

**ACC Rescinds "Smart" Meter Decision**  
**Information & Perspective by Warren Woodward**  
**Sedona, Arizona ~ April 15, 2015**      **Page 1 / 2**

At a meeting last Monday, and after spending an hour in "executive session" privately discussing the issue with their lawyers, the **Arizona Corporation Commission (ACC)** rescinded the decision they made last December to allow APS to charge an extortion fee to people who refuse a "smart" meter.

Last December the ACC had approved a \$50 up front fee for those not "grandfathered in" with an existing analog meter, and \$5 per month to avoid the harm inherent in "smart" meters. That misguided, illegal and ill-considered ACC decision was appealed both by Pat Ferre of Payson, Arizona and I in separate appeals.

In rescinding their previous decision, the slow-learners at the ACC decided to still allow APS to continue trespassing via their bio-toxic surveillance devices, AKA "smart" meters.

Meanwhile, people may continue to refuse "smart" meters at no cost. Be warned however that calling APS to refuse a "smart" may result in customer abuse. While some calls to APS go smoothly, I still get reports of people being told by APS that they have no more analog meters. That APS claim is nonsense; don't settle for it.

There is also a recent ACC docket submission by someone complaining that APS replaced their analog meter with a "smart" meter when they had not asked for that. So be vigilant. A rogue utility is at large. It has captured its regulators and should be considered dangerous.

The ACC's latest decision also allows for APS to reapply for an extortion fee in their next rate case which I believe is not until July, 2016. So the issue is not over..

You can listen to the ACC arrive at their latest decision at the 1:03:37 mark here: [http://azcc.granicus.com/MediaPlayer.php?view\\_id=3&clip\\_id=1909](http://azcc.granicus.com/MediaPlayer.php?view_id=3&clip_id=1909) . They talk for 14 minutes.

Note that even though they had just discussed the issue for an hour privately, when the mikes are on and the public is back in the room, the commissioners have a hard time talking. It's like they are scared or something. Nobody wants to touch the tar baby. When they finally do begin discussion, they start by repeating the ob-

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vious like 'well, Legal has given us 3 options, #1 is ....' Note also that actually granting the relief that Pat and I had requested in our appeals -- the removal of all "smart" meters as not compliant with various Arizona Revised Statutes -- was never mentioned as an option. So the lawlessness continues at the ACC.

PS - Some people thought \$5 per month was good deal:

- 1) Any amount of money to avoid harm is extortion.
- 2) There are people for whom \$5 is unfordable.
- 3) "Opt out" is faux choice for people still getting injured by their neighbors' meters.
- 4) APS is the party that "opted" everyone "in." As such, any costs involved in "opting out" belong to APS.
- 5) \$5 can become more very easily. The APS solar fee is a case in point. They asked for \$50 and got \$5 but are now back asking for \$21.