

**Attachment to Consumer Complaint/Inquiry Form
Michigan Department of Attorney General**

**Complaint against: DTE
Date: September 23, 2017**

**Consumer/Customer/Homeowner:
Linda and Ken Bullard, 660 Windemere, Brighton Twp, MI 48114**

**MICHIGAN CONSUMER PROTECTION ACT (EXCERPT)
Act 331 of 1976**

445.903 Unfair, unconscionable, or deceptive methods, acts, or practices in conduct of trade or commerce; rules; applicability of subsection (1)(hh).

Sec. 3.

(1) Unfair, unconscionable, or deceptive methods, acts, or practices in the conduct of trade or commerce are unlawful and are defined as follows:

(e) Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another.

NOTE: Customer and Homeowner are one in the same throughout this document.

DTE represents to their customers the AMI/Smart Meter quality standard as a safe product and that it reduces customer's electric costs and electric bills when in fact their own documents and filing with the State of Michigan says the product is not safe nor is it secure.

Senate testimony in link below details risks of AMI/Smart Meter known to DTE but not known nor revealed to customers by DTE.

- 1) DTE 10-K filing states specifically AMI/Smart Meter is not safe against terrorism nor against hacking**
- 2) Electrical issues and fires due to inadequate or non-existent surge and breaker protections**
- 3) Power availability and system reliability risks to customers due to AMI/Smart Meter being a 'foundational block' and interconnected**
- 4) Customer's older home appliances fail faster (than analog) proven to be caused by AMI/Smart Meter**
- 5) Extra cost for DTE to properly secure AMI/Smart Meter system later to be passed on**

to customers without upfront and prior knowledge and choice given to customers

- Reference video Senate testimony on AMI/Smart Meter risks:
<https://www.youtube.com/watch?v=xMnLZiMMfGI>

(j) Representing that a part, replacement, or repair service is needed when it is not.

DTE falsely represents and claims their AMI/Smart Meter replacement of existing Analog meter is a safety necessity. DTE falsely represents the safety of the home and neighborhood because the home had analog meter instead of AMI/Smart Meter (two letters to homeowner clearly state this falsehood in a deceptive way intended to mislead, bully, scare and manipulate customer: (Aug 29 letter: "...we will proceed with the installation of the advanced meter...condition is unsafe for your family and your neighbors...a utility may shut off service...for reasons of health or safety...contact us immediately so that we can proceed with the installation of the advanced meter..." and Sept 11 letter: "...your electric service has been interrupted for safety purposes...call us...press prompt #2 to arrange to have the new advanced meter installed...a utility may shut off service...for reasons of health and safety...").

(l) Misrepresenting that because of some defect in a consumer's home the health, safety, or lives of the consumer or his or her family are in danger if the product or services are not purchased, when in fact the defect does not exist or the product or services would not remove the danger.

DTE falsely represented to customer the home was 'unsafe' and action was needed for 'reasons of health or safety' and was due to existence of fully-functioning analog meter by using deceptive and false scare tactics and bullying of homeowner. DTE shut off electric service to home without first coming to door of home and announce to homeowner; homeowner was home which jeopardized homeowners' health and safety. DTE tried to secretly place letter in home's door but home owner saw them and discussed their actions with DTE employees on site. DTE employee who took unauthorized picture told homeowner they 'didn't want the AMI/Smart Meter themselves either. DTE deceptively and falsely claimed service was 'interrupted for safety purposes' (Aug 29 and Sept 11 letters as well as in person on Sept 11) when in fact service was interrupted in order to coerce homeowner into allowing analog meter to be replaced with AMI/Smart Meter.

(m) Causing a probability of confusion or of misunderstanding with respect to the authority of a salesperson, representative, or agent to negotiate the final terms of a transaction.

DTE received homeowners Cease and Desist order on Sept 6 as proven by USPS certified mail tracking but ignored it and failed to respond to and failed to notify

homeowner with respect to authority and failed to notify local employees of such order and caused confusion with their local employees' ability to have knowledge of and to abide by Cease and Desist order and caused misrepresentation to customer that local employees could shut power off when they did not have authority. DTE allowed employees to shut off service, secretly try to place shut off letter in homeowner's door and take unauthorized pictures and to bully homeowner on the spot with multiple vehicles and multiple employees and imposing presence.

(n) Causing a probability of confusion or of misunderstanding as to the legal rights, obligations, or remedies of a party to a transaction.

DTE falsely accused homeowner, threatened and then proceeded with unlawful action on Sept 11 which shut off electric service to home. DTE received homeowners Cease and Desist order on Sept 6 as proven by USPS certified mail tracking but ignored it and failed to respond to and failed to notify homeowner with respect to legal rights, obligations or remedies.

DTE falsely states their authority for action is from Michigan Public Safety Commission and is related to health and safety (Aug 29 letter: "...MPSC approved DTE plan to offer...our Advanced Metering Infrastructure (AMI) Program...we will proceed with the installation of the advanced meter...pursuant to MPSC...utility may shut off service...for reasons of health or safety...is not optional-it is a requirement that customers must comply with..." and Sept 11 letter: "...your electric service has been interrupted for safety purposes...pursuant to MPSC a utility may shut off service...for reasons of health or safety...is not optional-it is a requirement that customers must comply with.." The words in both letters were purposefully used to cause probability of confusion or of misunderstanding as to homeowners' legal rights, obligations and remedies.

(aa) Causing coercion and duress as the result of the time and nature of a sales presentation.

DTE caused coercion and duress to home owner by bullying and scare tactics and actions. DTE knowingly provided false information to homeowner and false accusations against the safety of home to homeowners. DTE did not come to homeowner's door first; nor did DTE attempt to talk personally or by phone with homeowner at any time prior to employees arriving at home on Sept 11. DTE received homeowner's Cease and Desist order on Sept. 6 as proven by USPS certified mail tracking and did not contact homeowner and ignored the Cease & Desist order. DTE used threats and intimidation tactics through letters (Aug 29 & Sept 11) and then in person on Sept 11. DTE arrived in 3-5 separate vehicles on Sept 11 with multiple personnel and came up and onto property in an imposing manner intended to intimidate homeowner. DTE snuck around and didn't tell homeowner they were there or what they were doing before shutting off electric service at the pole adjacent to home. DTE tried to sneak the Sept

11 letter stating "Your electric service has been interrupted..." into home's door. DTE employee took unapproved picture of home without homeowner approval and without adequate notification and explanation to homeowner. DTE caused coercion and duress of homeowner to accept AMI/Smart Meter despite Cease and Desist order by already shutting off power to home before speaking with homeowner. DTE caused further duress by also refusing to immediately turn power back on after coercing homeowner to accept AMI/Smart Meter. DTE employee told home owner they themselves didn't want AMI/Smart Meter either. DTE employee told home owner the 'understood' why home owner believes DTE violated home. DTE's actions and behavior (and Sept 11 actions and behavior) created coercion and duress to the homeowner; even a concerned neighbor noticed and called on Sept 11 to find out if homeowners were ok or if they needed help.