

STATE OF MICHIGAN  
BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

\* \* \* \* \*

In the matter, on the Commission's own motion,	)	
to review issues bearing on the deployment of smart	)	Case No. U-17000
meters by regulated electric utilities in Michigan.	)	
_____	)	

At the January 12, 2012 meeting of the Michigan Public Service Commission in Lansing,  
Michigan.

PRESENT: Hon. John D. Quackenbush, Chairman  
Hon. Orjiakor N. Isiogu, Commissioner  
Hon. Greg R. White, Commissioner

**ORDER OPENING DOCKET**

In the past several months, the Commission has become aware of concern on the part of some individuals in this state and an increasing number of municipal officials regarding the deployment of smart meters by electric utilities operating in Michigan. During the Commission's annual consumer forums conducted at various locations during the fall of 2011, individual Commissioners on several occasions encountered vocal opponents to the deployment of smart meters in their communities. More recently, through direct submissions, media reports, and by other means, the Commission has learned that the elected governing bodies of at least nine local communities across Michigan have by resolution implored the Commission to either (1) make information about smart meters available to the public, (2) investigate the safety of the physical attachment of a smart meter to a residential dwelling house, (3) halt ongoing efforts by regulated electric utilities to deploy smart meters throughout their service territories, or (4) force these electric utilities to

allow concerned customers to “opt out” of having a smart meter attached to her or his own dwelling house.<sup>1</sup>

In hopes of increasing the Commission’s and the public’s understanding of smart meters, the Commission opens this docket for the purpose of addressing these concerns to the degree possible in light of the limits of the Commission’s statutory authority and expertise.

Toward this end, the Commission directs all regulated electric utilities to submit information in this docket regarding the following topics: (1) The electric utility’s existing plans for the deployment of smart meters in its service territory; (2) The estimated cost of deploying smart meters throughout its service territory and any sources of funding; (3) An estimate of the savings to be achieved by the deployment of smart meters; (4) An explanation of any other non-monetary benefits that might be realized from the deployment of smart meters; (5) Any scientific information known to the electric utility that bears on the safety of the smart meters to be deployed by that utility; (6) An explanation of the type of information that will be gathered by the electric utility through the use of smart meters; (7) An explanation of the steps that the electric utility intends to take to safeguard the privacy of the customer information so gathered; (8) Whether the electric utility intends to allow customers to opt out of having a smart meter; and 9) How the electric utility intends to recover the cost of an opt out program if one will exist.

The electric utility comments required by this order shall be submitted through the Commission’s standard e-file system. Wherever possible, supplemental documentation may be referenced in the comments via the use of hyperlinks. All comments shall be submitted by 5:00 p.m. on March 16, 2012.

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<sup>1</sup>All such resolutions known to the Michigan Public Service Commission at this time are attached to this order.

After the submission of the information by the regulated electric utilities, all interested persons shall have until April 16, 2012 to examine those comments. Written and electronic comments by interested persons may be filed with the Commission, but must be received no later than 5:00 p.m. on April 16, 2012. Written comments should be sent to: Executive Secretary, Michigan Public Service Commission, P.O. Box 30221, Lansing, Michigan 48909. Electronic comments may be emailed to: [mpscedockets@michigan.gov](mailto:mpscedockets@michigan.gov). Any person requiring assistance prior to filing comments, may contact Commission Staff at (517) 241-6180. All comments should reference Case No. U-17000. Comments and other documents received in this proceeding will become public information, posted on the Commission's website, and subject to disclosure.

Following the deadline for the submission of comments by members of the general public, the Commission Staff (Staff) shall prepare a report for the Commission's consideration. The Staff's report shall be given to the Commission and filed in this docket by 5:00 p.m. on June 29, 2012. In its report, the Staff shall summarize the filings in this docket, independently review the literature regarding smart meters, and identify any developments in other jurisdictions pertinent to this investigation. At the end of its report, the Staff shall make its recommendations, including suggestions regarding how best for the Commission to implement the Staff's recommendations.

THEREFORE, IT IS ORDERED that:

A. The Commission's Executive Secretary shall serve a copy of this order on all regulated electric utilities in this state.

B. Alpena Power Company, Consumers Energy Company, The Detroit Edison Company, Indiana Michigan Power Company, Northern States Power Company-Wisconsin, Upper Peninsula Power Company, Wisconsin Electric Power Company, Wisconsin Public Service Corporation, Alger Delta Cooperative Electric Association, Cherryland Electric Cooperative, Cloverland

Electric Cooperative, Great Lakes Energy Cooperative, Midwest Energy Cooperative, Ontonagon County Rural Electrification Association, Presque Isle Electric & Gas Co-op, Thumb Electric Cooperative, and Tri-County Electric Cooperative shall file comments as described in this order by 5:00 p.m. on March 16, 2012.

