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Arizona Corporation Commission (ACC)
Docket Control Center
1200 West Washington Street
Phoenix, AZ 85007-2996

Re Docket # E-01345A-13-0069

Commissioners;

Shortly after my testimony at your December 12th “smart” meter meeting, APS's lawyer, Thomas Mumaw, attempted to 'correct the record' with some remarks he made about “smart” meter related fires in Arizona.

First of all, there is no “record”. There is only a vague APS statement about “some” fires that, negligently, the ACC has not thoroughly investigated.

Note also that no actual number of fires has been divulged by APS, and that the ACC has been too careless to ask how many fires there have been.

Additionally, like everything APS has said regarding “smart” meters, the APS lawyer's fire statement was not made under oath. What he said was an assertion, not necessarily fact.

Also, I contend as I have in the past, that APS has been able to dodge culpability by claiming the fires happened on the customer's side of the meter.

As APS stated in their written response to the ACC staff's inadequate inquiry:

“There have been some fires within the APS service territory that were initially alleged to be caused by Elster meters. However, in these instances, a root cause external to the meter itself, such as broken or loose meter clips or defective wiring at the location, was determined to be the cause of the fire.”

I contend that these “some fires” are “smart” meter related fires.

Who checks their meter clips? In order to do so one would have to remove their meter which would be considered meter tampering.

So, breaking it down, what APS really seems to be saying is this:

- APS “smart” meter installers do not check the meter clips while they are installing “smart” meters.
- Since the clips belong to the customer, APS can then say their “smart” meter had nothing to do with causing a fire.
- Therefore APS is not culpable.

What a sweet deal for APS!

Additionally, as I have explained in more detail in the past (here: <http://images.edocket.azcc.gov/docketpdf/0000156834.pdf>), the problem of a bad connection at the clips is known as a “hot socket”. Tesco, self-described as “the trusted source for electric meter testing equipment and metering accessories for over 100 years”, has determined through testing that, **“Electromechanical meters withstand hot sockets better than solid state meters.”** In other words, analog meters withstand imperfect meter clips better than “smart” meters.

So again, APS's meter clip excuse doesn't pass the smell test. If someone's analog meter was working fine, then they got a “smart” meter along with a fire, I think calling that fire “'smart' meter related” is accurate.

The same goes for APS's wiring excuse. Blaming wiring that worked fine until the “smart” meter was installed might be a legal loophole for APS, but is it right?

Here's exactly what APS lawyer Mumaw said at the meeting:

“I do want to say one thing, Mr. Chairman. Mr. Woodward represented to you that we had conceded that we had several fires, or a number of fires I think was the term he used, in our service territory caused by “smart” meters. He knows that the response didn't say that. We had fires in our service territory where the customer had a “smart” meter. We had fires in our service territory where they had analog meters as well. There's only been one instance which an insurance company has alleged that the “smart” meter has anything to do with the fire and that matter is currently under, as we told staff, is currently under litigation between ourselves and Elster and

the insurance company. But I just wanted the record to be correct that we did not say that there had been several fires in out service territory caused by “smart” meters.”

Actually I said neither “a number of fires” nor “several fires”. I used APS's own language which was “some fires”, and I asked how many “some” was. But as usual I got no response from either APS or the ACC, and the ACC was too disinterested to ask APS. It's all on video at the Live Broadcast Archives at the ACC website.

Also, one wonders if APS told the ACC staff about the lawsuit *before* I brought inside information to the ACC staff or *after* I did. In other words, I'd bet money that APS never would have admitted the lawsuit had I not instigated an investigation (lame as that ACC investigation was).

Unfortunately, there will probably be no accessible record of the outcome of the lawsuit against APS and Elster. Such cases are often settled before trial and with gag agreements. Insurance companies are motivated by money, not principle. As long as they get the monetary damages they want they are happy. So again, with no real ACC investigation of the matter, the public will be kept in the dark. There will be no “record”.

Perhaps if the commissioners' homes burned to the ground in “smart” meter related fires then the commissioners will have wished they had paid more attention to this serious issue – or at least checked their meter clips.

Sincerely,

Warren Woodward