



TOWN OF FAIRFAX

STAFF REPORT

February 4, 2015

TO: Mayor and Town Council

FROM: Garrett Toy, Town Manager *GT*

SUBJECT: Authorize Mayor to prepare and send a letter to PG&E's Government Affairs regarding CPUC decision on Smart Meters

RECOMMENDATION

Authorize Mayor to prepare and send a letter to PG&E's Government Affairs regarding CPUC decision on Smart Meters

DISCUSSION

At the December Council meeting, then Vice Mayor Bragman presented an update on the Town of Fairfax petition to the California Public Utilities Commission (CPUC) for relief from Pacific Gas and Electric (PG&E) Company's deployment of wireless Smart Meters here in Fairfax. As background, several other governmental entities joined Fairfax in petitioning for relief including the Town of Ross, the County of Marin, and Santa Cruz County. The primary contentions of the governmental entity petitioners were that local governments have the legal right to collectively opt out of the program under general constitutional principles and that charging customers a fee to opt out violates the Americans with Disabilities Act.

Vice Mayor Bragman reported that Judge Yip-Kikugawa's decision denied the petition and recommended maintaining the current program that was put in place on an interim basis. That program charges fees to customers who wish to opt out. At the meeting, Vice-Mayor Bragman indicated the full CPUC had not adopted the decision and that it was not known when it would come to the Board. The CPUC accepted the Judge's decision at their December 18, 2014 meeting.

The Mayor has requested authority to prepare and send a letter to PG&E's Government Affairs regarding CPUC decision on Smart Meters and its impact on Fairfax.

FISCAL IMPACT

None