

December 15, 2016

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VIA ELECTRONIC MAIL

Hon. Kathleen H. Burgess
Secretary to the Commission
New York State Department of Public Service
State of New York
Three Empire State Plaza
Albany, NY 12223-1350

Re: Case 16-E-0125 – Notice of Intent of Promenade Global LLC to Submeter Electricity at 150 West 225th Street, Bronx, Located in the Territory of Consolidated Edison Company of New York, Inc.

Dear Secretary Burgess:

We represent Promenade Global LLC (“Promenade”) in the above-reference matter. On February 25, 2016, Promenade filed a Notice of Intent seeking approval to submeter electricity to the residential rental units located at 150 West 225th Street, Bronx, New York 10463 (the “Building”).¹ In Promenade’s Notice of Intent, Promenade asserted that 16 NYCRR § 96.5 (k) is not applicable to the Building because 20% or more of the residents of the Building do not receive “income-based housing assistance,” such as Section 8 Housing Vouchers.² Notwithstanding this position, and at the request of Department of Public Service (“DPS”) Staff, Promenade encloses for filing in the above-referenced matter a completed energy audit report for the Building.

From 2014-2016, Steven Winter Associates, Inc. (“SWA”) performed an energy audit of the Building. The results of this audit have been summarized into an American Society of Heating, Refrigerating and Air-Conditioning Engineers (“ASHRAE”) Level 1 Audit Report. SWA’s lead energy auditor on this project holds the following certifications: (1) Certified Energy Auditor, and (2) BPI Multifamily Building Analyst. Based on prior conversations with DPS Staff, SWA’s certifications, coupled with a completed ASHREA Level 1 Audit, satisfies the requirements of 16 NYCRR § 96.5 (k). As a result of this supplemental filing, Promenade respectfully requests that the Commission approve Promenade’s application to submeter electricity at the Building.

¹ Case 16-E-0125, *Notice of Intent of Promenade Global LLC to Submeter Electricity of 150 West 225th Street, Bronx, Located in the Territory of Consolidated Edison Company of New York, Inc.*, Notice of Intent (filed Feb. 25, 2016).

² *Id.* at 4.

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HARRIS BEACH PLLC
ATTORNEYS AT LAW

Please contact me if you have any questions concerning this filing. Thank you for your continued attention in this matter.

Respectfully submitted,

/s/ John T. McManus

John T. McManus

Enclosure

cc: Martin Insogna, DPS (*via electronic mail*)
Craig Carroll, DPS (*via electronic mail*)
Lindsey N. Overton Orietas, Esq., DPS (*via electronic mail*)
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