

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF PLUMAS

Date: April 6, 2015

**Hart, Joshua**

Plaintiff,

vs.

**Plumas Sierra Rural Electric**

Defendant.

Case Number: **SC SC15-Q0003**

**ENDORSED**  
Plumas Superior Court

**APR 06 2015**

DEBORAH NORRIE,  
Clerk of the Court

By T. Phelps  
Deputy Clerk

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**RULING ON COURT TRIAL**

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This small claims case came before the Court for trial on March 20, 2015. Plaintiff Joshua Hart (hereinafter referred to as "Hart") and Shelly Yockey, the office manager of the Defendant utility cooperative, Plumas Sierra Rural Electric Cooperative (hereinafter referred to as "PSREC") appeared, testified and presented evidence, and the Court took the matter under submission.

Plaintiff filed a claim against the Defendant for wrongfully disconnecting his electricity, and for \$431.91, representing the costs of supplies he incurred during the outage. Plaintiff's electricity was disconnected on February 19, 2014, as a result of not paying a utility bill for \$229.60 to the Defendant. This bill was calculated on fees for an "opt out policy" adopted by PSREC after replacing Plaintiff's smart meter with an analog meter at Plaintiff's request.<sup>1</sup> Plaintiff testified he never agreed to pay any opt-out fees for changing out the meter and for the monthly charge for PSREC to manually read the meter each month. Plaintiff presented the Court with a letter from his physician, stating that he has a condition, Electromagnetic Field Hypersensitivity, which causes him to suffer from

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<sup>1</sup> Plaintiff, however, continued to pay for the electricity he used, up until the power was disconnected by the Defendant.