

Sue Ella Deadwyler, “*She hath done what she could.*” Mark 14:8a

Bad News for Consumers: PSC Leadership Shake-up

The five members of the Georgia Public Service Commission are extremely powerful (no pun intended) constitutional officers authorized by the *Constitution of the State of Georgia* to regulate public utilities. Although they are elected state-wide for six-year staggered terms, each represents one of five PSC districts – Winterville, Albany, Atlanta, Clarkesville and Marietta.

The PSC has exclusive power to determine and require fair and reasonable rates for services under its jurisdiction. Since it’s an investor-owned electric utility, the PSC fully regulates the Georgia Power Company (GPC) that serves approximately 2.35 million customers in 155 of Georgia’s 159 counties, but PSC has limited regulatory power over the 52 municipally-owned electric systems and 42 electric membership corporations (EMCs) in the state. Unless the plan is revised on the federal level, electric utilities in Georgia will remain traditionally regulated.

S.B. 483 & H.B. 1160 Change PSC’s Method of Selecting Chairmen. Why now?

S.B. 483, H.B. 1160 would return to the pre-1991 way a PSC member becomes chairman.

Since 1991 the five PSC commissioners have rotated annually into the chairmanship and could rotate into that position again during their first six-year s and again in subsequent terms. The PSC chairman interacts with legislators on behalf of PSC and presides over meetings. Before 1991, PSC commissioners elected a chairman from their five members, but infighting and constant bickering led to their inability to choose a chairman after five ballots. That situation prompted the legislature to vote 156-0 in the House and 48-0 in the Senate to replace elections with the current rotation system, which is fair. It avoids a monopoly and clique control.

Two bills “dropped” simultaneously February 23rd – S.B. 483 in the Senate and H.B. 1160 in the House – are identical, but the House postponed action on H.B. 1160 twice. S.B. 483 passed the Senate 34-18 March 5th and went into the House Energy, Utilities, and Telecommunications Committee. If either bill passes, the five PSC commissioners would elect future chairmen to two-year terms, beginning January 1, 2013. If that occurs, three of the five commissioners could monopolize the office of chairman and leave the others as “odd-men-out.”

Could this be the reason? In 2010, Public Service Commissioner Tim Echols was elected to fill Robert Baker’s vacated seat. Since then, Echols voted (a) against big telephone subsidies, (b) against a solar subsidy, (c) against Georgia Power in the Fuel Recovery Case, and (d) tried to persuade other Commissioners and Georgia Power to allow consumers a smart meter opt-out. Commissioner Echols, who has been the lone PSC supporter of consumers that oppose Georgia Power’s policy of forcing consumers to participate in the smart meter program, rotated into the chairmanship in January. These bills were introduced in February.

ACTION – Oppose. Call several of the following House Energy, Utilities, and Telecommunications Committee Representatives Parsons, Ch., 404 656-9198; Geisinger, 656-0254; Horne, 656-0287; Amerson, 657-8443; Baker, 656-0202; Dempsey, 656-0213; Drenner, 656-0202; Dudgeon, 656-0298; Frazier, 656-0265; Fullerton, 656-0126; Hamilton, 656-5132; Harbin, 656-3949; Holt, 656-0152; Hudson, 656-7859; Lucas, 656-0220; Chuck Martin, 656-5064; Scott, 656-0254; Earnest Smith, 656-6372; Coach Williams, 656-0202; and Roger Williams, 656-3904.

Smart Meter Blamed for Appling, Georgia Fire

Smart metering laws pertain only to federal buildings and federal housing that are under federal government jurisdiction.

On July 6, 2011 the following media report was made after a Georgia family was displaced by a house fire, which the fire department said was an electrical accident. The family blamed the new smart meters that were installed two weeks before the fire.



Is Georgia Power possibly to blame for a house fire? Well, Martinez-Columbia Fire Rescue says a fire that displaced an Appling family on McLaddie Drive, on Monday, was caused by an electrical accident.

“The Burns family was watching TV when the fire started around 10:00 a.m. Monday morning, July 4, 2011. Family members say sparks started flying from the TV and power box. Around the same time, down the street, another homeowner’s TV reportedly started sparking and smoking. A daughter says their electrical problems started after Georgia Power installed new

meters. Angela Dent, Appling, Georgia said, ‘That’s when we noticed the changes. It also happened at my brother’s house...his TVs have been acting strange...popping and surging in and out ... her lights have been dimming also.’”

Dozens of fires and explosions, reportedly caused by smart meters are documented at emfsafetynetwork.org/?page_id=1280.

