



**PATRICK COLBECK**  
7TH DISTRICT  
P.O. BOX 30036  
LANSING, MI 48909-7536  
PHONE: (517) 373-7350  
FAX: (517) 373-9228  
senpcolbeck@senate.michigan.gov

**THE SENATE**  
**STATE OF MICHIGAN**

December 20<sup>th</sup>, 2017

Michigan Public Service Commission  
7109 W. Saginaw Highway  
Lansing, MI 48917

RE: Comments on U-18485, 18486

These comments are limited to these two cases and not my overall objection to AMI related shut-offs. Over the past several month my office has received numerous contacts from ratepayers who have recently had their power shut off or who are being presented with shut off letters (or verbal communications) from DTE. In many cases we have helped people who should not be getting their power shut off, or have tried to help people get their power restored once it has been cut.

While we applaud this investigatory case, we have been told in the past by the MPSC that AMI related shut-offs “are not a problem”, and that other shut-off problems are rare. That is different than what we have firsthand knowledge of, and when asking MPSC for the numbers we were told that MPSC does not require or collect that data. This would seem to make it difficult for the MPSC to follow statute and rules regarding oversight, and we also believe gives more credence to ratepayer complaints because they cannot be contradicted by either reports required to be given to the MPSC or that the MPSC could lawfully request if it so choose. Because reporting rules require detailed reports, I believe this data should be getting received. Regardless, it is clear under the rules that the MPSC can request more data than it is currently receiving from the utilities in regards to shut-offs.

Because this meeting was only posted yesterday I can only provide a partial list of the problems with shut-offs we are aware of. Here is a partial list:

- (1) Shut off letters (notices) are being sent to people who don't have impediments preventing a switch-out. Why is a shut off letter being sent when there is no lawful reason for a shut-off to occur?
- (2) Shut off letters seem to be form letters with non-factual statements. Most calls indicate the letters say “after we contacted you on X”, or “we did not hear from you on Y”, when the ratepayers claim those attempts to them were never made or the contact attempt efforts they did make to DTE were ignored.
- (3) The letters frequently lead to leaving voice mails rather than being able to talk to a real person. They report to us that the voicemails are frequently not acted on by DTE and they do not hear back. Sometimes when DTE is contacted the person will be told they are not set for shutoff, even after a letter has been sent. Ratepayers are receiving contradictory information.
- (4) Some people are receiving the notices after November 1<sup>st</sup>, even if they are eligible and part of (or should be part of) senior protection plans during the space heating season. We do not think it is in the spirit of the law for such a letter to be sent when power in fact cannot be shut off. The letters scare ratepayers.



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- (5) Some ratepayers are receiving only “verbal” shut-off “notifications”, so the ratepayer is unable to document the attempt.
- (6) Some have told us that they set up the appointment and that DTE then did not show up. They then worry they will still lose their power after being panicked and taking time off work, etc.
- (7) People are being told that once a shut-off has been set up that it can’t be cancelled, even if errors have been found.
- (8) When people do have their power turned off, there seems to be only confusing paths to get it turned back on and even then it takes an unusually long time to have it restored. Many customers have told us they believe they are being intentionally “punished” as troublemakers by slow playing reactivation. Some who call asking for help don’t want us to provide their name to DTE, indicating they are afraid of retribution.
- (9) People are not getting power restored within 24 hours of the reason for the shut off being “corrected”. In many case regarding AMI, it can take 3 days for the AMI to be installed, and then 3 days for it to be “deactivated”, and then 3 more days for power to be restored. Being without power for more than a week has been reported because of this “chain”. Friday and weekend shut-offs are happening when it is apparent that power cannot be restored the next business day. “What is beyond the control of the utilities” needs to be clarified in the rules.
- (10) We have been told that while people have the right to relocate the meter to a pole or pedestal that when this is requested they are either told that this can’t be done or that coming up with the price would take too long to impact their shut-off. There is no reason for shut-offs to occur when meter relocations are in progress.

Again, this is only a partial list. But it is clear that there are many rule violations, and that people are being shut off who shouldn’t be and it is taking too long for power to be restored. This could result in tragedy, and it is only blind luck no such recent deaths have occurred.

In regards to data privacy, please ensure that a true “opt-in” exists as opposed to opt-outs. Those not willing to share data should not be made to pay more, and should be able to direct not just how data is shared, but also control whether or not it is collected in the first place.

I would welcome the opportunity to partner with the MPSC to help revise its rules.

Respectfully,

A handwritten signature in black ink, appearing to read "Patrick Colbeck".

State Senator, 7<sup>th</sup> District