C. Interested persons shall have until 5:00 p.m. on April 16, 2012 to file comments in this docket as described in this order.

D. The Commission Staff shall file a report and recommendations in this docket as described in this order by 5:00 p.m. on June 29, 2012.

The Commission reserves jurisdiction and may issue further orders as necessary.

MICHIGAN PUBLIC SERVICE COMMISSION

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John D. Quackenbush, Chairman

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Orjiakor N. Isiogu, Commissioner

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Greg R. White, Commissioner

By its action of January 12, 2012.

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Mary Jo Kunkle, Executive Secretary

RESOLUTION NO. 11-018  
CHARTER TOWNSHIP OF BRIGHTON

RESOLUTION DIRECTED TO THE MICHIGAN PUBLIC SERVICE COMMISSION  
REGARDING SMART METERS

At the Regular Meeting of the Brighton Township Board of Trustees of the Charter Township of Brighton, Livingston County, Michigan, held in the Brighton Township Board Room, located at 4363 Buno Road, Brighton, MI 48114 at 7:00 p.m., November 21, 2011.

WHEREAS, DTE Energy and other utilities are installing electric meters, also known as "Smart Meters," which electronically transmit specific usage data via radio frequency network to the utility company identifying the amount of energy consumed and which device is consuming energy, and enables the utility company to remotely shut off/interrupt service, and

WHEREAS, Via Smart Meter technology, the utility has the power to nonconsensual interrupt utility service to all or selected devices within each consumers' home, and

WHEREAS, the Michigan Public Service Commission ("MPSC") has the authority to regulate the utility companies and Smart Meters, and

WHEREAS, the Charter Township of Brighton Board of Trustees has determined that the health and safety of Brighton Township residents must be protected and that the responsibility for any potential negative health effects and privacy concerns must be addressed by the MPSC, and

WHEREAS, There is no right for the consumer to "opt out" of the Smart Meter installation, and

WHEREAS, There is a concern about the invasion of privacy and the proliferation of data accumulated on private citizens and the security of such private data, and

WHEREAS, The Charter Township of Brighton Board of Trustees has no jurisdiction over utility companies; such jurisdiction resides with the Michigan Public Service Commission.

NOW, THEREFORE, BE IT RESOLVED that the Charter Township of Brighton Board of Trustees requests the following actions be taken by the MPSC which will help protect the health and welfare of its residents:

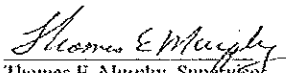
- 1) That the MPSC require public utilities to allow consumers an opt-out option for Smart Meters so they can opt out of being exposed to Smart Meters via the installation of such units onto their residency;
- 2) That the MPSC address the concerns related to the potential health hazards associated with the installation of Smart Meters; and
- 3) That the MPSC make available, and easily accessible, any and all information it has gathered or received on Smart Meters

AYES: C. Doughty, L. Theis, A. Bollin, J. Rogers, M. Slaton, J. Kovitz, T. Murphy

NAYES: None

ABSENT: None

The Resolution was declared adopted.

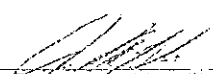
  
Thomas E. Murphy, Supervisor

  
Ann M. Bollin, CMC, Clerk

Certification

I, Ann M. Bollin, duly elected Clerk, hereby certify that the foregoing is a true and complete copy of the Resolution adopted by the Township Board of the Charter Township of Brighton, 4363 Buno Road, Brighton, Michigan, at a regular meeting held on November 21, 2011, and public notice of said meeting was given and minutes of said meeting were kept and will be or have been made available as required.

In witness hereof, I have hereunto affixed my official seal this 28<sup>th</sup> day of November, 2011.

  
Ann M. Bollin, CMC, Clerk

RECEIVED  
DEC 14 2011  
Services Utility Division

# Charter Township of Shelby

Terri Kowal, MMC  
Clerk

52700 Van Dyke  
Shelby Township, MI 48316-3572

Phone: (586) 731-5102  
Fax: (586) 726-7227  
TDD: (586) 726-2731  
E-mail: tkowal@shelbytwp.org

August 17, 2011

Michigan Public Service Commission  
P.O. Box 30221  
Lansing, MI 48909

Re: Resolution to Michigan Public Services Commission regarding DTE  
Energy Smart Meters

Dear Sir/Madam:

Please be advised that at the regular meeting of the Board of Trustees held on  
Tuesday, August 16, 2011, the following motion was made:

MOTION by Filar, supported by Kowal, to adopt the Resolution to  
Michigan Public Services Commission expressing Shelby Township Board  
of Trustees' concern with the installation of DTE Energy Smart Meters and  
a request to explore the health effects, as presented. Also, the Michigan  
Public Services Commission is hereby requested to perform a careful  
analysis of the potential privacy issues regarding available and future  
"smart meter" technology.

