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- 3) Notarized letter from Woodstock Councilman Jay Wenk, dated March, 2016
- 4) Letter from the Department of Public Services dated Feb. 22, 2016
- 5) Notarized letter from Woodstock Councilman Jay Wenk, dated Jan., 2016
- 6) NY State Department of Public Service letter , dated August 14, 2015
- 7) Department of Public Service FOIL response letter, dated January 14, 2016
- 8) Department of Public Service FOIL response letter , dated January 19, 2016
- 9) Notarized letter from Lisa Senior, President of Hialeah Meter Company, dated January 27th, 2016
- 10) Current New York Codes, Rules and Regulations (16 NYCRR section 93.3)
- 11) Analog meter test results from Hialeah Meter Company, dated December 16, 2015

January 17, 2017


Secretary Kathleen Burgess
Department of Public Service
3 Empire State Plaza
Albany, NY 12223

Dear Secretary Kathleen Burgess,


It has been one year since **Stop Smart Meters Woodstock New York** and **Woodstock Councilman Jay Wenk** has written to you concerning your Feb. 22, 2016 reponse to us which needed clarification. We as a town have been requesting the use of an electromechanical analog electric utility meter as an opt-out choice. Contrary to your original claim that they "are no longer manufactured" we have continually provided you with the documents of their availability and documents demonstrating they surpass ANSI C12 standard compatibility which is the standard the NYPSC uses as demonstrated by the documents we have obtained through several FOIL requests. You have been presented a notarized letter from the president of Hialeah Meter Company in Hialeah, Florida attesting to these facts. In your last letter you stated "generally" it is the utility who submits the petition. Generally does not mean always and we have requested that you permit the town of Woodstock or the Hialeah Meter Company to submit that petition to use an ANSI approved refurbished/remanufactured analog electric utility meter that surpasses the C12 standard. You have not responded to our correspondence since we sent that request back in March of 2016. Enclosed is the notarized letter from Councilman Jay Wenk making that request one year ago.. We are taxpaying citizens of New York and you are our Public Service Department. We have the right to a prompt answer to our reasonable request. One year wait to our correspondence is not acceptable and unfair to the residents of Woodstock, New York who are struggling with the adverse health effects of digital electric utility meters. Please let us know what regulation prohibits the Town of Woodstock New York or the Hialeah Meter Company from submitting the petition for the use of a refurbished/

remanufactured analog electric utility meter as an opt-out choice by the people who use the services of Central Hudson/Fortis or send us the format needed in that petition to suit your administrative needs. Your prompt response would be greatly appreciated.

Thank you for your time and consideration,




Councilman Jay Wenk
Woodstock Town Board
307 Mead Mountain Road
Woodstock, New York 12498



Steve Romine
845-532-5120
Stop Smart Meters Woodstock NY
P.O. Box 657, Woodstock, NY 12498

STATE OF NEW YORK SS.
COUNTY OF ULSTER
ON THIS 18 DAY OF JAN, 2017 BEFORE ME PERSONALLY CAME
Steve Romine + Jay Wenk
TO ME PERSONALLY KNOWN TO BE THE PERSON DESCRIBED IN
AND WHO EXECUTED THE FOREGOING DOCUMENT



NOTARY PUBLIC

Jacquelyn E. Earley
Notary Public, State of New York
No. 01EA6099977
Qualified in Ulster County
Commission Expires 10/06/2019

P.S. Please CC Steve Romine at above address
Designated Party case 14-M-0196



**Department of
Public Service**

**Public Service Commission
Audrey Zibelman
Chair**

**Patricia L. Acampora
Gregg C. Sayre
Diane X. Burman
Commissioners**

**Kimberly A. Harriman
General Counsel
Kathleen H. Burgess
Secretary**

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

April 8, 2016

The Honorable Jay Wenk
Town Board, Town of Woodstock
307 Mead Mountain Road
Woodstock, NY 12498

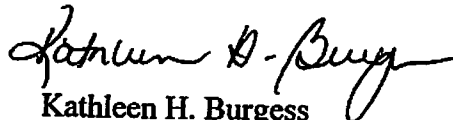
Re: Case 14-M-0196 - Tariff Filing by Central Hudson Gas & Electric Corporation
to Establish Fees for Residential Customers Who Choose to Opt out of Using
Automated Meter Reading Devices.

