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<http://news.mpbn.net/post/smart-meter-debate-goes-back-maine-supreme-court>

Smart Meter Debate Goes Back to Maine Supreme Court

PORTLAND, Maine — The debate over the safety of wireless smart meters that track electricity use was back before Maine's highest court today.

Opponents of the meters want the Supreme Judicial Court to throw out a 2014 report from the Maine Public Utilities Commission that found that the devices posed no credible threat to public health.

But Central Maine Power Company, which has installed 600,000 smart meters, maintains they're safe.

Oral arguments in this latest hearing began with Bruce McGlaufflin. He's the lawyer who has spent years fighting the Public Utilities Commission and Central Maine Power on behalf of smart meter opponents, who believe the electromagnetic waves emitted by the devices can cause cancer and other, less serious conditions such as headaches, fatigue and sleep loss.

In the commission's review last year, McGlaufflin noted that former PUC member David Littell agreed that smart meters pose health risks.

"Despite finding credible evidence of a chronic risk, Commissioner Littell found that the commission can ignore this threat of harm, as long as the exposure in the home is comparable to exposure outside the home," McGlaugflin said.

Many CMP customers go to great lengths to make their homes a safe haven, McGlaufflin argued, only to have CMP invade them and make them less safe. The justices, he said, have no choice but to toss out the commission's contention that the meters are safe.

But Chief Justice Leigh Saufley questioned McGlaufflin about the PUC's role in assessing safety.

"The FCC has set standards and our PUC is primarily an economic regulator," she said. "Why isn't CMP's argument that pre-emption actually resolves this matter and argument that we should adhere to?"

The Federal Communications Commission establishes safety standards for wireless radio frequencies. Lawyers for the PUC and Central Maine Power argue that those are the only safety standards that matter and that federal law pre-empts the PUC from considering other safety factors besides the FCC standards.

"Ultimately, the commission determined that CMP Smart Meters do not pose a credible threat to the health and safety of CMP's customers and are, therefore, safe," says Jordan McColeman, the PUC's lawyer. "The commission's finding is in complete accord with the federal agency tasked with insuring the safety of wireless communications devices, the FCC, and in complete accord with every state or federal body that has examine this issue."

In the coming weeks, the justices must decide whether to uphold the PUC investigation, determining that smart meters are safe, or throw it out.

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