Motion carried.

Sincerely,



Terri Kowal, MMC  
Township Clerk

/ca

c: Honorable Jack Brandenburg  
Honorable Peter Lund

Richard H. Stathakis  
Supervisor

Terri Kowal  
Clerk

Paul Viar  
Treasurer

Paula C. Filar  
Trustee

Michael Flynn  
Trustee

Lisa Manzella  
Trustee

Douglas C. Wozniak  
Trustee

## RESOLUTION

### RESOLUTION TO MICHIGAN PUBLIC SERVICES COMMISSION REGARDING DTE ENERGY SMART METERS – ADOPTED

Motion by Paula Filar, seconded by Terri Kowal: To adopt the following resolution to the Michigan Public Service Commission expressing Shelby Township Board of Trustees' concern with the installation of DTE Energy Smart Meters and a request to explore the health and safety effects:

#### TOWNSHIP OF SHELBY MACOMB COUNTY, MICHIGAN

At a Regular Meeting of the Charter Township of Shelby Board of Trustees, Macomb County, Michigan, held at 52700 Van Dyke, Shelby Township, Michigan, at 7:00 p.m. Eastern Daylight Time, on the 16<sup>th</sup> day of August, 2011.

The following resolution offered by Paula Filar and supported by Terri Kowal.

**WHEREAS**, DTE Energy has begun the installation of new meters to customers in the Metro Detroit area communities, replacing existing meters with so-called "Smart meters," that is, electric meters which will broadcast information to the utility company using radio frequencies; and

**WHEREAS**, DTE Energy has indicated that it will, at some point, begin installation of Smart meters in Shelby Township; and

**WHEREAS**, Smart meters provide a benefit to utilities by allowing remote meter reading by, among other things, eliminating the need for someone to go onto each utility customer's property to read a meter and possibly offering residents lower electric rates at non-peak times; and

**WHEREAS**, a significant number of people, including residents of the Charter Township of Shelby, have expressed their concerns to this Board about potential health effects of the Smart meters, as well as other concerns regarding their universal deployment in the Township; and

**WHEREAS**, although the Township Board is informed that it is without jurisdiction to directly regulate Smart meters, exclusive jurisdiction over them residing with the Michigan Public Service Commission ("MPSC"), the Township Board believes it is appropriate to assist its citizens in obtaining consideration of their issues by requesting careful review thereof by the MPSC.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Michigan Public Service Commission is hereby requested to perform a careful analysis of the potential health and safety effects which may result from the universal installation of Smart meters for electric and gas utilities.
2. The MPSC is further requested to consider delaying the deployment of Smart meters pending a conclusion by the MPSC, following careful study and review that such meters are safe and will not have short-term or long-term negative consequences to the health of the citizens of Shelby Township and the State of Michigan generally.
3. The MPSC is asked to carefully examine other concerns regarding the deployment of Smart meters as may be submitted to them by residents of Shelby Township and the State of Michigan, so as to insure

that all aspects of the issues are considered before final determination is made, with respect to such deployment.

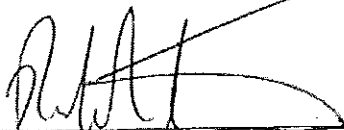
4. The MPSC is further asked to consider requiring public utilities to allow customers with appropriate medical documentation of their individualized risks to opt out of Smart meter installation at their homes.
5. The Michigan Public Service Commission is hereby requested to perform a careful analysis of the potential privacy issues regarding available and future "Smart meter" technology.
6. All resolutions inconsistent with the foregoing resolution be and the same hereby are repealed, to the extent of such inconsistency.


