

State regulatory agency defends role of utility giant in Detroit fires

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The Michigan Public Services Commission (MPSC) has released the results of its investigation into the September 7 fires that ravaged Detroit. In the report, entitled, “Windstorm Outage Investigation Staff Report,” DTE and its electrical division Detroit Edison are cleared of any responsibility for the fires, which destroyed 85 structures. The fires could easily have resulted in deaths had it not been for the efforts of local residents.

The MPSC has spent the last 12 weeks not conducting a serious investigation, but fabricating its best defense of the energy company.

The MPSC, the state agency responsible for regulating utility companies, announced its decision to conduct an investigation on September 14, a week after the devastating fires and three days after a well-publicized press conference held by the Committee Against Utility Shutoffs (CAUS).

CAUS representatives openly rejected claims by Detroit Mayor Dave Bing that the fires were the result of a “natural disaster.” They insisted that DTE, as well as the city, were culpable, with the utility giant having failed to properly maintain power lines in the interest of cost cutting and Detroit’s administrators having gutted funds for the fire department for years. (See video of the press conference.)

The MPSC report adopts the position of Mayor Bing, insisting the fires were the result of unforeseeable events, caused by wind speeds of over 50 miles per hour, which resulted in nearly 450,000 service outages and 637 downed wires. The state agency claims that because September 7 was a “Red Flag” day and particularly dry according to the national weather service, DTE cannot be held responsible for fallen power lines or their consequences.

Despite the fact that high winds are not an uncommon

occurrence in Detroit, which is affected by variable weather due to its location near the Great Lakes, the MPSC insists that “the evidence presented does not indicate that neglect on the part of Detroit Edison contributed to events that occurred.”

In short, the MPSC is telling Detroit’s residents that whenever severe weather occurs, they can expect that the city might burn down because DTE will not be required to secure its power lines to withstand high winds.

In addition, although the MPSC notes that the Detroit Fire Department (DFD) stated that “arcing and downed wires [...] were a factor in causing multiple fires to occur across the city” on September 7, the agency tries to protect DTE from the charge that it failed to properly maintain its infrastructure.

The report contains a section on “festooning,” or sparking caused by exposed wires. In direct contradiction to the determination made by the DFD, the MPSC insists that this phenomenon, while disconcerting to the observer, is not “unsafe.” The document blithely notes, “Detroit Edison has no policy to replace wires because they have a deteriorated covering.”

The MPSC further argues that because a portion of the power lines that came down on September 7 was not managed by Detroit Edison, but rather by the Detroit Public Lighting Department (DPLD), the utility company cannot be held responsible for what happened as a result. Insisting that it is “impossible to determine” whose power lines sparked the blazes and that their agency was only investigating the role of Detroit Edison, the MPSC goes on to absolve the utility company entirely. This is preposterous. If both DTE and DPLD power lines came down on September 7 and sparked blazes, then this would be grounds for legal

action against the energy company and the city, not an acquittal of both.

The state agency tries to shift blame for the disaster onto Detroit's impoverished residents by arguing that "illegal hookups" are the probable cause of many of the fires. It notes that these hookups often use wires that are underrated for the power loads, causing safety issues. The MPSC ignores the fact that illegal hookups exist because DTE, with the full support of the state agency, routinely cuts people off of heat and electricity.

The document explicitly states: "While the issues regarding shutoffs and affordability of electricity are important and reflective of the current economic situation in Detroit, they are beyond the ordered scope of the MPSC's into the response of Detroit Edison to the storm on September 7th." The criminal policy of systematic utility shutoffs by DTE is accepted as standard operating procedure.

The MPSC report relies on DTE's own statistics on its response times to emergency calls to insist that the company's efforts to react to news of downed power lines on September 7 were better than average. These figures are contradicted by the complaints of area residents, who told the *World Socialist Web Site* at the time of the disaster that they had been calling DTE for days about sparking power lines. (See "Video: Detroit fire victims charge DTE Energy with negligence"). Adding insult to injury, the MPSC document recommends that people call DTE if there are problems in the future.

The MPSC could not have made the slightest effort to verify DTE's claims about its response times by speaking with residents or individual firefighters. While stating that it made a "tour" of the Robinwood Street neighborhood, which was one of the worst affected by the fires, the MPSC does not include in the report any interviews with people living on the blocks that were destroyed. The document declares that the MPSC was unable to "find complaints about Detroit Edison not responding to trouble calls."

The agency takes this position despite the fact that two public hearings were held in the aftermath of the fires at which residents maintained that DTE did not respond to emergency calls in a timely fashion. At these events, attendees made clear that they felt that the claim that the fires was a "natural disaster" was a cover-

up (See "Detroit residents blame DTE Energy for September 7 fires at regulatory hearing" and "Residents denounce DTE and Detroit officials for September 7 fires").

One of the questions raised by area residents at these hearings was why the city moved so quickly to demolish burned-out structures in the aftermath of the fires. The effect of this was to destroy evidence that could have proven that downed DTE power lines set the buildings ablaze. The MPSC report dodges this question by reiterating a statement made by the Detroit Fire Department that "its arson investigator had no reason to believe that the fires were other than accidental."

The MPSC report, having cleared DTE and the city of responsibility for the September 7 fires, makes no mention of compensation for the victims. The devastation wrought on families who lost their homes and life belongings is of no concern to the state agency, which functions as a public relations arm of the utility company, not a regulatory body acting on behalf of residents.

The investigation conducted by the MPSC into the September 7 fires underscores the point that has been made by the Committee Against Utility Shutoffs—working people cannot rely on either the government or its regulatory agencies to defend their interests. Leading officials have longstanding political and business ties to DTE; the state's Democratic and Republican parties are recipients of large amounts of campaign finance money from the company; Detroit Mayor Dave Bing sat on DTE's board of directors for 20 years. The state government, which appoints the regulators that run the MPSC, installs people into these positions who openly work on behalf of the utility industry, approving rate hikes, allowing shutoffs, and defending DTE's neglect of the energy infrastructure.



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