

**AMPS-ELEMCO, Inc.**

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2012 OCT -1 PM 12:48

October 1, 2012

Honorable Jaclyn A. Brillling  
c/o Public Service Commission  
3 Empire State Plaza  
Albany, New York 12223-1350

Reference: Case 11-M-0710 Electrical Submetering

Dear Ms. Brillling:

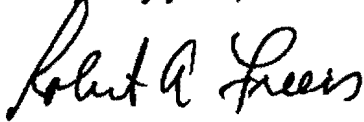
In response to the request for comments with regard to the above referenced case, we have a few general comments before providing the specific comments on sections of the proposed code concerning this matter.

First, the proposed new regulations will significantly reduce the industry's ability to use submetering as an energy conservation measure. Submetering has been shown to be an effective mechanism in reducing wasteful energy practices. Both regional and national conservation efforts have shown that electric submetering has reduced energy consumption levels by up to twenty-six per cent. Rather than stifling submetering, the PSC should be offering an expeditious regulatory process for submetering approval.

As we will point out in the attachment to this letter, in addition to providing conservation of electric energy consumption, master metering with submetering offers a proven approach to cost savings for direct metered residential consumers. Submetering allows residential customers who were direct metered to purchase electricity at bulk prices in a deregulated market and submeter to reduce their electrical energy charges by up to 20 percent. The requirement that such direct metered consumers participate in a demand response program or on-site co-generation is an unfair burden.

Our specific comments on the draft regulations are provided in the attachment to this letter.

Very truly yours,



Robert A. Friess, P.E.  
AMPS-ELEMCO



Zachary Stern  
AMPS-ELEMCO

**Submetering Regulations  
Draft Part 96**

1. **Section 96.2(a)(1) - The present wording of this section is unclear as to the applicability to any submetered building that complied with the then applicable regulations and was not required to obtain a Commission Order. Does such a submetered installation now required to comply with new requirements of Part 96?**
2. **Section 96.2(b) - All direct metered buildings that want to install submetering to take advantage of the bulk rate versus the residential rate should be allowed to submeter. The commission does not have the right to prevent consumers from obtaining a reduction in the cost for electricity. Requiring that such a building participate in a demand response programs or employ on-site co-generation is a burden that should not be required.**
3. **Section 96.3(b)(2)(i) – Please see item 2 above.**
4. **Section 96.5(a) – In this section, the ability to use submeters without the ability to terminate electric service must be extended to include any new or existing system as long as the HEFPA protections are complied with prior to commencing any legal action.**
5. **Section 96.5(h) – The requirement that refrigerators in all rental dwelling units are no more that ten years old or meet the most recently adopted federal energy efficiency standards for such appliances is an unfair burden on landlords. This section should require landlords to allow tenants to install their own energy efficient appliances is they so desire to reduce their energy costs. If it is necessary to specify an age, that age should be 15 years (the average life for a refrigerator).**
6. **Section 96.5(m) – Please see item 2 above.**
7. **Section 96.6(b) – The requirement that a submeter have the ability to terminate electric services is an economic burden to the submetering industry. There is adequate protection of consumers in the HEFPA requirements to protect them against improper legal action for non payment of electric services. Additionally, if the Commission decides to require the ability to terminate electric service, they must consider imposing requirements on the reinstatement of electric services to spaces that were previously terminated. There can be significant safety issues when power is reestablished to vacant spaces.**
8. **Section 96.6(k) - If the commission is going to require that cross-wiring shall not exist at premises that are submetered, they should also request that the local utility**

also have the same responsibility to determine that cross-wiring does not exist at direct metered residences.

9. **Section 96.7(c) - The requirements of this section will cause a significant economic burden for the submeterer. If the metering historic data supports proper meter operation, the submeterer should be allowed to evaluate the viability of a request from a tenant or shareholder for a meter accuracy test and possibly deny the request if the data and past performance of this meter, and past performance of other similar meters indicate that there is no reason to suspect inaccurate meter performance in this case. This is especially important in the case of cooperatives or condominiums where the shareholder can be considered the submeterer as well as the consumer. If this requirement is maintained, it will significantly increase cost of service and maintenance for submetering. At present this monthly charge varies from \$2.00 to \$4.00 per meter per month depending on the number of meters installed at a building. These charges are only for the read and bill costs and do not reflect charges for meter checking if they become a requirement. Compare this to the monthly charge that an Investor Owned Utility such as Con Edison imposes of \$17.49 plus sales tax per month for an individual residential meter. There must be a mechanism to prevent excessive requests for meter accuracy tests from becoming a burden to the submeterer while existing data clearly indicates that the meter is working accurately. The requirement that submeters must meet the standards of NYCRR Parts 92 and 93 already includes a protocol for random testing of submeters. This must be taken into account when the request for a meter accuracy test is used as a tool to burden the submeterer**

NEW YORK STATE DEPARTMENT OF PUBLIC SERVICE

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METHOD OF SERVICE FORM

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Your Company/Organization:	AMPS-ELEMCO, INC
Mailing Address:	1324 MOTOR PARKWAY HUNTSVILLE, NY
Company/Organization you represent, if different from above:	
E-Mail Address:	RAF8825@AOL.COM
Case/Matter # (if known)	11-M-0710

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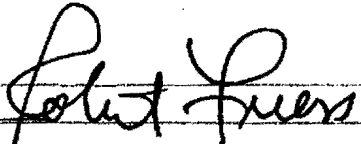
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