

Lessons in Elder Abuse

To the Editor:

Now that the elder abuse trial of New York society grand dame Brooke Astor's son is over, I am left contemplating the lessons so clearly demonstrated from her sad and sordid story:

- Being rich won't protect you from elder abuse.
- Being famous won't protect you from elder abuse.
- Having famous friends won't protect you from elder abuse.
- If someone like Brooke Astor could be a victim of elder abuse, what chance do the rest of us have?

In America, the country that loves youth and beauty and strength, we don't have any comprehensive federal legislation focused on elder abuse. Abused women, children, and animals have celebrity spokespeople, meaningful funding, and national 1-800 lines. Abused elders do not. Of the total pie of federal dollars dedicated to all forms of family violence in the U.S., only a tiny sliver (2 percent) is for abused elders.

I hope by the time I'm in my golden years, someone in leadership has been stirred to action on this issue—to pass the Elder Justice Act (now part of the health reform legislation), for example, which has languished in Congress for seven years. As one of the 77 million baby boomers barreling toward old age, I, for one, would like to know I won't end up isolated and sleeping on a soiled couch like Mrs. Astor.

Patricia E. Kefalas Dudek
Farmington Hills

Misplaced Energy?

To the Editor:

I admire the work of James Clift and Chris Bzdok and believe they helped significantly in the effort to reshape Michigan's energy future, particularly in increasing the reliance on renewable energy and energy efficiency. However, your readers may be perplexed when reading their article entitled "Michigan's Clean Energy Legislation: Charging Toward a New Energy Future" (October 2009 *Michigan Bar Journal*) since it

was published during the same week the Speaker of the Michigan House proclaimed that he felt "betrayed" because the legislation referred to in the article was intended to lead to the construction of new base-load coal plants and "bureaucrats" were standing in the way of that construction.

What Mr. Clift and Mr. Bzdok have ignored in reaching their conclusion that the legislation puts Michigan "on the road to a more prudent energy future" is that the legislation (PA 286 and 295 of 2008) does indeed contain numerous provisions that make it easier for utilities to construct new coal-fired plants, including the ability to dominate and manipulate the renewable energy market.

Although the authors acknowledge that the utilities may build up to 50 percent of the new renewable generation required by the new laws, they fail to mention that no other state has virtually guaranteed the utilities that great a percentage of the renewable energy market. Accordingly, renewable energy developers do not believe the new law gives them the same opportunities they have in other states with similar laws on the books. Moreover, the integrated resource process the authors claim will lay "the groundwork for new power-source planning that seeks the best supply- and demand-side options for ratepayers" only becomes operative after a utility has laid its own groundwork for a new plant, after it has begun the nine-month time clock for the Public Service Commission (PSC) to review a certificate for a new plant, and after it has begun collecting the financing interest cost of the new plant.

The sad facts are that a new base-load plant is not needed in this state, if at all, for

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more than a decade, and the legislation enacted in 2008 will not permit the PSC to review the best "supply- and demand-side options for ratepayers" so we can avoid unnecessary construction at this time. Additionally, the legislation will increase customer rates to levels significantly higher than the Midwest average. In my view, the path that Michigan is pursuing following enactment of the 2008 legislation is not necessarily a more prudent one.

Robert Nelson
Lansing

Response from the Author

I agree with Mr. Nelson in multiple ways—the law isn't perfect and we don't need new coal-fired plants in Michigan. However, I disagree with his assertion that the law makes it easier for utilities to build new coal-fired power plants. The integrated resource planning process included in the law for the first time requires a utility to demonstrate it is utilizing those resources that are "most prudent" from the perspective of ratepayers to meet demand.

Never before have utilities had to demonstrate that it is more cost effective to build a new plant than it is to make new investments in energy efficiency. Showing this will be difficult given the utilities' admission that new coal-fired capacity will cost more than 13 cents a kilowatt hour, at a time when energy efficiency programs are reducing demand at a cost of less than 3 cents a kilowatt hour.

The Michigan Environmental Council looks forward to working with others to improve the law in ways that pave the way for Michigan to maximize the economic benefits of clean energy. Today, more than 8,000 building trade workers are building new factories in Michigan directly connected with clean energy—solar energy, wind energy components, and advanced batteries. The number one focus of legislation moving forward needs to build on these successful efforts and get Michigan's manufacturing base back to work.

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