AYES: Filar, Kowal, Manzella, Stathakis, Viar, Wozniak, Flynn

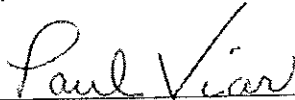
NAYS: None

ABSENT: None

**RESOLUTION DECLARED ADOPTED.**

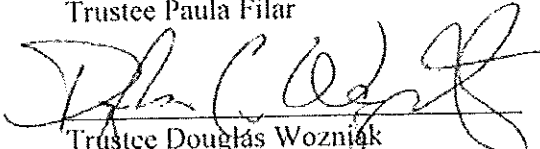
  
Supervisor Richard Stathakis

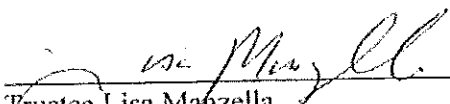
  
Clerk Terri Kowal

  
Treasurer Paul Viar


  
Trustee Paula Filar

  
Trustee Michael Flynn

  
Trustee Douglas Wozniak

  
Trustee Lisa Manzella

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Charter Township of Shelby, County of Macomb, State of Michigan, at a Regular Meeting held on August 16, 2011, and that said meeting was conducted and public notice of said meeting was given, pursuant to and in full compliance with the Open Meetings Act being Act 267, Public Acts of 1976, and that the minutes of said meeting were kept and will be or have been made available, as required by said Act.

  
Terri Kowal MMC, Shelby Township Clerk





# City of Oak Park

*"The Family City"*

Tonni L. Bartholomew, City Clerk

Mayor  
Gerald E. Naftaly  
Mayor Pro Tem  
Michael M. Selligson  
Council Members  
Angela Diggs Jackson  
Paul H. Levine  
Emile Duplessis

June 27, 2010

Michigan Public Service Commission  
6545 Mercantile Way Ste. 7  
Lansing, MI 48911-5984

RECEIVED  
M.P.S.C.  
JUL 01 2011  
Service Quality Division

The attached resolution was adopted by Oak Park City Council at the Regular City Council Meeting of June 20, 2011.

If you have any questions regarding this matter, please feel free to call my office.

Sincerely,

Tonni L. Bartholomew, MMC  
City Clerk



# City of Oak Park

*"The Family City"*

Tonni L. Bartholomew, City Clerk

Mayor  
Gerald E. Naftaly  
Mayor Pro Tem  
Michael M. Seligson  
Council Members  
Angela Diggs Jackson  
Paul H. Levine  
Emile Duplessis

## RESOLUTION

### CM-06-178-11      RESOLUTION TO MICHIGAN PUBLIC SERVICE COMMISSION REGARDING DTE ENERGY SMART METERS - ADOPTED

Motion by Jackson, seconded by Duplessis, CARRIED UNANIMOUSLY: To adopt the following resolution to the Michigan Public Service Commission expressing Council's concern with the installation of DTE Energy Smart Meters and a request to explore the health and safety effects:

#### CITY OF OAK PARK OAKLAND COUNTY, MICHIGAN

At a Regular Meeting of the City Council of the City of Oak Park, Oakland County, Michigan, held in the Council Chambers located at 13600 Oak Park Boulevard, Oak Park, Michigan 48237 at 7:30 P.M. Eastern Daylight Time, on the 20<sup>th</sup> day of June, 2011

The meeting was called to order by: Mayor Gerald Naftaly

Present: Mayor Naftaly, Mayor Pro Tem Seligson, Council Member Duplessis, Council Member Jackson, Council Member Levine, City Manager Fox, City Clerk Bartholomew, City Attorney Carlson.

Absent: None.

The following resolution offered by Jackson and seconded by Duplessis.

**WHEREAS**, DTE Energy has begun the installation of new meters to customers in the City of Oak Park, replacing existing meters with so-called "smart meters", that is, electric meters which will broadcast information to the utility company using radio frequencies; and

**WHEREAS**, Smart meters provide a benefit to utilities by allowing remote meter reading, eliminating the need for someone to go onto each utility customer's property to read a meter; and

**WHEREAS**, A significant number of persons, including residents of the City of Oak Park, have expressed their concerns to this Council about potential health effects of the smart meters, as well as other concerns regarding their universal deployment in the City; and

**WHEREAS**, Although the Council is informed that it is without jurisdiction to directly regulate smart meters, exclusive jurisdiction over them residing with the Michigan Public Service Commission ("MPSC"), the Council believes it is appropriate to assist its citizens in obtaining consideration of their issues by requesting careful review thereof by the MPSC.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The Michigan Public Commission is hereby requested to perform a careful analysis of the potential health and safety effects which may result from the universal installation of smart meters for electric and gas utilities.
2. The MPSC is further requested to consider delaying the deployment of smart meters pending a conclusion by the MPSC, following careful study and review, that such meters are safe and will not have short-term or long-term negative consequences to the health of the citizens of Oak Park and the State of Michigan generally.
3. The MPSC is asked to carefully examine other concerns regarding the deployment of smart meters as may be submitted to them by residents of Oak Park and the State of Michigan, so as to insure that all aspects of the issues are considered before final determination is made with respect to such deployment.
4. The MPSC is further asked to consider requiring public utilities to allow customers with appropriate medical documentation of their individualized risks to opt out of smart meter installation at their homes.
5. All resolutions inconsistent with the foregoing resolution be and the same hereby are repealed to the extent of such inconsistency.