Dear Mr. Wenk:

Thank you for your recent letter in which you continue your support for the use of certain re-manufactured electric utility meters by customers of the Central Hudson Gas & Electric Corporation. As you are aware, this matter is being reviewed by the Department of Public Service. The Public Service Commission recently issued a Notice of Proposed Rulemaking on this matter, with public comments due on May 9, 2016.

As part of the current review, your comments have been included among those submitted in this proceeding, and thus will be part of the record to be considered by the Commission when reaching a determination in this case.

Sincerely,


Kathleen H. Burgess
Secretary

cc: Mr. Steve Romine ✓
P.O. Box 657
Woodstock, NY 12498

Department Of Public Service
Secretary Kathleen Burgess
3 Empire Plaza
Albany, New York 12223-1350

Re: Case 14-M-0196

Dear Ms. Burgess,

Thank you for your recent letter dated Feb 22, 2016. In it, you responded to our letter informing the DPS that analog electric utility meters, which meet the Public Service Commission regulations, are available for purchase, are being used by other utilities, and surpass the only standard the PSC uses, which is the ANSI C12 standard. We provided documentation of these facts from the re-manufacturer, Hialeah Meter Company's President on company letterhead. We also supplied you with the test results from the lab demonstrating the results of these analog meters surpassing the ANSI C12 standard of 3% and tested better than 1% inaccuracy.

We have provided factual documentation that attests to these facts, not "opinions". We would like to see these meters approved by the PSC for use in New York on residential homes as part of an opt-out program, thereby giving New Yorkers the right to choose an analog meter to avoid the adverse health effects of digital meters that affect many people nationwide.

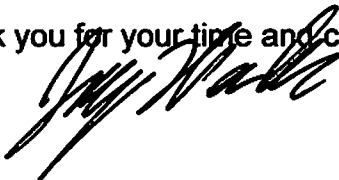
In your letter you stated that "generally" the PSC considers approval of a meter only upon the petition of the Utility. The Utility, on the other hand, has incorrectly stated that these meters are no longer available.

We the consumers, have the right to choose not to be subject to the adverse health effects of digital meters or the lethargy of the Utility. We are calling upon the DPS/PSC to allow another corporate entity, other than the Utility, to submit an application for approval of analog electric utility meters. This application of approval can be submitted by the manufacturer, Hialeah Meter Company, and/or the Town of Woodstock.

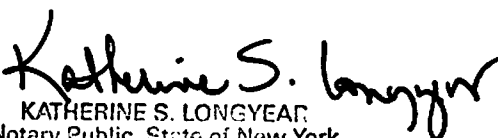
Is there any reason why Hialeah Meter Company or the Town of Woodstock cannot submit an application to the PSC for approval in an attempt to protect our residents, and if so, what may that be?

We have many residents suffering adverse health effects with digital meters and would like to start the application process right away. Please send us the application paperwork needed to petition the PSC for the approval of analog electric meters to be used on residential homes in New York State so that we can move forward with making this application available to the Hialeah Meter Company and/or the Town of Woodstock.

Thank you for your time and consideration,



Jay Wenk, Councilman
Woodstock Town Board
307 Mead Mountain Road, Woodstock, NY 12498


KATHERINE S. LONGYEAR
Notary Public, State of New York
Qualified in Ulster County
Reg. #4975264
Commission Expires 12/3/18

P.S. Please CC your response to: Steve Romine, P.O. Box 657, Woodstock, NY 12498



**Department of
Public Service**

**Public Service Commission
Audrey Zibelman
Chair**

**Patricia L. Acampora
Gregg C. Sayre
Diane X. Burman
Commissioners**

**Kimberly A. Harriman
General Counsel
Kathleen H. Burgess
Secretary**

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

February 22, 2016

The Honorable Jay Wenk
Town Board, Town of Woodstock
307 Mead Mountain Road
Woodstock, NY 12498

Re: Case 14-M-0196 - Tariff Filing by Central Hudson Gas & Electric Corporation to Establish Fees for Residential Customers who Choose to Opt out of Using Automated Meter Reading Devices.

Dear Mr. Wenk:

Thank you for your recent letter in which you support the May 2015 resolution of the Woodstock Town Board, submitted to the Public Service Commission, requesting that the Commission allow customers of Central Hudson Gas & Electric Corporation (CHG&E) to continue to use non-automatic meter reading devices (non-AMR) without the associated fees authorized by the Commission in the above-mentioned proceeding.

