



WOODSTOCK, N.Y.
COLONY OF THE ARTS

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PUBLIC SERVICE
COMMISSION
EXECUTIVE OFFICE ALBANY

2015 JUL 14 PM 3: 13

Kenneth S. Panza, Councilman
Woodstock Town Board
45 Comeau Dr., Woodstock, NY 12498

July 12, 2015

Honorable Kathleen Burgess, Secretary
New York State Public Service Commission
3 Empire State Plaza 19th Floor
Albany, New York 12223-1350

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.

Reference: A certified resolution, 127-2015, by the Woodstock Town Board to NYS Public Service Commission to order Central Hudson to allow customers to retain their analog, non-AMR meters under the terms of the AMR Opt-Out Tariff, 12.2, CASE 14-M-0196.

Reference: A petition dated May 22, 2015 submitted by Ms. Jane Valand to NYS Public Service Commission to order Central Hudson to allow customers to retain their analog, non-AMR meters under the terms of the AMR Opt-Out Tariff, 12.2, CASE 14-M-0196

Dear Secretary Burgess;

I am filing this letter in support of Ms. Jane Valand's submissions to NYSPSC asking the commissioners to reopen CASE 14-M-0196 and order Central Hudson Gas & Electric to allow customers and ratepayers to retain their analog, non-AMR meters under the terms of the Central Hudson's AMR Opt-Out Tariff, 12.2.

Ms. Valand submitted resolution 127-2015 of the Woodstock Town Board in support of a petition, dated May 22, 2015, signed by fifty Central Hudson customers and previously submitted to NYSPSC. I am a Woodstock Town Councilman and the principal author of resolution 127-2015, but the comments contained in this letter are my own and do not necessarily

represent the opinions of other Town Board members. The Town Board's position is contained fully within the language of the attached resolution.

Background

In May, 2013, Woodstock residents advised the Town Board that Central Hudson was installing smart meters in Woodstock and that these meters were making people sick. Upon investigation, it was learned Central Hudson had installed a limited number of GE I-210 meters with an integrated Itron 52ESS ERT communications module and Itron C1SR ERT meters. Manufactures' documents indicate these meters are equipped with Itron Encoder Receiver Transmitter (ERT) communication modules that constantly broadcast meter readings that allow meter readers equipped with a special computer and radio receiver to receive each meter's consumption data through a simple digital radio protocol. According to the company, the cost of meter readings is substantially reduced using ERT technology. ERT meters do not support 2-way communications or the demand management functions normally associated with smart meters.

The Commission in its order issued September 8, 2014 states, "there is a significant body of research regarding the effects that exposure to low level RF transmissions might induce. To date, the research in this field has not established any negative health impacts from such transmissions. In addition, there are no scientific studies supporting a conclusion that RF transmissions from utility meters result in negative health impacts." A review of reports on the health effects of smart meters from state health authorities in California, Michigan, Texas, and Vermont contain similar assurances.

The Commission in its order issued September 8, 2014 states that, "studies of the specific RF outputs of utility AMR meters show that their emissions are exceedingly small relative to other commonly used RF devices and are orders of magnitude below the Maximum Permissible Exposure limits established by the Federal Communications Commission (FCC)." In some cases, measurements by reputable engineering firms failed to detect any smart meter RF emissions in the living areas of residences.

Central Hudson in response to customers that object to exposure to RF emissions from the company's ERT meters announced its ERT Opt-Out program, effective October 1, 2014, which offers a non-ERT digital meter as a replacement for the company's ERT meter. Although it might seem self-evident that a non-AMR digital meter is devoid of RF emissions, some

Woodstock residents claim “Central Hudson’s non-transmitting digital meters make people just as sick as the ERT meters” and that “analog electric meters are the only safe utility meters.”

Staff may ask, “How can this be?” The simple answer is a durable and justified fear of digital meter technology by some Central Hudson customers.

The Case for Analog Meters

No one should be required to live in fear of their electric utility meter, and no one should be criticized for not understanding electricity and electromagnetic radiation (EMR).