AYES: Seligson, Duplessis, Jackson, Levine, Naftaly  
NAYS: None  
ABSENT: None

**RESOLUTION DECLARED ADOPTED.**

  
Tonni L. Bartholomew, City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City of Oak Park, County of Oakland, State of Michigan, at a Regular Meeting held on June 20, 2011, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

  
Tonni L. Bartholomew, City Clerk



## City of Southfield

26000 Evergreen Rd. • P.O. Box 2055 • Southfield, MI 48037-2055 • [www.cityofsouthfield.com](http://www.cityofsouthfield.com)

October 21, 2011

The Honorable Vincent Gregory  
1015 Farnum Building  
PO Box 30036  
Lansing, MI 48909

Dear Senator Gregory:

Attached is a certified copy of a resolution adopted by the Southfield City Council on October 17, 2011 regarding the DTE Energy Smart Meters.

The City of Southfield urges the Michigan Public Service Commission to initiate a careful review and analysis of the public's concerns relative potential health effects of smart meters, privacy issues and the lack of an opt-out option on the installation of the smart meter or to have the smart meter removed after installation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Nancy L. M. Banks", with a stylized flourish at the end.

Nancy L. M. Banks, MMC  
City Clerk

Mayor  
Brenda L. Lawrence

Council President  
Myron A. Frasier

City Clerk  
Nancy L. M. Banks

City Treasurer  
Irv M. Lowenberg

City Council

Donald R. Fracassi

Janna K. Garrison

Sidney Lantz

Joan Seymour

Kenson J. Siver

Linnie M. Taylor

**RESOLUTION TO MICHIGAN PUBLIC SERVICE COMMISSION  
REGARDING DTE ENERGY SMART METERS**

**WHEREAS:** DTE Energy is in the midst of a comprehensive program for the installation of new meters to customers in the City of Southfield, replacing existing meters with DTE Energy Smart Meters (computerized electric devices allowing for remote reading by DTE via radio frequencies), the Michigan Public Service Commission (MPSC) having jurisdiction in this matter; and

**WHEREAS:** A significant number of persons, including residents of the City of Southfield, have expressed concerns regarding Smart Meters in the areas of health, privacy, and a lack of consumer/homeowner options relative to the installation of these meters by DTE or any other MPSC regulated public utilities that may be contemplating such installations in the future; and

**WHEREAS:** The Southfield City Council believes it is appropriate to assist its concerned residents in obtaining consideration of their issues by requesting careful review and analysis thereof by the MPSC;

**NOW, THEREFORE, BE IT RESOLVED:** That the Michigan Public Service Commission is hereby urged to initiate a careful review and analysis of the expressed public concerns relative to potential health effects of smart meters, privacy issues, and the lack of consumer/homeowner options to either opt-out of the installation in the first place or to have the smart meter removed after installation, as a result of consumer/homeowner concerns that may have arisen after said installation; and

**BE IT FURTHER RESOLVED:** That an open, public forum for discussion of these issues is urged to be included within the MPSC review process on this matter; and

**BE IT FINALLY RESOLVED:** That the City Clerk is directed to deliver a copy of this Resolution to State Senator Vincent Gregory, State Representative Rudy Hobbs, DTE Energy Regulatory Affairs, Consumers Energy Regulatory Affairs, AT&T, Comcast, the Michigan Municipal League and William Zaagman, Governmental Consultant Services, Inc.


**AYES:** Fracassi, Frasier, Garrison, Lantz, Siver, and Taylor.

**NAYS:** None.

**ABSENT:** Seymour.

I, Nancy L. M. Banks, duly elected and qualified City Clerk of the City of Southfield, County of Oakland, State of Michigan, do hereby certify that the foregoing resolution was adopted by the Southfield City Council at the Regular Meeting held on October 17, 2011.

Date: October 21, 2011

  
Nancy L. M. Banks, City Clerk

**RESOLUTION TO THE MICHIGAN PUBLIC SERVICE COMMISSION  
REGARDING THE INSTALLATION OF DTE SMART METERS  
IN THE CITY OF WARREN**

At a regular meeting of the City Council of the City of Warren, County of Macomb, Michigan, held on October 11, 2011, at 8 p.m. Eastern Daylight Savings Time, in the Council Chamber at the Warren Community Center Auditorium, 5460 Arden, Warren, Michigan.

