



Mark Dean
Attorney

August 9, 2012

Joan Wirth
348 Hundred Acre Wood
Bristol, NH 03222

RE: Meter Replacement Refusal

Dear Ms. Wirth:

I am writing in response to your "official notification" letter to New Hampshire Electric Cooperative, Inc. ("NHEC") dated July 19, 2012, and in follow-up to your string of email correspondence with NHEC which followed.

Your claim that NH RSA 374:62, as recently enacted through SB 266, requires your signed consent prior to NHEC's installation of a "smart meter" on your property, is incorrect. As I am sure you are aware from your participation in the legislative hearings, SB 266 pertains only to "Smart Meter Gateway Devices" and is not applicable to the types of meters which NHEC is currently installing. The legislative record is replete with testimony that SB 266, as originally filed and as passed, would not be applicable to the meters being used in NHEC's ongoing "smart meter" deployment. Indeed, the relevant legislative committees and both the full House of Representatives and Senate flatly and overwhelmingly rejected all suggestions to amend SB 266 in a manner which would have made its provisions applicable to the types of meters which NHEC is installing.

I have enclosed the following materials in the hope that they will address your misunderstanding:

- 1) A memoranda titled, NHEC Smart Meters vs. "Smart Meter Gateway Devices";
- 2) A copy of the full text of SB 266, as enacted;
- 3) The affidavit of NHEC's Metering Supervisor, Douglas Bergholm;
- 4) Photographs of two different NHEC smart meters;
- 5) Elster meter product descriptions and technical specifications;
- 6) FCC authorization and RF exposure report for the Elster REX2 meter type transmitter; and,
- 7) Elster REX2 meter type ANSI compliance certificate and test report.

NHEC has previously provided much, if not all, of the enclosed information in previous communications, the Grafton County Superior Court proceedings and the legislative process concerning SB 266.

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To be clear, any insinuation that NHEC's meter installations have been or will be illegal is directly contrary both to the letter and intent of the statute which you cite, and is unsupported by the simple, demonstrable facts.

NHEC has followed the relevant federal, state and local laws in the course of its development and implementation of its metering and communications infrastructure upgrade. More specifically, NHEC has complied with the relevant provisions of NH RSA 374:62. It has relied upon, and complied with, the established safety standards.

While I do not believe that your neighborhood is on a current installation schedule, it is NHEC's intention to complete its on-going meter replacement project, including the replacement of those meters located at Hundred Acre Woods in Bristol, as planned.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MD', with a long horizontal flourish extending to the right.

Mark Dean