Understanding the research quoted above is not possible without a strong background in physics, and most Central Hudson customers do not have the necessary background to understand the company’s justifications and explanations for the new digital meters. There is a vast amount of information available on the internet expounding the detrimental health effects of smart meters, and notwithstanding the available research, it’s quite rational for customers to believe digital meters are dangerous.

The Stop Smart Meters movement was formally launched on April 28, 2011 at a forum held at the Fess Parker Doubletree Resort in Santa Barbara and sponsored by the Santa Barbara Tea Party and Culpepper Society. David Spady, California State Director, Americans for Prosperity, was the forum moderator. Since then, Stop Smart Meters has expanded nationwide with chapters in over twenty-five states. New York and Woodstock have particularly active Stop Smart Meter chapters. Additionally, Stop Smart Meters spawned a large number of affiliated websites with titles such as ‘EMF Safety Network,’ ‘Smart Meter Safety,’ ‘Smart Meter Health Alert,’ ‘Smart Meter Dangers,’ ‘Microwave Factor,’ ‘Electrosensitive Health,’ ‘Center for Electrosmog Prevention,’ etc. all affirming the dangers of smart meters. Given the well organized and well funded efforts by Stop Smart Meters to discredit smart meters and the utility industry’s limited response, reasonable people are justified in believing that Central Hudson’s digital meters are a serious health hazard and demand to keep their analog meters.

Other utilities have responded to customer’s demands to keep analog meters by including an analog meter option in their opt-out programs. Pacific Gas & Electric, San Diego Gas & Electric, and Southern California Edison allow customers to retain analog meters and offer to replace an installed smart meter with an analog meter. Experience has shown only a small number of customers will exercise the option to keep their analog meter, and thus, it is not an undue burden on the utility.

For some customers, the fear of Central Hudson's digital meters is intense and genuine. No customer should be required to live in fear of their utility meter when the option to retain an analog meter can be made available.

Request to the Commissioners

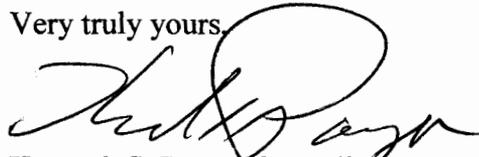
The Woodstock Town Board submitted resolutions to NYSPSC requesting that CASE 14-M-0196, a tariff filing by Central Hudson Gas & Electric Corporation to establish fees for residential customers who choose to opt out of using Automated Meter Reading devices, be reopened to consider the question of allowing customers to retain their analog meters.

Specifically, Woodstock Town Board resolution 127-2015 requests:

The Woodstock Town Board petitions the Public Service Commission to amend NYSPSC Order (Case 14-M-0196) which ordered Central Hudson to provide an AMR meter opt-out and tariff to order Central Hudson to allow Utility Consumers participating in the opt-out program to retain their installed Electro-Mechanical Analog Meters. The Utility Consumer will not be subject to the one-time meter change fee and will not be subject to the monthly non-AMR service fee.

The Woodstock Town Board petitions the Public Service Commission to amend NYSPSC Order (Case 14-M-0196) which ordered Central Hudson to provide an AMR meter opt-out and tariff to order Central Hudson to offer Utility Consumers Electro-Mechanical Analog Meters as a replacement for installed ERT meters (AMR meter). The Utility Consumer will not be subject to the one-time meter change fee and will not be subject to the monthly non-AMR service fee.

Very truly yours,



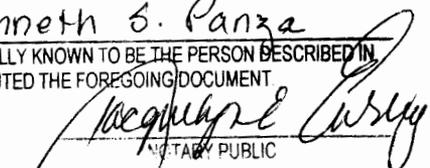
Kenneth S. Panza, Councilman
Woodstock Town Board

STATE OF NEW YORK SS
COUNTY OF ULSTER

ON THIS 13 DAY OF JULY, 2015 BEFORE ME PERSONALLY CAME

Kenneth S. Panza

TO ME PERSONALLY KNOWN TO BE THE PERSON DESCRIBED IN
AND WHO EXECUTED THE FOREGOING DOCUMENT.



