



While SMUD customer and Elk Grove resident Mark Graham's suit filed last month in Sacramento County Superior Court involves a fairly small amount of money - less than \$500 - he says he's hopeful of proving that SMUD's smart meter program was not properly approved and of informing SMUD customers that they have the option to replace smart meters with analog meters.

"I shouldn't have to pay for something that wasn't even properly approved in the first place," Graham said in a phone interview.

SMUD vehemently disagrees and has told Graham so at board meetings and via email in a dispute stretching back several years. Graham plans to present the 296-page lawsuit to SMUD board members at Thursday night's regular meeting.

Laura Lewis, general counsel for SMUD, said Monday that the utility had not yet received the lawsuit.

Under its smart grid program, SMUD completed replacement of more than 600,000 old analog meters in its territory in 2012. The project was funded with millions in federal stimulus money. Unlike the old, odometer-like metal meters, the new meters use wireless technology to transmit customers' energy use information to the utility's offices. That eliminates the need for monthly visits by meter readers, saving on SMUD labor costs.

SMUD also touts smart meters as the industry standard, enabling customers to keep closer watch on power usage and plan for more efficient power use.

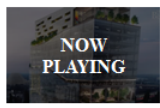
Graham, however, has repeatedly expressed his concern about radiation related to smart meters. He cites international scientists' concerns about possible health impacts and their calls for strengthening wireless radiation exposure limits.



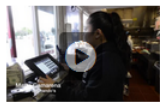
Under its smart grid program, SMUD completed replacement of more than 600,000 old analog meters in its territory in 2012. **Jose Luis Villegas** - jvillegas@sacbee.com

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meters. He cites international scientists' concerns about possible health impacts and their calls for strengthening wireless radiation exposure limits.

Graham chose to switch from a smart meter to an analog electric meter in late 2013. He says SMUD charged him \$127 to make the change and has since charged him \$14 a month for a meter reader to see the analog readout. Graham figures he's out more than \$400. His lawsuit asks for damages and injunctive relief.

The lawsuit contends that SMUD management implemented a massive meter-replacement program that was not in line with a board resolution authorizing smart meters for customers who specifically requested a time-based rate. Graham claims that many SMUD customers had no say in the change and don't know to this day that they can opt for an analog meter.

Lewis disagrees, saying the board approved the extensive smart meter program and that "the board was very specific in its authority and communicating this." She cited multiple sources of documentation and board resolutions.

Lewis also stressed that SMUD does have "an opt-out policy" and defended the monthly \$14-a-month charge to read an analog meter:

"It's not appropriate for other customers who pay their fair share for an industry standard meter" to also help subsidize the cost of meter reading, Lewis said.

As for allegations that smart meters present a public health concern, Lewis said: "There's been no scientific or medical evidence" of that.

Mark Glover: 916-321-1184, @markglover

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