PRESENT: Councilperson Kamp, Caumartin, Sadowski, Stevens,  
Boccomino, Green, Liss, Vogt and Warner

ABSENT: Councilperson none

The following preamble and resolution was offered by Councilmember Caumartin and supported by Councilmember Stevens.

A DTE Energy SMART meter (SMART meter) is modern type electric meter which sends electric meter readings to the public utility automatically by using a radio frequency network rather than the traditional on-site meter reading. SMART meters use digital technology and have no moving parts unlike traditional meters that have gears and dials.

Public utilities state they are deploying SMART meters throughout the country in order to improve energy reliability and promote energy efficiency while providing improved services to customers.

DTE Energy has begun the installation of SMART meters throughout southeastern Michigan and has advised that it will begin the installation of SMART meters in the City of Warren sometime in 2013.

At several council meetings, citizens concerned with the installation of SMART meters presented information to the City Council regarding the detrimental effects that SMART meters may impose on the residents of Warren. These concerns include, but are not limited to: 1) negative health effects as a result of the radio frequency exposure; 2) invasion of privacy; 3) meter accuracy; 4) nonconsensual interruption of service; 5) inadequate installation; and 6) no right to "opt out" of the SMART meter installation.

On April 28, 2011, City Council discussed whether it was permissible to impose a moratorium on the installation of SMART meters until such time as a study of the effects can be conducted and a Committee of the Whole can be scheduled to discuss the findings.

On August 8, 2011, the City Council conducted a Committee of the Whole meeting to discuss SMART Meters. City Council wants to be assured that the installation of SMART meters will not adversely affect the health, safety and welfare of the citizens of Warren.

Although the Michigan Public Service Commission ("MPSC") has jurisdiction to regulate SMART meters, the City Council has determined that it must communicate the concerns of those opposed to the installation of SMART meter technology.

NOW, THEREFORE, IT IS RESOLVED, that the City Council is requesting the following:

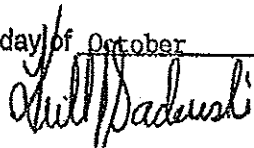
- 1) That the MPSC investigate all the concerns submitted by those opposed to SMART meters as referenced in the resolution;

- 2) That the MPSC forward to the City Council any information or evidence it has gathered that would eliminate the concerns of those individuals opposed to the installation of SMART meters.
- 3) That the MPSC consider requiring public utilities to allow those opposed to SMART meters, especially those individuals with proven health conditions, to opt out of the program.

AYES: Councilperson Caumartin, Stevens, Vogt, Warner, Sadowski  
Liss, Green, Boccomino, and Kamp

NAYS: Councilperson none

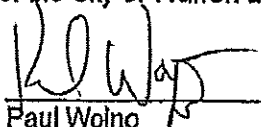
RESOLUTION DECLARED ADOPTED this 11th day of October, 2011.

  
\_\_\_\_\_  
KEITH J. SADOWSKI  
Secretary of the Council

CERTIFICATION

STATE OF MICHIGAN )  
                              ) SS.  
COUNTY OF MACOMB )

I, PAUL WOJNO, duly elected City Clerk for the City of Warren, Macomb County, Michigan, hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Council of the City of Warren at its meeting held on October 11, 2011.

  
\_\_\_\_\_  
Paul Wojno  
City Clerk





# Rochester Hills

## Certified Copy

Administration: RES0274-2011

1000 Rochester Hills Dr.  
Rochester Hills, MI 48309  
(248) 656-4600  
Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

File Number: 2011-0574

Enactment Number: RES0274-2011

Update on installation of Smart Meters; Mike Palchesko, DTE Regional Manager of Corporate & Government Affairs

**Whereas**, DTE Energy has begun the installation of new meters to customers in the Metro Detroit area, specifically the City of Rochester Hills; and

**Whereas**, DTE Energy is replacing the existing meters with so-called "Smart Meters", that is, electric meters which will broadcast information to the utility company using radio frequencies; and

**Whereas**, Smart Meters provide a benefit to utilities by allowing remote meter reading by, among other things, eliminating the need for someone to go onto each utility customer's property to read a meter and possibly offering residents lower electric rates at non-peak times; and

**Whereas**, a number of Rochester Hills residents have expressed their concerns about potential health effects of the Smart Meters, privacy issues, and the lack of consumer/homeowner options to either opt-out of the installation in the first place or have the Smart Meter removed after installation as a direct result of consumer/homeowner concerns that may have arisen after said installation; and

**Whereas**, although the City Council is informed that it is without jurisdiction to directly regulate Smart Meters, the City Council is requesting careful consideration of their resident's issues through direct communication with DTE Energy and the Michigan Public Service Commission (MPSC).

