

**APS's Confusing Letter *plus* Lawsuit News
Information & Perspective by Warren Woodward
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APS's Confusing Letter

Because of a letter APS is currently sending to customers, I've gotten several inquiries from APS customers asking about APS's new rate plans and which one they should choose if they want to keep their analog meter.

Not all customers have gotten APS's confusing letter about picking a new rate plan but rest assured, you will.

The letter is confusing because APS uses BS corporate psy-op language calling both analog and non-transmitting digital meters "non-standard meters." APS and other utilities around the nation are using this language to legitimize "smart" meters as their "standard meter" and to marginalize other meters (and the customers who want those) as "non-standard." It also subtly sets up a justification for extra charges to those customers by messaging that non-standard customers aren't "normal" and deserve to be charged more.

As you'll see in the letter, APS uses more really "choice" BS corporate psy-op language in the names APS gave to its various new rate plans. All the rate plans have "choice" as part of their names to create the illusion that you have one. APS is a monopoly. You have no choice. Names like "Saver Choice Plus" are nonsense. APS just got a rate increase. Everyone pays more. There are no 'savings.' At their [website](#), APS adorned the rip-off rate plans with pictures of happy, smiling people, their kids and pets. The message? Suspend rational thought. Be happy like these actors. It's all good.

Anyway, for those customers who wish to keep their analog meter, the only rate plan choices are the 3 that are *not* Time Of Use (TOU) or TOU plus Demand. Any of those rates will require a non-transmitting digital meter (or a "smart" meter if you want one of those). Rate plans that will allow you to keep your analog meter are Lite Choice, Premier Choice, and Premier Choice Large.

Keep in mind that the decision the Arizona Corporation Commission (ACC) made in the APS rate case allows APS to remove anyone's analog meter at any time and replace it with a non-transmitting digital meter. APS's current policy, however, is to let customers keep their analog meter until its service life is over, which is again something APS decides.

Lawsuit News

The two cases I have at the Court of Appeals appealing the ACC's APS rate case decision have been consolidated into one case. Not surprisingly, APS moved to intervene in that case and the Court granted APS's motion. So now I have to contend with APS's lawyers as well as those from the ACC. No briefing schedule has been issued by the Court.

A new judge at Superior Court is presiding over of my public records case against the ACC. He has called for a "Status Conference" on the 28th of this month. That should be interesting.

APS rate case Intervenor Richard Gayer's Motion to Compel APS to comply with the ACC's decision by not double billing for meter reading those customers who refuse "smart" meters was ignored by the ACC. That means the Motion is denied. Unfortunately Gayer is not appealing that decision.

The citizens' petition for a rehearing of the APS rate case was submitted to the ACC. The petition's focus is that the rate increase the ACC granted APS is, for many customers especially those who can least afford it, way more than the touted 4.5%. The ACC filed the petition in the rate case docket, then the next day took it out of that docket and opened a new docket for it. The new docket treats the petition as a complaint against APS. That puts the burden of proof on petition organizer Stacey Champion who, as a single mom and business owner, is unable to be her own lawyer. As a result, Champion is currently in the process of retaining a lawyer to represent her and the petition signers. Yesterday Champion wrote:

Please Donate to the Legal Fund TODAY!!!

If the majority of those who signed the petition can donate \$10 each, we'll hit our goal. <https://www.fundedjustice.com/StopTheAPSGreed>

I cannot stress to you enough that if we don't have help from an experienced attorney immediately, we're not going to have a chance in hell. Either everyone chips in, or I'm not going to be able to continue given the fact that I'm not a lawyer.