S.B. 459’s Message: Consumers Need an Opt-Out of Smart Meters

S.B. 459, introduced by Senator Shafer, passed the Senate 36-13 March 7th, to remind the Public Service Commission members of their authority to provide consumers an opt-out of smart meters of any investor-owned electric light and power company subject to PSC regulation. In addition, it authorizes such utility to add a surcharge on consumers who reject smart meters.

Some states are honoring the provisions of Federal Energy Acts of 2005, 2007 and 2008 which specify that consumers requesting time-based billing should be *offered* a smart meter, *i.e.* the smart meter program is optional for consumers, but mandatory for federal buildings and federal housing, also affirmed by the Federal Department of Energy (DOE). In all three Energy Acts, the word “voluntary” precedes the smart metering provision. However, Georgia Power allows no one to opt-out or opt-in, but makes smart meters mandatory, thereby violating federal law.

Since federal law stipulates that private use of smart meters is voluntary, several states chose *not* to install them. After smart meters were installed, some states and local governments passed a moratorium until safety issues and health hazards are eliminated. That’s important, since smart meters have no Underwriter Laboratory (UL) tag and OSHA has not approved them, either. Some utilities provide a consumer opt-out, including California’s largest utility, which is removing smart meters and reinstalling analogs, while Georgia Power mandates them.

ACTION – Support S.B. 459. Call the following House Energy, Utilities, and Telecommunications Committee Representatives Parsons, Ch., 404 656-9198; Geisinger, V-Ch., 656-0254; Horne, Sec., 656-0287; Amerson, 657-8443; Baker, 656-0202; Dempsey, 656-0213; Drenner, 656-0202; Dudgeon, 656-0298; Frazier, 656-0265; Fullerton, 656-0128; Hamilton, 656-5132; Harbin, 656-3949; Holt, 656-0152; Hudson, 656-7859; Lucas, 656-0220; Chuck Martin, 656-5064; Scott, 656-0254; Earnest Smith, 656-6372; Coach Williams, 656-0202; and Roger Williams, 656-3904.

Assisted Suicide

H.B. 1114 passed the House 124 to 45 March 7th to prohibit assisted suicide, replacing the former law recently ruled unconstitutional by the Georgia Supreme Court. The Final Exit Network had filed a lawsuit against the previous law, claiming it infringed on their free speech right to advertise their illegal assisted suicide services.

H.B. 1114 makes it a felony for anyone to knowingly and willfully help anyone commit suicide.

(a) A conviction for assisted suicide could mean one to ten years in prison. This would not interfere with written non resuscitation orders, living wills or “durable” power of attorney for health, life-sustaining treatment orders or advance directives. (b) Healthcare providers convicted of assisted suicide could lose their license and face homicide charges in civil court.

ACTION – Support. Ask the following to vote YES: Judiciary Committee Senators Hamrick, Ch., 404 656-0036; Cowser, 463-1383; Crosby, 463-5258; Bethel, 656-6436; McKoon, 463-3931; Stone, 463-1314; Ligon, 656-0045; Fort, 656-5091; Ramsey, 463-2590; and Jason Carter, 463-1376.

H.B. 954 Prohibits Abortion After the 20th Week of Pregnancy

H.B. 954, the “Pain-Capable Unborn Child Protection Act,” was introduced in response to scientific research that clearly proves that the pain sensitivity of unborn babies is more acute than that of newborns, older children and adults. From 18 weeks of gestation, pre-born children respond to painful stimuli, accompanied by a sharp rise in stress levels, evidenced by surgical entry into the womb to perform corrective procedures on unborn babies. The House passed it February 29th and it’s in the Senate Health & Human Services Committee.

ACTION – Support. Call Health & Human Services Senators Unterman, Ch., 404 463-1368; Buddy Carter, V-Ch., 656-5109; Goggans, Sec., 463-5263; Balfour, 656-0095; Judson Hill, 656-0150; Millar, 463-2260; Williams, 656-0089; Grant, 656-0082; Ligon, 656-0045; Henson, 656-0085; Lester Jackson, 463-5261; Orrock, 463-8054; and Tate, 463-8053.

GSU “Teach-In” Opposed bills affecting illegal aliens!

Excerpts from Report by Professor Mary Grabar

“On February 4, 2012, I attended a ‘Teach-In on Tucson,’ at Georgia State College of Education, which was advertised as being free and open to the public.... The Teach-In was devoted to discussing ways to undermine Arizona’s recent legislation (HB 2281) prohibiting the use of curricular materials that ‘promote the overthrow of the U.S. government’ or ‘promote resentment toward a race or class of people.’ The participants at GSU presented this law as dangerous censorship and discrimination.

