

Declaration of Michele Hertz

I, Michele Hertz, have personal knowledge of all facts set forth in this declaration and am competent to testify thereto if called upon to testify in a court of law. I hereby declare:

1. My name is Michele Hertz and I reside in Westchester County, New York.
2. I am a utility customer of Con Edison in Westchester County and also Central Hudson in upstate, Ulster County, New York.
3. I am 54 years old, and a working artist, wife and mother of two sons.

2007

4. In 2007, Central Hudson, the electric utility company for our newly constructed weekend home in Ulster County, New York, installed an electric Automatic Meter Reading (AMR), digital utility (DU) meter on our home. AMR DU meters are an early version of "smart" meters. This meter was approximately 150 feet away from our house on a pole, and connected to our house by underground wires.

2007-8

5. Between 2007 and 2008, and only when I was in our upstate home, I had unusual heart palpitations that would wake me, startled from my sleep. I became concerned that I had a heart problem, so I went to my doctor. He tested my heart and found nothing wrong with my heart. I continued to have occasional and uncomfortable heart palpitations when I was in that home.

6. In 2008, I illustrated the book, "Designing Gardens With Flora Of The American East", by Carolyn Summers, published by Rutgers University Press. I was, at the time, a full time artist and sculptor.

2009

7. In June 2009, at our home in Westchester County, Con Edison removed a fully functioning electric ANALOG meter from the wall outside our home and replaced it with an electric AMR DU meter. Around the same time Con Edison also installed a gas AMR DU meter in our basement. Con Edison informed me that there would be a "cell phone like" transmission from the meter "once a month" to a passing Con Edison truck. At that time I had no reason to believe that Con Edison was not telling me the truth.

8. The Con Edison electric AMR DU meter was labeled as follows:

Centron

0716701200 CL200 240V 3W Type C1SRP 30TA 1.okh

Ca. 0.5 FM 2s 60Hz

A72AQ 7978929. 59689 345

9. I did not document the information from the Central Hudson AMR DU meter or from the Con Edison gas AMR DU meter.

10. For most of the summer of 2009, we were back and forth between upstate and Westchester. I continued to have sporadic heart palpitations.

11. After the summer months we returned to Hastings and In September 2009, I began noticing these symptoms...

- A. Agitation
- B. Memory and word loss
- C. Inability to concentrate on my work
- D. Nervousness
- E. A mole began to grow larger on my back
- F. Unusual menstrual disruption

At 51, I wondered if I was developing an early form of Alzheimer's disease.

12. I was not well, which at the time I described as feeling "unhinged," and I again went to my doctor but he did not know what was wrong with me.

2010

13. In February 2010, during a major snowstorm in Hastings, I was in my living room, next to my fireplace, about five feet away from the electric AMR DU meter, outside my living room window. My husband was traveling and my sons were not at home. The electricity went on and off several times during that storm.

Suddenly during one of these electrical events, I heard a very high-pitched piercing sound in my right ear and I experienced painful pressure in both of my ears. This caused me to double over in pain. Along with the symptoms I had been experiencing previously, as noted above, I began to develop even worse symptoms.

G. Severe heart palpitations

H. A loud and very disturbing buzzing-pulsing sound especially in my right ear

I. Extreme agitation

J. Interrupted sleep with nightmares of being attacked

K. Waking with severe heart palpitations

L. In the following weeks the mole on my back began to blow up and grow larger.

M. Pains in my jaw and teeth

I became terrified that I was going to die of a heart attack.

I began to sleep on my kitchen floor so that the sound of the refrigerator would

drown out the terrible buzzing in my ears.

14. When I left our Westchester home and went upstate, I had the same symptoms there. Some of the symptoms would lessen when I went outside, so I began to suspect that something was wrong inside, perhaps with the electricity.

15. After a conversation with an electrical specialist, I began to suspect that my symptoms might be traceable to the AMR DU meters that Central Hudson and Con Edison had installed because before the installation of these meters, I had no physical ailments. The AMR DU meters were in fact the only newly introduced electrical technology in our homes.

16. During the time that the AMR DU meters were on our homes, my husband developed high blood pressure and had to be placed on blood pressure medication. My family was unusually agitated during this time.

March 2010

17. I requested that both Con Edison and Central Hudson remove all AMR DU meters from both of my homes and replace them with ANALOG meters. Central Hudson agreed to remove the AMR DU meter and they replaced it with an ANALOG meter.

18. After many desperate phone calls to Con Edison they agreed to remove the AMR DU meter but they required me to present a doctor's letter. This invasion of my privacy made me wonder how my personal medical information was any business of the utility company.

19. Con Edison removed the gas AMR DU meter, but instead of replacing the electric AMR DU meter with an ANALOG meter, they installed another electric DU meter, which they claimed was not an AMR DU meter and would have NO

antenna or RF/MW radiation. They said that I would need to provide them, in the future, with meter readings. They also told me that I would be hearing from their health division, which I never did. Because at that time I was uneducated about both electromagnetic radiation and various meter types, I was grateful that Con Edison made the switch and I was hopeful that this new DU meter would have no effects on my health.

