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

Re: Docket 130223-EI – Comments on FP&L’s Petition for approval of optional non-standard meter rider and Staff’s Recommendation

Dear Commissioners,

I am writing to comment on Docket 130223-EI and request these comments be considered at your 9/25/13 meeting and also placed on public record for this docket in a timely fashion.

I am a FP&L customer who has refused the Network Communication and Management Equipment commonly known as “Smart Meters”. I am currently on the FP&L “delay” list. I am also a retired accountant, a CPA certified in the State of New York with prior financial experience in regulated utilities (telecommunications) and manufacturing, serving in both divisional and corporate controller roles.

Consumers should not be charged a fee in order to protect their health and privacy. I urge the Commissioners to issue an order to establish a “Smart Meter Review” docket with full public evidentiary hearings to review all the issues with smart meters and put this current FP&L opt out tariff on a temporary hold pending the outcome of the smart meter review docket. The main issues that need to be addressed are Costs, Health, Privacy and Security.

Costs: As you are well aware this is a major investment and to date there is no evidence of cost savings to the customers. In 2009 FP&L promised the following:

ANALYSIS

FPL Witness Santos testified that the savings from AMI will only happen after the completion of the entire AMI project. (TR 6048) AMI savings will not happen in ratio to the implementation of the meters. (TR 6049) Witness Santos testified that the savings will only occur after an integration of software, completion of new databases, implementation of cyber security, development of measures to maximize new functionality, and training on the new systems and processes is completed. (TR 6049) The witness testified that the project could be deferred, but FPL believes that the technology is ready, and that FPL wants to be able to help shape the market. (TR 1599, TR 1601) Below is a spreadsheet showing the capital expenditures and the associated savings from AMI implementation. (EXH 35 BSP 1712)

Deployment	2009	2010	2011	2012	2013	Total
Meters (Thousands)	170	1,128	1,099	1,076	873	4,346
Capital (Millions)	\$43.7	\$168.5	\$158.7	\$151.5	\$122.5	\$645
O&M (Thousands)	\$2,274	\$6,883	\$8,910	\$11,882	\$10,458	
Savings (Thousands)	(\$167)	(\$418)	(\$4,700)	(\$18,203)	(\$30,401)	
Net O&M (Thousands)	\$2,106	\$6,465	\$4,210	(\$6,321)	(\$19,943)	

In the recent rate case they reported the following:

Below is the updated Table 13 from page 95 of Order No. PSC-10-0153-FOF-EI. This table reflects the current best estimates.

Deployment	2009	2010	2011	2012	2013	5 Yr Total
Meters (Thousands)	97	1,242	1,307	1,441	343	4,429
Capital (Millions)	\$32.8	\$161.7	\$187.5	\$205.9	\$56.0	\$643.9
O&M (Thousands)	\$1,662	\$7,421	\$13,705	\$18,537	\$21,070	
Savings (Thousands)	(\$173)	(\$449)	(\$3,179)	(\$9,125)	(\$17,586)	
Net O&M (Thousands)	\$1,489	\$6,972	\$10,526	\$9,413	\$3,484	

(Excludes payroll and store loaders)

When an entity promises Net O&M savings of \$20 million and comes back with \$3.5 million in costs, there is a problem. This is though par for the course and some states have rejected these projects upfront because the cost/benefits were not there. Maine is learning the hard way that savings can turn into costs and they recently opened a review. It is time for the Florida Commission to do right by the people and hold FP&L accountable.

Health: The Commission is falsely relying on FCC standards for public health safety having full knowledge that the Florida Department of Health has jurisdiction on non-ionizing radiation of which the smart meters emit. The Commission is also fully aware of the current FCC proceedings on such guidelines. In addition, the Commission also is fully aware of the limitations of the FCC guidelines – only protects from thermal effects, does not protect from biological effects, does not consider long-term chronic exposure consequences and does not consider accumulated exposure from other radiation emitting devices.

The Commission Staff received 5 binders of data from a resident at the Workshop on September 20th and to date has done nothing with them. Without having such data reviewed, which refuted the industry’s experts, how the Commission could accept the Smart Meter Workshop Report as factual and complete is beyond comprehension. A legal opinion from the Attorney General and an opinion from the Florida Dept. of Health are necessary and should be obtained immediately.

Strawberries are “safe”. But if you make my sister eat one she will wake up the next morning with very painful sores around her mouth. Smart meters are having an immediate negative impact on the health of Florida residents. These devices should not be forced upon them. They also have long-term impacts on the health of the rest of us, particularly the most vulnerable – children, pregnant women and the elderly.

Privacy:

In light of the recent NSA scandals and the well-documented proof (Congressional Research Report, Report to the Colorado PUC, as well as the NARUC resolutions) that the data from these smart meters can be used as surveillance and there is nothing anyone can do about it, it is best not to collect the data in the first place. Consumers do not want or need a 15-minute readout of

their kilowatt usage. There are better ways to understand energy usage. My favorite is the good old fashion way that has worked for decades – home energy audits.

Security: All wireless networks are hackable. DC is all a buzz on cyber-security, particularly as it relates to the nations electrical grid. We are making it more vulnerable to attack. They are planning to issue more standards for security and more costs will be incurred. The Smart Grid is not smart.

Cost/Causation is the excuse used to justify opt out fees. “It is not fair for all Floridians to pay for the extra costs for those who opt out of the standard meter”. This is a false premise and not applied consistently. First, the analog meter with the meter readers costs far less than the “smart meter” and the associated Neighborhood Area Network. Analogs are a fraction of the cost and their useful life is twice as long. Analogs do not require software to maintain. Smart meters and the associated NAN requires security, communication fees and a lot of communication equipment.

Regarding consistency, when you call customer service do you get charged a fee when you press 2 for Spanish? Do you get charged a fee when you dial 711 (Relay Service) for the hearing impaired? When you go on automatic bill pay did you pay a special fee for that service to cover the costs of the programming? Do you charge for Home Energy Audits? All these services cost money to provide and only benefit a small portion of the customer base. Why is it appropriate not to charge for such services? It is inappropriate to charge customers a fee for opting out of smart meters.

Mitigation: There is no real need for a FP&L employee to read the meter monthly. Bills could be estimated based on prior history or the customer can self report the reading. FP&L should be visiting each property once a year as a matter of good maintenance and safety in order to inspect the equipment that they placed on the easements. At this time they can also take a meter reading that will verify the customers self-reporting.

The nonstandard meter fee that is proposed is nothing more than extortion and should be denied. The lack of definition of what constitutes a “non-standard” meter is also a problem. The customers want to retain their analog meters. This is the only non-standard meter that protects their health and privacy.

Finally, please refer to my letters sent to you on the Smart Meter Workshop as well as Docket 130160. The issue of the authority to place a communication network on my home has never been addressed, nor the multi-family dwellings. Opt outs do not fully resolve these issues. If you are in a multi-family building and have a bank of these meters on your living space, how does opting out of one meter rectify the problem? If you are electro-sensitive and the neighbors smart meter is making you sick, how does the opt out rectify the problem? In both of these cases the answer is it doesn't.

We need full public hearings on smart meters.

Regards,

Marilynne Martin