“The ‘Teach-In’ was really a rally for activists opposing Georgia’s efforts to slow illegal immigration. The stated goal was to head off Arizona-like legislation in Georgia because ‘Georgia law follows Arizona law.’ The more immediate effort was to stop pending legislation on Georgia immigration law and strategies were discussed.

“The program gave thanks to ‘the generous support of our co-sponsors’”: Dean Kamphaus; Dr. Brian Williams and Mr. Bryan Murray of the Alonzo A. Crim Center for Urban Educational Excellence; GSU College of Education professors Barbara Meyers, Dana Fox, Bill Curlette, and Amy Lederberg; Kennesaw State professors Ugena Whitlock, Rebecca Hill, and College of Education Dean Arlinda Eaton; Dr. Stephanie Behm Cross and Ms. Elisa Tate of the GSU Kappa Delta Pi Education Honor Society; Southerners on New Ground, National Association for Multicultural Education, and Metro Atlantans for Public Schools (MAPS).”

¹Other supporters of the “Teach-In,” as listed by Professor Grabar: GSU, 24; KSU, 1; MAPS, 3; Mundo Hispanico, 2; Huffington Post, Jeff Biggers; Rethinking Schools, Bill Bigelow; WRFG, Joan Baptist; AJC, Maureen Downey.

The Danger of Article V: It Authorizes a Con Con, but Does Not Restrict It

ARTICLE V

“The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress.... And that no State without its consent, shall be deprived of its equal suffrage in the Senate.”

– *The Constitution of the United States*

S.R. 673, introduced January 23rd by Senator Cowsert, applies to Congress for a balanced budget “amendments convention.” 18¹ other states have done the same. S.R. 673 passed the Senate 30-20 on March 7th and goes to the House Governmental Affairs Committee.

- There is no proof a Con Con would pass a balanced budget amendment, even if convened.
- A Con Con cannot be limited, since there is nothing in the *Constitution of the United States* and no law to restrict its purpose, procedure, agenda, duration or election of delegates. Consider the words of former Chief Justice Warren Burger: “*There is no effective way to limit or muzzle the actions of a Constitutional Convention After a Convention is convened, it will be too late to stop the Convention if we don't like its agenda.*”
- There is no indication that delegates to a Con Con would be required to swear to uphold the U.S. Constitution. Therefore, delegates would be free to throw out the existing *Constitution of the United States* and follow a plan for “remaking America.”
- Action by Congress must pass both House and Senate, but there is no indication that a Con Con would have two Houses. So, the big-population states would control the agenda and outcome, rendering small-population states irrelevant.
- To change the *Constitution of the United States*, Congress needs a 2/3rds vote in both House and Senate, but there is no super majority requirement for a Con Con. Even if there were, there is no way to assure that Con Con delegates would obey any restriction. Since delegates would not have to run for re-election, they would be free from accountability.
- There would be a melee of international activists, special interest groups, television and the press encouraging the insertion of global policies into the *Constitution of the United States*.

ACTION – Oppose. Call House Governmental Affairs Representatives Hamilton, Ch., 404 656-5132; Purcell, V-Ch., 656-5139; Hatfield, 656-0109; Brockway, 656-0188; Brooks, 656-6372; Floyd, 656-0250; Kidd, 656-0202; Meadows, 656-5141; Morgan, 656-0109; Mosby, 656-0287; Oliver, 656-0265; O’Neal, 656-5052; Jay Powell, 656-7856, Alan Powell, 656-0202; and Williamson, 656-7859.

Illegal Aliens Prohibited in Colleges & Universities

S.B. 458 requiring verification of U.S. citizenship for public benefits passed the Senate 34-19 March 5th. It tightens current higher education law and repeals the power of the Board of Regents of the University System and Technical College System to set illegal alien policies. Under the current policy set by the Regents for the year 2010-2011, illegal alien enrollment was up 15,359 (4.4 %) over the previous year. However, that would cease, if S.B. 458 passes.

ACTION – Support. Call House Non Civil Judiciary Committee Representatives Golick, Ch. 404 656-5943; Hatfield, V-Ch. 656-0109, Byrd, 656-0298; Willard, 656-5125; Abdul-Salaam, 656-0325; Abrams, 656-5058; Atwood, 656-0152; Collins, 651-7737; Coomer, 656-0109; Cooper, 656-5069; Neal, 656-0265; Pak, 656-0254; Ramsey, 656-7146; Randall, 656-0109; Setzler, 656-0177; and Benfield, 656-7859.

¹ If 34 states pass identical applications, Congress must convene a Con Con.