You further note the existence of remanufactured non-AMR meters available from the Hialeah Meter Company, and state your opinion that they meet Commission standards. Finally, you inquire as to the delay in Commission approval of such meters. As to approval of the use of specific meters, generally, the Commission considers approval of a meter only upon the petition of the utility seeking to use such equipment as part of its service to customers. In this case, that would be Central Hudson, which has not filed a petition regarding this matter.

Your interest in this matter is appreciated, and your comments have been included among those submitted in this matter, and thus will become part of the Commission's record. Please be assured that they will be considered by the Commission as it continues its review of this matter.

Sincerely,

**Kathleen H. Burgess
Secretary**

To: Kathleen Burgess ,Secretary:
Dept.Of Public Services
Three Empire Plaza
Albany ,New York

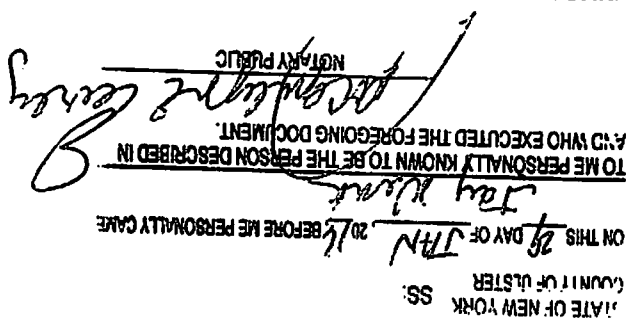
Wed, Jan, 2016

My name is Jay Wenk and I am a current member of the Woodstock, NY, Town Board. Former Woodstock Town Board member, Ken Panza who is no longer on the town board, sent you his resolution last year regarding opt-out analog home electrical meters. I would also like to make mention that the Woodstock Town Board unanimously passed another more comprehensive analog opt-out resolution called the 'Electromechanical Analog Electric Meter Resolution " AKA "The Peoples Resolution." . Parenthetically, we've never heard from PSC pertaining to our request. We are particularly interested in the fact that the Hialeah Meter Co. re-manufactures analog meters which exceed ANSI C12 standard and meets California's Type-A certification, which are the strictest standards in the country. Analog opt-out utility meters are being used in Nevada, Maine, Michigan, California, etc. These re-manufactured meters are available from Hialeah Meter Company and do exceed the ANSI C12 (within 3% accuracy) which is the only standard the New York Public Service Commission uses to approve utility meters for use on residential homes. These re-manufactured original equipment analog electric utility meter are within 1% accuracy. Since our Woodstock citizens are desirous of having them in place on their homes, we wonder why there is a delay in their approval by the PSC and why the PSC is stating analog meters are no longer available when clearly they are. Please see attachments below documenting Hialeah Meters exceeds ANSI C12 Standard and what standard the New York Public Service Commission uses to approve residential meters. I hope to receive a reply to this email soon as our taxpayers deserve that.

Sincerely,


Jay Wenk, Woodstock Town Board Member,

307 Mead Mtn Rd, Woodstock, NY, 12498


NOTARY PUBLIC
TO ME PERSONALLY KNOWN TO BE THE PERSON DESCRIBED IN
AND WHO EXECUTED THE FOREGOING DOCUMENT.
ON THIS 29 DAY OF JAN 2016 BEFORE ME PERSONALLY CARE
JAY WENK
COUNTY OF ULSTER
STATE OF NEW YORK
SS:

JACQUELYN E. EARLEY
Notary Public, State of New York
Qualified in Ulster County
Reg# 01EA6099977
Commission Expires 10/06/2019



Department of
Public Service

Public Service Commission
Audrey Zibelman
Chair

Patricia L. Acampora
Gregg C. Sayre
Diane X. Burman
Commissioners

Kimberly A. Harriman
General Counsel
Kathleen H. Burgess
Secretary

Office Locations

3 Empire State Plaza, Albany, NY 12223-1350
90 Church Street, 4th Floor, New York, NY 10007-2929
295 Main Street, Suite 1050, Buffalo, NY 14203-2508
125 East Bethpage Road, Plainview, NY 11803

www.dps.ny.gov

January 14, 2016

Via E-Mail

Steve Romine
8 Fitzsimmons Lane
Woodstock, NY 12498
pilgrimpeace@gmail.com

RE: Records that state the standard(s) used to determine the suitability and/or accuracy of electric meters such as the ANSI standard. Records that specifically state the standards used by the PSC for approving an electric utility meter use by utility companies on residential property.

