

Judge: DTE rate increase improper

State to determine whether customers will get rebate

BY SHAWN D. LEWIS
The Detroit News

DTE Energy customers won't see refunds anytime soon despite a ruling Wednesday that the utility never should have been allowed to hike rates by \$37 million for its controversial smart meter program.

The Michigan Court of Appeals ruled Wednesday that the Michigan Public Service Commission should not have permitted DTE Energy to raise rates to fund the program and that the utility failed to show the program provided any benefit to customers.

DTE

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ary after complaints from customers and municipalities.

The case was brought to the Court of Appeals by the Association of Businesses Advocating Tariff Equity and the Michigan Attorney General's Office.

Sterling Heights passed a resolution to have a moratorium on installations until an opt-out feature is in place.

"They didn't plan to install any in our area until around 2016 anyway, but DTE went about it all wrong," said Mayor pro-tem Michael Taylor.

"They didn't educate the public about it, or show why it would be a good thing for us."

There's even a website, michiganstopsmartmeters.com, that describes the utility's program as

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smart-meter bullying.

Simons said an opt-out program is being developed for customers who do not want the controversial meters.

No decision has been made about whether there would be an additional cost for opting out, Singer said.

Researchers have studied a possible link between cancer and exposure to radio frequencies — used in household items such as cellphones, microwaves and baby monitors — but the results are inconclusive, the Federal Communications Commission has said.

Contact the MPSC and file your
concerns or a Complaint

About the COST, Health, Invasion into your Home,
4th Amendment right to privacy and safety issues

of Smart Meters at www.W4AR.com

Smart Meter Page

<http://www.w4ar.com/Smart-Meters.html>

"We will not rubber stamp a decision permitting such a substantial expenditure — a cost borne by the citizens of this state — that is not properly supported," wrote Judge Henry Saad in his opinion.

The rate increase will remain in effect until a state regulatory panel decides whether to appeal the ruling to the Michigan Supreme Court.

The smart meters, already installed in more than 700,000 homes in more than 30 municipalities, allow the utility to remotely monitor and shut off electricity to customers.

But the devices have generated a firestorm of controversy over concerns about costs and whether the devices pose a health threat.

The utility insists smart meters are safe and cost-efficient, and it has no plans to abandon the program, said DTE spokesman Scott Simons.

Public Service Commission spokeswoman Judy Palnau said the commission is reviewing the court's decision to determine its next steps.

Even if the panel decides not to appeal and instead issue a rebate or refund, another DTE spokesman, Len Singer, said it would amount to "pennies" a month for typical customers.

"We're looking to have 11 million meters installed by the end of 2013," Simons said. "We plan to install advanced meters at every home and business in our southeast Michigan service area."

The Michigan Public Service Commission launched an investigation into the installation of smart meters by regulated electric utilities in Janu-

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According to DTE, someone standing in front of a microwave can experience 550 times more exposure than a person who is 2 feet from a smart meter.

Opponents applauded the court's ruling and remain convinced the devices are unsafe.

Pauline Holeton, of Shelby Township, is adamantly against smart meters and had hers removed 15 months ago.

"I wouldn't take no for an answer," she said. "I kept calling and calling and threatened to remove it myself with a chain saw if they didn't remove it."

Karen Greenburg, of Ann Arbor, said she had her smart meter installed in March and said she is furious.

"I think it is irresponsible on the part of DTE creating an increase in electromagnetic frequency, which is making people sick," she said.

"It's also unconscionable to

lay people off from their jobs — the meter readers."

She dismisses the idea that items such as microwaves or cellphones emit more radio frequencies than a smart meter.

"If you choose to talk for an hour, that's up to you," she said. "But we have no choice when it's constantly going through your house while they're monitoring your usage. It's just not right."

Ferndale resident David Sheldon, who calls the meter a surveillance device, said he'd opt out of the smart meter program.

He padlocked his meter housing to prevent the utility company from trying to install the smart meter.

"It gives the utility an enormous amount of data, like when you're at home, when you're sleeping, cooking meals and everything of an electrical nature."

slewis@detnews.com
(313) 222-2296