20. I recorded the following information from the second DU meter that Con Edison installed on my home.

Schlumberger Centron

CL200 120V 3W Type CN15

30TA 1.okh

Ca. 0.5 FM 25S 60Hz

HF5006914736AAV*

71BQ 6914736

25 440 021

21. In the days following the installation of the second electric DU meter, my symptoms got worse. I had heart palpitations that were strange, painful and extremely frightening. I was unable to sleep and terrified that I would have a heart attack.

22. Finally, after making many more calls, on March 12, 2010 Con Edison workers, including a manager of the meter department, came and removed that DU meter from my house and replaced it with an ANALOG meter.

23. My immediate responses to the removal of the DU meter were so remarkable that I recorded them. I have been documenting and researching this problem ever since.

- N. I felt as if I were being released from being electrocuted
- O. I felt weighted down with exhaustion
- P. The buzzing-pulsing became quieter
- Q. I felt tingling in arms

Within hours I began feeling slightly better. The loud buzzing-pulsing did not go away but inside my house it got noticeably quieter. My thoughts became less scrambled.

Within weeks:

- R. The mole on my back bled, dried up and fell off (documented by my dermatologist)
- S. I began to menstruate again, but never again normally as was the case before the meter was installed.

24. As my family and friends would attest to, I was able to use wireless technology and healthy in general before being exposed to the electromagnetic radiation from DU meters. I now become ill when I am exposed to wireless electronic equipment and some electrical equipment.

25. Other people in my village have also become ill after AMR DU meters were installed on their homes. None of them has been able to get the utility companies to remove the AMR meters despite vigorous requests for the utilities to do this. The utilities claim the meters are safe and are flatly refusing to remove any meters, even when a letter from a doctor has been supplied asking for their removal.

26. There were perhaps a few DU meters in Hastings before 2008, but in that year the utilities made an aggressive attempt to replace all ANALOG meters with

DU meters. I have documented the following list, consisting of my friends and neighbors who have either died or become ill since the meter "deployment" (a utility term) by the utility companies in 2008.

- 1) My friend, 59 year old man died - massive heart attack
- 2) My friend, 55 year old man died - massive heart attack
- 3) Neighbor, 40 something man died - massive heart attack
- 4) My friend, 70-year-old woman died at her kitchen table - massive heart attack
- 5) My friend and the husband of the 70-year-old woman had to have emergency heart surgery
- 6) 40 something year old woman - stroke
- 7) 40 something year old man - heart problems and surgery
- 8) My Friend, 60 something year old woman - diagnosed with early Alzheimer's disease
- 9) 50 something year old woman - diagnosed with early Alzheimer's disease
- 10) My friend, 50 something year old woman with heart palpitations had heart checked and wore a heart monitor.
- 11) My friend, 50 something year old woman with heart palpitations had heart checked and wore a heart monitor.
- 12) Several friends, 50's developed high blood pressure
- 13) 40 something man - brain tumor
- 14) 40 something year old woman - suicide
- 15) 60 something year old woman - suicide
- 16) Myself, I had my heart checked and became ill
- 17) My friend, 40 something year old man - seizures
- 18) Reports of insomnia in adults and children, trouble falling asleep, staying asleep, waking too early
- 19) Reports of heart palpitations, tinnitus, extreme agitation, high blood pressure

20) Many cases of cancer and MS re-occurrence since 2008

I have lived in Hastings for 17 years and it was never like this before 2008. For a village of approximately 8000 we have lost an unusual amount of residents.

27. We have formed a local group and hired an expert in RF engineering who has determined that the DU meters used in our area are sending RF/MW signals from every 1 to 2 seconds up to every 30 seconds non-stop. These emissions reach far out from the meters throughout neighborhoods. In addition and more difficult to detect are the levels of pulsing RF/MW radiation conducting from the meters on to:

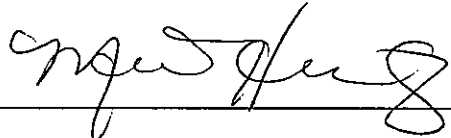
the entire electrical system of a home or building. This pulsing radiation turns the buildings electrical wiring system into a pulsed and giant RF/MW antenna, surrounding us 24/7, in our homes with unprecedented RF/MW radiation.

28. AMR DU meters were never tested in a realistic situation; instead the meters were tested in isolation, using an extension cord in an unrealistic setting. We obtained these testing results from the industries own records.

29. When Con Edison removed the DU meters from my home, the pulsed RF/MW radiation diminished greatly. However, the particular RF/MW signals, coming from thousands of DU meters in my neighborhood, still conduct into my home through the analog meter and through the air. These signals, although not as high as they were when the DU meters were installed on our home, continue to expose us to a radiation, which in 2011 was designated as a Class 2B Carcinogen by the World Health Organization.

Myself, and others are suffering at the hands of utility companies, who invested billions of dollars in a terrible mistake.

I declare under penalty of perjury under the laws of the state of New York that the facts set forth above are true and correct to the best of my knowledge. This declaration was executed this 4th day of December 2012 in Westchester County, New York.

Signed  Dated 11/4/12
Michele L. Hertz

Sworn to before me this 4th day of December, 2012
Susan Maggioro

SUSAN MAGGIOTTO
NOTARY PUBLIC-STATE OF NEW YORK
01MA6001541
Qualified in Westchester County
My Commission Expires January 20, 2014