**Therefore, Be It Resolved**, that:

The "MPSC" is hereby requested to perform a careful review and analysis of the Smart Meter program, specifically the potential health and safety effects and privacy issues, and

That the "MPSC" authorize the delayed deployment of the Smart Meters pending resolution of this careful review and analysis of the potential health and safety effects and privacy issues, and

That the "MPSC" allow individual City of Rochester Hills customers to opt-out of the Smart Meter installation at their homes, and

That the City of Rochester Hills asks DTE Energy to impose a moratorium on the Smart Meter Program and give residents opportunity to opt-in or opt-out, and

That the "MPSC" to the full extent of its authority impose measures to prevent DTE Energy from sharing information obtained exclusively through the Smart Meter Program with any third party, absent the express written consent of its customers.

I, Susan Galeczka, Deputy City Clerk, certify that this is a true copy of RES0274-2011 passed at the Rochester Hills City Council Regular Meeting held on 12/12/2011 by the following vote:

Moved by Michael Webber, Seconded by Ravi Yalamanchi

Aye: Hooper, Klomp, Kochenderfer, Rosen, Tisdell, Webber and Yalamanchi



Susan Galeczka, Deputy City Clerk

December 13, 2011

Date Certified

**RESOLUTION REGARDING SMART METERS**

**WHEREAS**, the City Council became aware that "Smart Meters" were being installed by DTE on residences located in the City of Rochester; and

**WHEREAS**, the City Council has had a number of meetings where concerns have been raised by residents and non-residents about the installation of the Smart Meters; and

**WHEREAS**, DTE has come to a number of City Council meetings to discuss, *inter alia*, the concerns raised by citizens about the Smart Meters; and

**WHEREAS**, the City Council has been advised that it lacks authority to regulate the Smart Meters as jurisdiction over DTE operations resides with the Michigan Public Services Commission (MPSC); and

**WHEREAS**, the City Council desires to communicate to the MPSC and request that the MPSC look into the concerns raised and to take certain actions pertaining to DTE's installation and utilization of the Smart Meters to help protect against any perceived negative effects of the DTE Smart Meters project.

**NOW THEREFORE, BE IT RESOLVED** that the City Council for the City of Rochester urges the MPSC to initiate a careful review and analysis of the expressed public concerns regarding the DTE Smart Meter project.

**BE IT FURTHER RESOLVED**, that the Rochester City Council requests that the MPSC require DTE to provide residents the ability to "opt out" of having a Smart Meter installed at their home.

**BE IT FURTHER RESOLVED**, that the Rochester City Council requests that the MPSC require DTE to specifically notify residents if a "Cell Relay" meter/collector will be installed at their home, with an ability to "opt out" of having such a Cell Relay Meter installed at their home.

Made and passed this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**CERTIFICATION**

I, Lee Ann O'Connor, the duly authorized Clerk of the City of Rochester, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the City of Rochester City Council on \_\_\_\_\_, 2011.

\_\_\_\_\_  
Lee Ann O'Connor, City Clerk



Business of the City Council  
Sterling Heights, Michigan

DELIVERED DEC 29 2011

City Clerk's Use

Item No: 2  
Meeting: 1/3/2012

AGENDA STATEMENT

OMB AS03 Rev. 11/04

**Item Title:** To consider a resolution urging the Michigan Public Service Commission to undertake a thorough analysis regarding the installation and operation of smart meters by DTE Energy (Presentation – DTE Energy)

**Submitted By:** Walt Blessed, Assistant City Manager/City Clerk

**Contact Person/Telephone:** Walt Blessed, 446-2421

Administration (initial as applicable)

Attachments

WB

City Clerk

\_\_\_ Resolution

\_\_\_ Minutes

AB

Finance & Budget Director

\_\_\_ Ordinance

\_\_\_ Plan/Map

JA

City Attorney (as to legal form)

\_\_\_ Contract

\_\_\_ Other

WLB

City Manager

☐ Check box if this agenda item requires billing/revenue collection (fees, etc.) by Treasury Office

Special Notes

This agenda item was postponed at the November 15, 2011 regular City Council meeting in order to schedule a special meeting at which representatives from DTE Energy could appear and make a presentation to Council members, residents, and concerned citizens regarding the future installation of so-called Smart meters in the city of Sterling Heights. At the December 6, 2011 meeting, City Council decided that a special meeting is unnecessary and directed City Administration to contact Detroit Edison to schedule this agenda item for a regular meeting.

