

11-19-18:

Anthony Lopez
Business Performance Specialist
California American Water Company
511 Forest Lodge Rd., Suite 100
Pacific Grove, CA 93950

Service address: 277 Mar Vista Dr. Monterey
Account number: 1015-210018770787

Subject: ADA accommodation/modification request

Dear California American Water Company:

I request disabled accommodation under the Americans with Disabilities Act.

I am disabled by electromagnetic sensitivity. The EMF-emissions from your company's Smart/AMI/AMR meters cause me disabling health effects. My doctor has advised avoidance of RF-EMF-emitting technology including the type of exposure from near proximity of your EMF emitting invoicing tools. I request that Cal-Am modify its policies and allow my residence at my family's home to have a mechanical water meter.

I've made repeated requests in the past, as a person disabled by electromagnetic sensitivity, for a mechanical non-transmitting water meter, and I've been assured by Cal-Am personnel that my family did not have an RF meter and Cal-Am wouldn't install one. However, on Oct. 13, Cal-Am personnel came to my house announcing that they were going to install a new Neptune EMF-emitting meter. We refused, reminding them that I needed ADA accommodation due to my disability. The rep said he would not install it and made a note in my family's account file, but said he could not guarantee anything despite that I am qualified for guarantee of my disabled rights. In order to avoid this misunderstanding in the future, we requested that Cal-Am make an appointment for any meter work in the future. Despite my request, on the following weekend, on Oct. 20, Cal-Am personnel came to our house early in the morning and installed a Neptune Smart Meter on our water line without letting us know, making an appointment, or responding to my request for ADA accommodation.

I repeatedly contacted Cal-Am customer service due to the immediate disabling health effects I was experiencing following installation. I asked urgently for it to be removed, but I didn't get any call back from Cal-Am. Furthermore, customer service informed me we previously had an RF meter, despite representations to me by the company. They also did not have a local contact phone number for me to call. Finally, on Oct. 28, Cal-Am field rep Danny just arrived at my door, announced he would be removing the wireless unit, and then did so. However, Danny was not authorized or informed to assure me that this would-be accommodation was permanent nor was he able to provide me convincing evidence that all the equipment exacerbating to my disability had been removed.

This pattern of failure to acknowledge or formalize my disabled needs is an ongoing and imminent threat to my health and well-being and my rights under the Americans with Disabilities Act and interferes with my doctor's treatment plan for me. On this basis, therefore and on the assertion of my disabled rights, I request reasonable accommodation-that you:

1. Send me written acknowledgement of my disabled status in your files and confirm that the present meter is, and will remain as, a mechanical, non-digital water flow meter.
2. Standardize for me some practice to obtain readings for me which, as a local and monopoly provider of a critical public service, is required and described by examples in the ADA Title II Technical Assistance Manual.
3. Replace the neighbors' meters, using the same manual-read non-digital mechanical measuring practice on properties which touch my family's property or are across the right of way.
4. Ensure that any collector antenna has not been placed near or adjacent to my house, and if so remove or relocate it.
5. Provide me with the engineering schematics showing that this is a purely mechanical meter, and not a digital computer compiling data of some sort through electromagnetic means, means that are or may be exacerbating to my disability.

It is urgent that a dialogue can be opened to resolve this matter. Wireless and digital meters substantially exacerbate my condition and constitute a barrier to access to the use and enjoyment of my home. As such, I take very seriously any failure to resolve this matter as a violation of the Americans with Disabilities Act and a violation of State rules for equivalent enforcement of the ADA under local statutes.

Please contact me via someone with authority and knowledge to effect a meaningful dialogue under the state and federal rules and to effect a reasonable and swift resolution of this matter. I have all the proper medical qualifications that I am "actually" disabled by Electromagnetic Sensitivities, a condition formally recognized at ADA.gov's policy arm, The Access Board (<https://www.access-board.gov/research/completed-research/indoor-environmental-quality>). I am requesting accommodation and the modification of your policy and immediate contact about how you intend to proceed for the resolution of this issue.

If California American Water Company does not respond promptly with a policy statement and an achievable solution for me, I will immediately file a civil rights complaint at the State office empowered to enforce disabled access and rights.

Sincerely

Nina Beety
831-655-9902