

Jane Valand
3995 State Route 212
Lake Hill, NY 12448

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COMMISSION
STATE OF NEW YORK
2015 JUN 26 AM 11:27

June 22, 2015

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

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

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

NYSDPS Case Number 520638

Dear Secretary Burgess:

Enclosed is a certified resolution by the Woodstock Town Board, resolution 127-2015, supporting the petitions submitted May 22, 2015 by customers of Central Hudson Gas & Electric petitioning NYSPSC to amend Order (Case 14-M-0196) which ordered Central Hudson to provide an AMR meter opt-out and tariff to include analog electric meters. Specifically, the Woodstock Town Board resolution and the customer petitions request NYSPSC to amend the AMR opt-out tariff 12.2 by:

1. Ordering Central Hudson to allow customers participating in the opt-out program to retain their installed analog Meters;
2. Ordering Central Hudson to offer analog meters as a replacement for installed ERT meters (AMR meter).

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 meter, 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. The petitions request customers be allowed to retain their analog, non-AMR, meter.

Sincerely,


Jane Valand
Lake Hill, NY

Attachments: Certified Woodstock Town Board Resolution, 127-2015

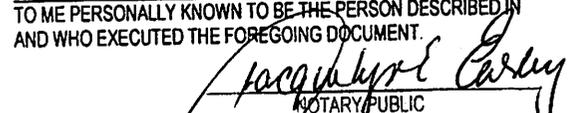
CC:

NY State Senator George Amedore
Assemblyman Kevin Cahill

STATE OF NEW YORK SS:
COUNTY OF ULSTER

ON THIS 23 DAY OF JUNE, 2015, BEFORE ME PERSONALLY CAME

Jane Valand
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
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
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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
5/30/2015 Page 3

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:

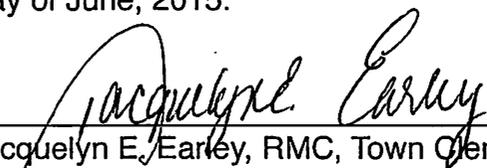
COUNTY OF ULSTER

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