Dear Mr. Romine:

This is our final response to your request received on January 11, 2016 asking for the record(s) described above. The Commission's standards for approval of electric meters are part of the Commission's regulations and can be found in **16 NYCRR Part 93. Part 93** incorporates by reference "the latest version of the American National Standard Code for **Electricity Metering (ANSI C12).**" A copy of 16 NYCRR §93.3 is attached for your convenience.

I hereby certify, pursuant to Public Officers Law §89(3) that, insofar as you reasonably described the records, no additional records responsive to your request could be found after diligent search of records maintained by the Department.

We trust this material is responsive to your request. To the extent this response denies you access to any records, you may seek a review of this decision pursuant to POL §89(4)(a) by filing a written appeal within 30 days of the date of this letter with Kathleen H. Burgess, Secretary to the Commission, at the above address.

Sincerely,

Donna Giliberto
Assistant Counsel
Records Access Officer



Department of
Public Service

Public Service Commission
Audrey Zibelman
Chair

Patricia L. Acampora
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90 Church Street, 4th Floor, New York, NY 10007-2929
295 Main Street, Suite 1050, Buffalo, NY 14203-2508
125 East Bethpage Road, Plainview, NY 11803

www.dps.ny.gov

January 19, 2016

Via E-Mail

Steve Romine
8 Fitzsimmons Lane
Wookstock, NY 12498
pilgrimpeace@gmail.com

RE: Request for Records – copies of DPS complete list of regulations that are used to determine if an electric utility meter is suitable for the power company to use on a residential home.

Dear Mr. Romine:

This is our final response to your request received January 15, 2016 asking for the record(s) described above. Please be advised that our response to your January 11, 2016 letter stated that “The Commission’s standards for approval of electric meters are part of (emphasis added) the Commission’s regulations and can be found in 16 NYCRR Part 93. Part 93 incorporates by reference “the latest version of the American National Standard Code for Electricity Metering (ANSI C12).” A copy of 16 NYCRR §93.3 is attached for your convenience.” Any reference to “part of” meant that ANSI C12 was incorporated by reference into the Commission’s regulations. There are no other regulations that are used to determine if an electric utility meter is suitable for the power company to use on a residential home. I apologize if this use of language was not precise.

I hereby certify, pursuant to Public Officers Law §89(3) that, insofar as you reasonably described the records, no additional records responsive to your request could be found after diligent search of records maintained by the Department. We trust this material is responsive to your request. To the extent this response denies you access to any records, you may seek a review of this decision pursuant to POL §89(4)(a) by filing a written appeal within 30 days of the date of this letter with Kathleen H. Burgess, Secretary to the Commission, at the above address.

Sincerely,

Donna Giliberto
Assistant Counsel
Records Access Officer



**Department of
Public Service**

Public Service Commission
Audrey Zihelman
Chair

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Gregg C. Sayre
Diane X. Burman
Commissioners

Kimberly A. Harriman
General Counsel
Kathleen H. Burgess
Secretary

Three Empire State Plaza, Albany, NY 12223-1350
www.dps.ny.gov

August 14, 2015

The Honorable Kenneth S. Panza
Council Member, Town of Woodstock
45 Comeau Drive
Woodstock, NY 12498

Re: Case 14-M-0196 - Tariff Filing by Central Hudson Gas & Electric Corporation to Establish Fees for Residential Customers who Choose to Opt out of Using Automated Meter Reading Devices.

Dear Council Member Panza:

Thank you for your letter of July 12, 2015, in which you support a May 2015 resolution of the Woodstock Town Board, submitted to the Public Service Commission, requesting that the Commission allow customers of Central Hudson Gas & Electric Corporation (CHG&E) to continue to use analog meters without the associated fees authorized by the Commission.¹ You further set forth your rationale for the preferred use of analog meters, without fees, rather than the standard Automated Meter Reading (AMR) devices used by CHG&E and other utilities in New York State.

The tariff in question has been in place since late September, 2014,² and the Commission has allowed the use of non-AMR meters, albeit pursuant to a fee structure to accommodate the costs associated with such a non-standard meter. Such fees include, but are not limited to, the need for in-person reading of these meters. As noted by the Commission in its Order, these fees

¹ Case 14-M-0196 - Tariff Filing by Central Hudson Gas & Electric Corporation to Establish Fees for Residential Customers who Choose to Opt out of Using Automated Meter Reading Devices, Order Approving Proposed Tariff Amendments, issued September 8, 2014.

