 6 and the ridiculous Specific
21 Absorption Rate. The US put forward their first draft bill on the issue because the
22 science has changed with the mechanisms found and reported linking the
23 frequencies to adverse health effects. Liability will also result.

24 4.8.1 Please confirm that this bill has not been reintroduced in the 113th
25 Congress.

26 Do not know, we are waiting for information on the co-sponsors of the bill
27 and from the Chair of the Energy and Commerce Committee.