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November 22, 2013

Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

**Re: Docket 130223-EI – Additional Comments on FP&L’s Petition for approval of optional non-standard meter rider – Questions Not Being Addressed**

Dear Commissioners,

I am writing to comment on Docket 130223-EI and request these comments be considered as well as be placed on public record for this docket in a timely fashion.

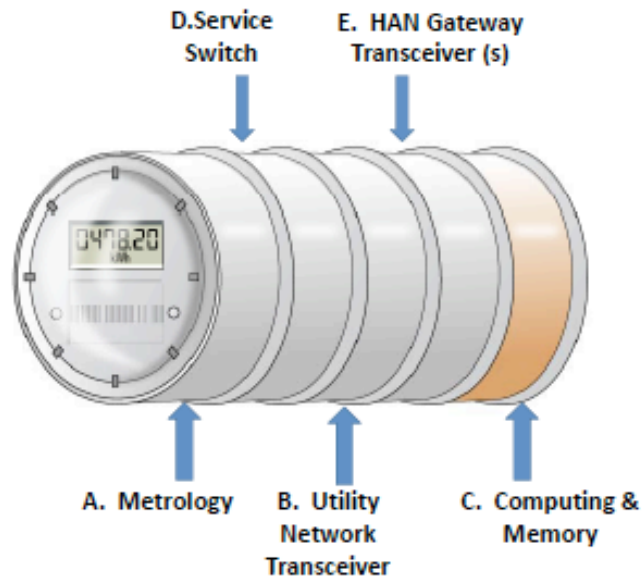
I have reviewed the formal data requests sent by Staff to FP&L and will note two significant lines of questioning that have not been addressed by Staff and should be addressed before a decision is made on this tariff. The first has to do with the definition of “non-standard” meter and the second is Cost Avoidance.

**“Non-Standard” Meter**

Florida Power and Light’s (FPL) Non-Standard Meter Rider (NSMR) fails to include the definition of a non-standard meter. The tariff only says “shall be provided with a non-communicating meter of the Company’s choice”. The Staff have not requested a definition nor queried FP&L as to what meter will be provided. The tariff should clearly identify exactly what is being contracted for.

As I have stated in my previous comments, FP&L is installing Network Communication & Management Equipment that they call a “smart meter”. The purpose of this tariff is to address the concerns of those that object to this equipment. The two major concerns of the public are health and privacy. The “smart meter” contains two transmitters that emit RF microwave radiation, which cause a health issue. The “smart meter” also contains a computer and software that is capable of surveillance of the activities of the private home and cause the privacy concerns. Please refer to the drawing below, taken from presentation given on June 28, 2010 to the Mid-Atlantic Conference of Regulatory Utility Commissioners by Chuck Goldman, Project Manager, Electricity Markets and Policy Group of the Lawrence Berkeley National Laboratory

## 4.51 Metering



Lawrence Berkeley National Laboratory - Smart Grid Technical Advisory Project

It is essential that this NSMR tariff provide the customer with the option to have an analog meter that does not contain transmitters or computers (electro-mechanical) and that such be put in writing. A “non-communicating meter” is too vague and anything short of keeping an analog meter will not be acceptable nor resolve the issues.

### Cost Avoidance

The FP&L NSMR tariff filing lays out all the additional costs they say that they will incur but does not put forth any costs they will avoid as a result of a customer selecting a non-standard meter nor does the Commission Staff query FP&L on such avoided costs. Both elements need to be reviewed in order to fairly present a cost analysis.

Some examples of cost avoidance that needs to be considered and credited to those choosing a non-standard meter:

- 1) **Avoided Cost of “Obsolete Meters”** – In FP&L’s 2009 rate case (Docket Nos. 080677-EI and 090130-EI) they stated that as a result of this smart meter project they would need to write off the remaining balance of the meters made “obsolete by AMI”. The cost recovery requested was \$101,081, 858. This write-off will be lower as a result of some customers keeping their old meters. Assuming 4.5 million meters, the write-off will be reduced by \$22.46/meter not replaced by a smart meter, a considerable cost avoidance.
- 2) **Avoided Cost of Annual Additional Depreciation** – Per the FP&L schedule referred to above, the average cost of the old analog meter was \$55 (\$249M/4.5 million meters). I believe the useful life for depreciation purposes was approx. 36 years resulting in annual

depreciation costs of \$1.54/meter. Table 13 from page 95 of Order No. PSC-10-0153-FOF-EI shows the smart meters average cost of \$143 (\$643.9 million/4.5 million meters). I believe the useful life of these new meters was set at 20 years resulting in annual depreciation of \$7.15. FP&L will incur substantially lower depreciation charges when a customer chooses a NSM, a significant cost avoidance.

- 3) Software fees – As stated above, these “smart meters” have computers that run on software. Software is usually subject to license fees and many license agreement fees are based on the number of units. If FP&L license agreements are structured such way, these fees will not have to be paid for those choosing a NSM resulting in cost savings.
- 4) Data Storage & Transmission Fees – The “smart meter” collects a significant amount of data and continually transmits such data. Such data also needs to be stored in equipment. If FP&L’s contracts with carriers are set up on a usage basis versus fixed fee basis there will be cost avoidance since NSM will not be transmitting data. Likewise, FP&L will require less data storage since this data will not be collected and stored for customers choosing NSM and hence costs will be avoided.

The above list is not meant to be all-inclusive. Staff needs to request that FP&L identify all variable costs and determine the costs that will not be incurred and hence avoided by customers choosing a NSM and factor that into the tariff being requested.

As I stated in my comments submitted on September 23<sup>rd</sup>, the Commission needs to put this docket on hold and set up full evidentiary public hearings on smart meters. The opt out fee is extortion being levied upon the Florida citizens.

Regards,

Marilynne Martin