NOTARY PUBLIC

CC:
NY State Senator George Amedore
NY State Assemblyman Kevin Cahill

Attachment: Certified Woodstock Town Board Resolution, 127-2015

JACQUELYN E. EARLEY
Notary Public, State of New York
Qualified in Ulster County
Reg# 01EA6099977
Commission Expires 10/06/2015

TOWN OF WOODSTOCK • 45 COMEAU DRIVE, WOODSTOCK NY 12498

PHONE: (845) 679-2113:
Ext. 1: Assessor
Ext. 3: Building Dept, Code Enforcement
Ext. 4: Town Clerk; Fax: (845) 679-8743
Ext. 4: Commission for Civic Design
Ext. 4: Environmental Commission
Ext. 4: Zoning Board of Appeals
Ext. 6: Planning Board
Ext. 7: Supervisor; Fax: (845) 679-7915
FAX: (845) 679-8743:
Assessor, Bldg. Dept., Planning Board

Incorporated 1787



Colony of the Arts

Highway Department: (845) 679-2805
Fax: (845) 613-0127
Justice Court: (845) 679-6345
Fax: (845) 679-6826
Police/Fire/Emergency: (845) 679-2422
Fax: (845) 679-2009
Water/Sewer Dept: (845) 679-2356
Fax: (845) 679-0317
Youth Center: (845) 679-2015
Fax: (845) 679-8032

WEBSITE: www.woodstockny.org

RESOLUTION 127-2015 SMART METER RESOLUTION

Offered by Councilman Panza, seconded by Councilwoman Magarelli:

A RESOLUTION petitioning NYS Public Service Commission to order Central Hudson to allow customers to retain their analog non-AMR meters under the terms of the AMR Opt-Out Tariff, 12.2, CASE 14-M-0196.

WHEREAS, on June 18, 2013, the Woodstock Town Board adopted Resolution 190-2013 supporting NY State Senate Resolution # S-3379, and Assembly Resolution # A-7799 that would give electricity consumers the option to not have smart meters replace their analog meters, and would mandate that there shall not be a fee to consumers who elect not to use smart meters, and

WHEREAS, on December 13, 2013, the Ulster County Legislature adopted Resolution No. 315 supporting the passage of NY State Senate Resolution # S-3379, and Assembly Resolution # A-7799, entitled, "An Act To Amend The Public Service Law, In Relation To Providing Consumers The Option To Elect Not To Use Transmitting Utility Meters." The Legislature expressed support for action to be taken by the New York State Legislature to prohibit electric utility companies from forcing consumers to utilize so-called "Smart Meters" also known in the aforesaid legislation as "Transmitting Utility Meters," and

WHEREAS, on January 25, 2014, it was reported that Joel Tyner, Dutchess County Legislator, introduced a resolution to support State Senate Resolution # S-3379, and Assembly Resolution # A-7799 that would allow electric customers to decline the installation of the transmitting utility meters, and

WHEREAS, on May 22, 2014, Central Hudson filed a petition with the Public Service Commission requesting approval to establish tariff fees for residential customers who choose to opt out of using Automated Meter Reading (AMR) devices e.g. ERT meters. The proposed tariffs would allow residential customers to opt out of using AMR devices and instead elect to have the Company install and maintain non-AMR meters and manually read their meters through bi-monthly in-person meter reads, and

WHEREAS, on September 8, 2014, the Public Service Commission issued an order, Case 14-M-0196, approving the petition filed by Central Hudson requesting to establish tariff fees for residential customers who choose to opt out of using Automated Meter Reading (AMR) devices e.g. ERT meters, and

WHEREAS, on October 1, 2014, Central Hudson Tariff 12.2, Automated Meter Reading (AMR) Opt Out, LEAFs 53.8, 53.9 & 53.10, became effective and states that existing customers with an AMR Meter and upon receipt of a fully executed Application will have

their meter changed to a digital non-AMR equipped meter. The customer will be subject to the one-time meter change fee and the monthly non-AMR service fee, and