At tonight's meeting, representatives from DTE Energy will be making a presentation on the Smart meter program. At the conclusion of this presentation and after receiving citizen comments, Council can deliberate and take action on a motion which is on the floor or an alternate motion which was previously suggested for action at the November 15, 2011 regular meeting.

Executive Summary

Over the course of several City Council meetings, concerned citizens have come forth with information regarding potential risks to the health and safety of persons and property associated with the installation and operation of so-called smart meters currently being installed in residences across metropolitan Detroit by DTE Energy. In addition to safety issues, these citizens have raised a host of other concerns, including those involving privacy and consumer rights.

City Administration is recommending approval of Alternate Action No. 2. This is the resolution that was originally presented to City Council at the November 15, 2011 meeting which urges the MPSC to undertake a thorough analysis of the effects of smart meters prior to the installation of such technology in the residences

situated in Sterling Heights. By addressing these issues, the MPSC will provide all consumers with the information necessary to make an informed judgment on the efficacy of smart meters.

This resolution is similar to those adopted by other municipalities, including Shelby Township. Ironically, this resolution was developed in response to the request of citizens who had attended City Council meetings and repeatedly urged City Council to pass a resolution similar to those passed by other municipalities. At the November 15, 2011 City Council meeting, these same citizens objected to the resolution that it did not go far enough.

If the City Council wishes to adopt the resolution recommended by City Administration (Alternate Action No. 2), it must first dispose of the motion on the floor (Alternate Action No. 1). This may be accomplished by the maker (Council member Paul Smith) withdrawing the motion on the floor or, alternatively, voting on it.

**Alternate Action No. 1 (Motion on the Floor from November 15, 2011 City Council meeting):**

**MOVED BY:** Smith

**SECONDED BY:** Taylor

Resolved, utility meters in Sterling Heights, the following applies to all devices that measure the usage of water or energy delivered to customers in Sterling Heights via pipe or wire: Meters shall measure only total consumption and shall collect no other data. Meters shall display their measurements by mechanical dials visible to the customer. Meters shall not transmit readings or other data off the customer's premises. There shall be no device that can shut off, turn on, throttle, or limit the flow to individual customers from a remote location. Dedicated air conditioning services installed at the customer's request may operate on an area control basis that does not target individual customers. Utilities are government licensed monopolies, and are therefore subject to a higher degree to regulation by the people.

**Alternate Action No. 2:**

**MOVED BY:**

**SECONDED BY:**

**RESOLVED**, to adopt the resolution urging the Michigan Public Service Commission to undertake a thorough analysis regarding the installation and operation of smart meters by DTE Energy.

**~ RESOLUTION ~**  
**CITY OF STERLING HEIGHTS**

**A resolution urging the Michigan Public Service Commission to undertake a thorough analysis regarding the installation and operation of smart meters by DTE Energy**

**WHEREAS**, DTE Energy has commenced with the installation and operation of new meters in the residences of customers in the Metropolitan Detroit area; and,

**WHEREAS**, although the so-called smart meters provide a benefit to utilities by eliminating the need for meter readers and may facilitate lower rates at non-peak times, citizens have come forward with information calling into question the safety of these meters for persons and property and potential privacy concerns; and,

**WHEREAS**, DTE Energy has indicated that it will, at some point in the future, commence the installation of smart meters in Sterling Heights; and,

**WHEREAS**, it is prudent to have the appropriate agency address the concerns of all utility consumers prior to moving forward with the installation and operation of smart meters; and,

**WHEREAS**, although the city of Sterling Heights is without jurisdiction to directly regulate smart meters, the Michigan Public Service Commission ("MPSC") should consider addressing the merits of the concerns which these citizens have brought forward.

**NOW, THEREFORE, BE IT RESOLVED** that:

1. The MPSC is hereby requested to perform a careful analysis of the potential health and safety effects which may result from the universal installation of smart meters for electric and gas utilities.
2. The MPSC is further requested to consider delaying the deployment of smart meters pending a determination, following careful study and review, that such meters are safe and will not have short-term or long-term negative consequences to the health of the citizens of Sterling Heights and the State of Michigan generally.
3. In the course of its deliberations, the MPSC should provide a forum that allows all interested parties to have their concerns over smart meters heard, including potential privacy and consumer rights issues.
4. The MPSC should also consider the merits of allowing consumers with medical conditions that may be affected by the operation of smart meters to opt-out.

This resolution was approved at the November 15, 2011 City Council Meeting by the Sterling Heights City Council.

IN WITNESS WHEREOF, I have set my official signature, this 15<sup>th</sup> day of November, 2011:

\_\_\_\_\_  
WALTER C. BLESSED  
City Clerk