

## **Atty Christopher Turner's 3 Comments Posted to Onzo, Possibly A Utility Customer's Worst "Friend"**

**3-18-17**

***Noteworthy information to document!***

<http://www.activistpost.com/2017/03/onzo-possibly-utility-customers-worst-friend.html>

Chris Turner • 2 days ago

Smart Meter Data Needs Privacy Protection, 7th Circ. Told, <https://www.law360.com/arti...>,  
By Allison Grande

Law360, New York (March 2, 2017, 8:34 PM EST) --

"A pair of privacy groups are urging the Seventh Circuit to find that the Fourth Amendment protects data generated by smart meters, arguing that the granular details produced by these increasingly prominent readers are "far more intimate" than cumulative information collected periodically from more traditional analog meters.

In a brief filed Tuesday, amici curiae Privacy International and the Electronic Frontier Foundation

rallied against the dismissal of a suit lodged by the non-profit advocacy group Naperville Smart Meter Awareness in the Northern District of Illinois alleging that smart meters installed in the Illinois city of Naperville put the privacy of the city's citizens at risk.

During the course of the proceedings before the lower court, U.S. District Judge John Z. Lee ruled that plaintiffs have no reasonable expectation of privacy in aggregate measurements of their electricity usage that they have consented to have scooped up. But the privacy groups countered Tuesday that the decision was rooted in "flawed assumptions" about smart meter technology, and that the intimate details about a consumer's home life that are gathered by these meters should be entitled to protection under the Fourth Amendment.

"Whereas analog meters provide a single monthly measurement of cumulative household energy use, smart meters — by measuring energy use at much shorter intervals; here, every 15 minutes — provide information regarding not only how much energy was used, but also the time at which

it was used," the groups wrote. "Smart meters thus not only generate far more data every month than analog meters — here 2,880 meter readings in a 30-day month compared to just one — but the data includes an entirely new variable, i.e., time."

The time component is essential, the groups argued, because it allows a detailed picture to be painted of what's going on inside a home, including how and when residents are using electricity and when they are home, sleeping, taking a shower or how they are cooking dinner.

"As a result of this time granularity, smart meter data — even in 'aggregate' form — constitutes intimate information regarding a person or family's private, in-home activities," the groups said.

Americans reasonably expect details of their private, in-home activities to remain private, and U.S. Supreme Court case law — including the 2001 ruling in *Kyllo v. U.S.*, which held that

raw thermal imaging data revealing “the relative heat of various rooms in the home” constituted “intimate details” regarding the interior of the home protected under the Fourth Amendment — supports the conclusion that smart meter data is entitled to heightened privacy protections, the groups argued..."

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<https://www.nixonpeabody.co...>, MARCH 22, 2012

The Smart Grid: Privacy costs of the information jackpot

By Jacob J. Herstek and Linn Foster Freedman

"If you accept the notion that data is the currency of the information age, then utility companies are about to strike it rich. Fueled by stimulus funding in the American Recovery and Reinvestment Act of 2009 (ARRA), electric utilities are accelerating their deployment of "smart meters" to an expected 65 million homes across the United States by 2015, with help from the Department of Energy's "Smart Grid" Investment Grant program.

As the power-supplying infrastructures are updated, utilities are transforming the electrical grid into a sophisticated decentralized network with two-way capabilities for communicating. This "smart grid" allows a consumer to converse with their electricity provider in real time with the use of a personal "smart meter."

The conversation with your utility company can reveal some very intimate personal details such as your daily household routine (including times when you are asleep and what you are doing when you are awake), whether your home is equipped with an alarm system, what types of appliances you own and when they are used and whether you require the use of things like medical equipment. Your electrical footprint in the form of the amount of electricity you use is referred to as consumer specific energy use data (CEUD).

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The collection of CEUD allows the utility to become a clearinghouse of personal information. The amalgamation of this data, combined with the consumer's identity, amounts to nothing less than a treasure trove to the utility itself and those in the data business like marketers, advertisers, insurers, and identity thieves..."

Posted by Chris Turner, Esq.

[dcsmartmeterchoice.com](http://dcsmartmeterchoice.com)