WHEREAS, Central Hudson Tariff 12.2, Automated Meter Reading (AMR) Opt Out, LEAFs 53.8, 53.9 & 53.10, states that an existing customer receiving service through a non-AMR, e.g. analog, equipped meter may execute and submit an Application to request that service be continued through a non-AMR equipped meter. The customer will not be subject to the one-time meter change fee but will be subject to the monthly non-AMR service fee, and Analog Meter Resolution, and

WHEREAS, Central Hudson Tariff 12.2, Automated Meter Reading (AMR) Opt Out, LEAFs 53.8, 53.9 & 53.10, regarding an existing customer receiving service through a non-AMR e.g. analog is ambiguous. A customer with a non-AMR meter may execute and submit an Application to request that service be continued through a non-AMR equipped meter. The term non-AMR meter can refer to an analog non-AMR or a digital non-AMR meter, and

WHEREAS, the Woodstock Town Board has received complaints from residents applying to retain their analog meter under the terms of the AMR Opt Out tariff being told by Central Hudson their analog meter would be replaced by a digital non-AMR meter, and

WHEREAS, the intention of the Woodstock Town Board expressed in its resolution 190-2013, dated June 18, 2013, was to allow Woodstock residents to retain their analog utility meter, and

WHEREAS, a Utility Consumer is defined as a Central Hudson electric ratepayer, including, but not limited to renters, business owners, and consumers, and

WHEREAS, an Electro-Mechanical Analog Utility Meter is defined as a device that measures the amount of electric energy consumed by a residence, business, or an electrically powered device which operates by counting the revolutions of a non-magnetic, but electrically conductive, metal disc that rotates at a speed proportional to the power passing through the meter, therefore

BE IT RESOLVED, the Woodstock Town Board petitions the Public Service Commission to amend NYSPSC Order (Case 14-M-0196) which ordered Central Hudson to provide an AMR meter opt-out and tariff to order Central Hudson to allow Utility Consumers participating in the opt-out program to retain their installed Electro-Mechanical Analog Meters. The Utility Consumer will not be subject to the one-time meter change fee and will not be subject to the monthly non-AMR service fee, and furthermore

BE IT RESOLVED, the Woodstock Town Board petitions the Public Service Commission to amend NYSPSC Order (Case 14-M-0196) which ordered Central Hudson to provide an AMR meter opt-out and tariff to order Central Hudson to offer Utility Consumers Electro-Mechanical Analog Meters as a replacement for installed ERT meters (AMR meter). The Utility Consumer will not be subject to the one-time meter change fee and will not be subject to the monthly non-AMR service fee, and furthermore

BE IT RESOLVED, the Woodstock Town Board instructs the Town Clerk to send a certified copy of this resolution to:

Honorable Kathleen Burgess, Secretary
New York State Public Service Commission

3 Empire State Plaza 19th Floor
Albany, New York 12223-1350

BE IT RESOLVED, the Woodstock Town Board instructs the Town Clerk to send certified copies of this resolution to:

Mike Hein, Ulster County Executive Analog Meter Resolution
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John R. Parete, Chairman, Ulster County Legislature
Assemblyman Kevin Cahill
NY State Senator George Amedore
Joel Tyner, Dutchess County Legislator

All voted 3-1: Councilman Panza- aye
Councilman Wenk - nay
Councilwoman Magarelli - aye
Councilman McKenna - aye

STATE OF NEW YORK

:SS:

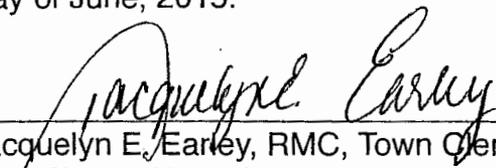
COUNTY OF ULSTER

I, the undersigned Clerk of the Town of Woodstock, Ulster County, New York, **DO HEREBY CERTIFY:**

THAT I have compared the attached proceedings of the Town Board of the Town of Woodstock including the resolution contained therein with the originals thereof on file in my office and that the same is a true and correct copy of the said original as recorded in the minutes of the Town Board meeting dated June 9, 2015, and filed in the Office of the Town Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Woodstock, New York this 17th day of June, 2015.

SEAL



Jacquelyn E. Earley, RMC, Town Clerk
Town of Woodstock