

A RESOLUTION DIRECTING THAT THE COUNTY ADMINISTRATOR DEVELOP A SERIES OF OPTIONS FOR CONSIDERATION BY THE BOARD OF COMMISSIONERS IN RESPONSE TO THE DISPLACEMENT OF RESIDENTS, SUSTAINED AND SIGNIFICANT ELECTRICAL GRID OUTAGES, AND WIDESPREAD DAMAGE IN THE AFTERMATH OF THE FREEZING RAIN EVENT OF FEBRUARY 22, 2023

WASHTENAW COUNTY BOARD OF COMMISSIONERS

March 1, 2023

WHEREAS, an ice storm occurred the evening of Wednesday, February 22, 2022 in Washtenaw County and south-central Michigan; and

WHEREAS, on Thursday, February 23, it was estimated that more than 700,000 electrical customers within the State of Michigan had lost power during the storm; and

WHEREAS, in Washtenaw County more than 67,000, or approximately 38%, of DTE and Consumers Energy customers lost power for several days, with more than 11,500 Washtenaw County customers still without power as of Tuesday, February 28 ; and

WHEREAS, research conducted by watchdog group Citizens Utility Board of Michigan ranked the state's utility companies among the least reliable in the nation, and in its most recent report, consumer website Choose Energy ranked DTE Energy dead last for reliability nationally; and

WHEREAS, data gathered by the Citizens Utility Board of Michigan also indicates that Consumers and DTE charge some of the highest residential rates in the state; and

WHEREAS, on February 10th, less than 2 weeks before the outages, DTE submitted a rate case with the Public Service Commission asking to increase rates on residential customers by a historic 14%; and

WHEREAS, on Thursday, February 23, the day that 700,000 residents had lost power, DTE announced on its earnings call a 2022 annual profit of \$1.1 billion, an increase over the \$907 million profit margin in 2021; and

WHEREAS, CMS Energy (Consumers) reported annual earnings of \$827 million over that same period; and

WHEREAS, the CEOs of DTE and Consumers are given a combined annual total compensation package of \$15 million paid for by ratepayer money; and

WHEREAS, DTE and Consumers spend millions of rate payer dollars on advertising to captive rate payers and millions more in ratepayer money influencing elections and policy through hiring most of Lansing's largest lobby firms, donating to advocacy non-profits affiliated with elected officials and standing up their own advocacy non-profits that play heavily in elections; and

WHEREAS, the billions of dollars of rate payer money that go to corporate profit, CEO salaries, advertising, lobbying and influencing elections are ultimately diverted from grid hardening and infrastructure upgrades like burying power lines to reduce the occurrence of outages; and

WHEREAS, due to the loss of electricity, many households were forced to find alternative accommodations with friends, families, hotels, and emergency warming centers until power was restored and they could safely return to their homes; and

WHEREAS, there were some reports of overbooking at hotels as residents sought alternative shelter, and also of charging increased rates during the power outage; and

WHEREAS, Resilient Washtenaw, the County's Climate Action Plan, notes that the County can expect to see more severe winter weather events such as ice and freezing rain (p. 17), that the County's vulnerable populations are especially susceptible to extreme weather-related emergencies (p 22), and that infrastructure investment should prioritize projects which prepare the County for more extreme weather events (p 123);

NOW THEREFORE BE IT RESOLVED that the Washtenaw County Board of Commissioners directs that the County Administrator develop a series of options for consideration by the Board of Commissioners in response to the displacement of residents, the sustained and significant electrical grid outages, and widespread damage due to the ice storm of February 22, 2023.

BE IT FURTHER RESOLVED that these options should consider at least intervention in cases before the Michigan Public Service Commission, advocacy for legislation and regulation with the State of Michigan, investigation into alternative electricity providers other than Consumers Energy and DTE Energy for Washtenaw County customers, and other options as appropriate.

BE IT FURTHER RESOLVED that the Board of Commissioners requests that the Washtenaw County Prosecuting Attorney consider that the office's Economic Justice Unit investigate the reports of overbooking and overcharging in County hotels during the aftermath of the ice storm, pursuant to the Prosecutor's authority to enforce the Michigan Consumer Protection Act or any other applicable legal basis.