

From

Date

Robert Sitkauskas
AMI Project Manager
One Energy Plaza
Detroit, MI 48226

Subject; Formal complaint regarding cost of AMI meter program
Reference; DTE letter of intent to install AMI meter

Mr. Sitkauskas, I have received a letter from DTE with the intent of installing a AMI meter on my residence. I am requesting that you not do so as my analog meter is not broken, it does not need servicing or repair, is not potentially harmful to me or my family and my rate for service I have contracted for is reasonable now.

In regards to the AMI meter, nothing has been presented to me with fact, rules, guidelines or cost options. I do not believe I have negotiated a new rate of service for a new technology AMI meter or agreed to another option or other possible choices. This is especially of concern regarding the cumulative effect of Radio Frequency Radiation of AMI meters and smart chipped appliances, safety of remote disconnect and fires, loss of privacy through your corporation data mining my usage without notification or permission.

It is unlawful under *Michigan's Consumer Protection Act PA 331 of 1976 445.903 Sec.3*
(c) Representing that goods have sponsorship, approval or benefits that they do not have.

It is my understanding that the Radio Frequency AMI meter with two way communication and data collection may be potentially harmful and invade my privacy but also be unlawful without my permission under Michigan Penal Code 750.539d.

It is misleading to consumers that a DTE notice to install becomes an implied consent and possibly a waiver of legal rights regarding the possible higher cost, health risk and liability issues.

(n) Causing a probability of confusion or misunderstanding as to the legal rights, obligations or remedies of a party to a transaction.

It is my understanding through documentation from the Michigan Attorney General's Office¹ request for a Stay of AMI meter and Opt-Out fees and Michigan Court of Appeals² that the cost of the AMI program and opting out of the AMI program should be revisited as there is insufficient evidence to support the fees associated with the programs. They are being classified as unjust and unreasonable. Although Judge O'Connell and the Attorney General's Office

¹ Attorney General's Motion to Stay AMI Opt-Out Fees following Remand from Court of Appeals. MPSC Case U-17087 dated August 27, 2015

² Michigan Court of Appeals Order July 22, 2015: Docket No. 317434;317456 – Judge O'Connell

address the cost of Consumer Energy's AMI and Opt-Out program, the correlation of DTE's MPSC Case U-17053 is quite significant. Interveners in U-17053 were denied over and over again admittance of evidence regarding the health, privacy and safety issues which Judge O'Connell says should be addressed as part of the cost analysis of the AMI program, "the PSC can, and in my opinion should, flush out the nonmonetary costs and benefits of this innovative technology and implement best practice before allowing utilities to place these controversial devices on each home in Michigan at the public's expense."³ This quote is July 22, 2015, less than two months ago.

Judge O'Connell specifically addresses the public's right, my right, to address this corporate mandate and burden on page 20 in his footnote;

¹¹ I note that 50 years ago, only a few brilliant minds were concerned about the health hazards of smoking, and we have only recently become aware of the health hazards of second-hand smoke. I suspect there is no need to mention the health hazards of lead-based paint or radium-painted glow-in-the-dark watches produced from 1917 to 1926. At the time, all of these products were not considered health hazards. I for one am not personally concerned about the AMI smart meter program, but as an elected state official, I can understand the concerns of Michigan's citizens. In my opinion, these citizens deserve the opportunity to present their evidence and view to the tribunal.

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This opinion is an attachment to the order denying reconsideration in Docket Nos. 317434 and 317456.

I understand that DTE has the right to inspect, repair and replace the meter if it is malfunctioning which mine is not but it is unlawful under Michigan Consumer Protection Act

(j) *"Represent that a part, replacement or repair service is needed when it is not."*

I do not feel that I should shoulder the undocumented cost of a potentially harmful and costly experimental AMI program that gives me No Benefits and No choices.

I simply wish to continue my service as contracted with the analog meter presently installed and will accommodate DTE meter reading by Rule R 460.115 if necessary if cost of meter reading is an obstacle. Post card reply is preferable.

Mr. Sitkauskas, if you or an assigned representative from DTE decide my keeping my contracted service as-is unacceptable and wish to pursue AMI forced installation than consider this a formal complaint to be addressed through the PSC. Your immediate specific written reply is necessary.

Sincerely

³ Page 22 of COA ORDER July 22, 2015