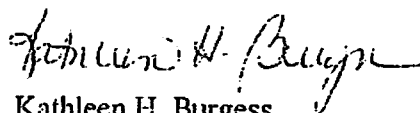
² Please note that 16 NYCRR §3.7(a) provides that “[a]ny person interested in an order of the Commission [may] request rehearing within 30 days of service of the order” by filing a petition for rehearing with the Secretary and serving such petition on all parties to the proceeding. Grounds for such rehearing are set forth in 16 NYCRR §3.7(b).

Honorable Kenneth S. Panza

are consistent with those established for National Grid, KeySpan and Brooklyn Union electric and gas customers. Further, all meters used by New York State utilities are approved by the Public Service Commission. Analog meters that meet the Commission's standards and had been approved by the Commission for use in New York are no longer available for purchase.

Your interest in this matter is appreciated, and your comments have been included among those submitted in this proceeding, and thus will be part of the Commission's record.

Sincerely,



Kathleen H. Burgess
Secretary

 **HIALEAH METER**
Meters you can believe in since 1954.

450 West 28th Street, Unit 4
Hialeah, FL 33010

January 27th 2016


Hialeah Meter Co. refurbishes electromechanical kilowatt-hour meters according to **ANSI C12 accuracy requirements** and acceptable performance percentages for watt-hour meters. Accuracy has been carefully calibrated to within 1%.

All meters are U.S. made from one of four domestic manufacturers. Using only original equipment manufactured by, and for each specific brand of meter. There are no "after market" products introduced threatening the meters original integrity of workmanship. Our process includes cleaning, reassembling and calibrating only.

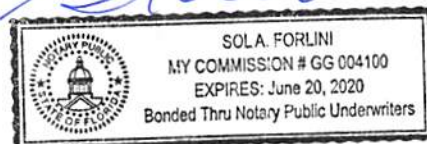
Hialeah Meter Company maintains **traceability to NIST**. We use RFL 5800 test boards considered by utilities to be one of the best recognized, automated test standards available.

Specializing in refurbished electromechanical kilowatt-hour meters for over 43 years., Hialeah Meter Company has built an uncompromising commitment and reputation for providing utility grade, revenue rated, accurate meters. Our customers include utilities, government agencies (including military, housing authorities, universities), industrial, distributors, contractors, and exporters.

We have stood and will continue to stand behind the accuracy and dependability of our remanufactured meters to those with needs of accurately recovering electricity costs.


Lisa Senior
President, Hialeah Meter

Phone: 305.887.8931
Fax: 305.887.6542
Email: info@HialeahMeter.com



Meter Test Results
at 2015/12/16 14:35:28
for Hialeah Meter Company
with SysLink(tm) v3.1.7

Meter: CALIF (HMC)'s ABB-AB1 (ABB) Model ABB -AB1 S/N 80 934 342
Located at service CALIF HMC 10/26/2015 2S

Device: UTEC Model 5800 S/N 00630 (Board1)

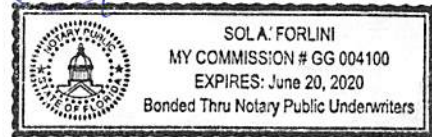
Reference: HMC's S/N 00629

Reading In= Reading Out=
TestSet: AD - 3WSing (240V, 30.A, 7.2 K.h, Rr 13 8/9 EZ Base-S, Srv-3WSing)

Test	AF	AL	Description
ST 1			WH Del
TP 1.1	99.883	99.883	FL
TP 1.2	99.971	99.971	LL

[Handwritten signature]

[Handwritten signature]



16 NYCRR § 93.3

NEW YORK CODES, RULES AND REGULATIONS

*** This document reflects those changes received from the ***
*** NY Bill Drafting Commission through January 1, 2016 ***

TITLE 16. DEPARTMENT OF PUBLIC SERVICE
CHAPTER II. ELECTRIC UTILITIES
SUBCHAPTER A. SERVICE
PART 93. APPROVAL OF NEW TYPES OF ELECTRICITY METERS, INSTRUMENT
TRANSFORMERS AND AUXILIARY DEVICES

16 NYCRR § 93.3 (2016)

§ 93.3 Types of meters eligible for approval

Only those types of meters which are completely and permanently assembled and classified by type by the manufacturer are eligible for approval by the commission. New types shall conform with the requirements specified in Acceptable Performance of New Types of Electricity Meters and Instrument Transformers, of the latest version of the American National Standard Code for Electricity Metering (ANSI C12).

Statutory authority: Public Service Law, § 67(4)

Repealed and added 93.3 on 7/11/79.

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