



## City of North Port

### RESOLUTION NO. 2013-R-15

#### A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF NORTH PORT, FLORIDA IN SUPPORT OF THE RIGHT OF CITIZENS IN THE CITY OF NORTH PORT TO OPT OUT OF FLORIDA POWER & LIGHT'S SMART METER PROGRAM

#### RECITALS

**WHEREAS**, as a result of certain orders of the Florida Public Service Commission, Florida Power & Light ("FPL") has a monopoly to provide electric service to the City of North Port; and

**WHEREAS**, FPL has implemented its Advanced Metering Infrastructure program, generally known as the "smart meter" program in the City of North Port; and

**WHEREAS**, the Commission is mindful that, pursuant to section 366.04(1), Florida Statutes, authority to regulate and supervise the smart meter program is vested solely in the Florida Public Service Commission; and

**WHEREAS**, at a public meeting at which smart meters were discussed, the Commission has become aware of the strongly held, good faith beliefs of certain citizens in the City of North Port that FPL smart meters present health, safety, privacy and financial concerns; and

**WHEREAS**, while the Commission takes no position on the validity or non-validity of such concerns, the Commission strongly believes that, given FPL's monopoly to provide electric service not only in the City of North Port, but also throughout the rest of FPL's service area, citizens should not be forced to accept smart meters against their will and strongly held, good faith beliefs; and

**WHEREAS**, the Commission has adopted this resolution urging FPL to implement, and the Florida Public Service Commission to require, that citizens opposing smart meters be given the freedom of choice to opt out of the FPL smart meter program, without risk or threat of negative reprisals or other consequences.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of North Port, Florida:

#### SECTION 1- FINDINGS

1.01 The above recitals are incorporated as findings of the Commission.

#### SECTION 2- OPT OUT OF FPL SMART METER PROGRAM

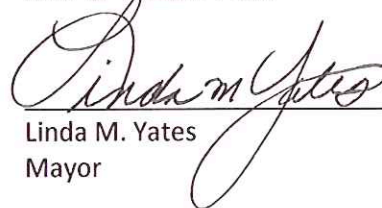
- 2.01 It is the position of the City Commission of the City of North Port that, given the monopoly power that Florida Power & Light has in its service areas, and the corresponding lack of choice that citizens in such areas have with respect to electric service providers, and further given the strongly held, good faith concerns that some citizens have with respect to smart meters, Florida Power & Light should implement, and the Florida Public Service Commission should require, that citizens who are opposed to FPL's smart meters be given the freedom of choice to permanently opt out of the smart meter program, without risk or threat of negative reprisals or other consequences, such as monthly or other charges. For citizens who already have a smart meter installed, that they be permitted to have it removed without charge, and incur no monthly or other charges for opting out of the smart meter program.

SECTION 3- COPY OF RESOLUTION

- 3.01 The City Clerk is hereby directed to send a certified copy of this Resolution to Florida Power & Light, the Florida Public Service Commission and all members of the Sarasota County Legislative Delegation and the Sarasota County Commission.

PASSED AND ADOPTED by the City Commission of the City of North Port this 22<sup>nd</sup> day of April, 2013.

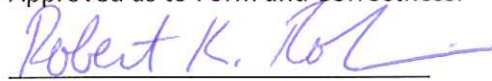
CITY OF NORTH PORT

  
Linda M. Yates  
Mayor

Attest:

  
Helen M. Raimbeau, MMC  
City Clerk

Approved as to Form and Correctness:

  
Robert K. Robinson  
City Attorney