

Greater Allen Cathedral Senior Residence

c/o Shinda Management Corporation
217-02 Jamaica Avenue, Queens Village, New York 11428
Tel. (718) 740-0416 Fax (718) 217-6836
(800) 662-1220/TTY (800) 421-1220/VOICE

October 8, 2009

2009 OCT 29 AM 9:00
EX-101

Ms. Jaclyn Brilling
Acting Secretary of the Public Service Commission
Office of Consumer Education and Advocacy
State of New York
3 Empire State Plaza, 14th Floor
Albany, NY 12223-1350

**Re: Petition to Submeter Electricity at an Apartment Building
Located at 107-37 166th Street, Jamaica, NY 11433
09-E-0011**

Dear Ms. Brilling:


On September 10, 2009, Shinda Management held a meeting with tenants of Greater Allen Cathedral Senior Residences, located at 107-37 166th Street, Jamaica NY 11433, to explain to tenants their rights and protections under the Home Energy Fair Practices Act (HEFPA). All tenants were notified about the meeting in advance, and more than 90% of tenant's attended the meeting.

Management also made a copy of the HEFPA available to tenants for their review at the management-on-site office.

In addition tenants will receive an updated lease rider. Attached please find a new lease rider for the above referenced case under your consideration for sub-metering approval.

Thank you in advance for attention to this matter. Please do not hesitate to contact me directly with any comments or questions at 347-534-3220.

Sincerely,



Signature

Kenneth Cohen, Agent
Name (print)

Shinda Mgmt. Corp
Company Name

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ELECTRIC – LEASE RIDER

Tenant acknowledges that electricity is due and payable to the Landlord for a separate (submetered) charge that will be billed by the Landlord on a month basis together with the rent. The electricity is due without offset or abatement on the first day of each and every month for which a bill is rendered.

The charge for electricity shall be deemed additional rent but tenant will not be evicted for non payment of electricity alone.

In no event will the total rates (including a monthly administrative charge) exceed the utilities tariffed residential rate for direct metered service to such residents as specified in Part 96.2b3 Residential Submetering (Public Service Law, §§65, 66).

Should tenant have a complaint regarding submetering charges or service, tenant shall follow the procedures outlined below:

Tenant should submit the complaint to the property manager of the building, which may be in written form, including the action or relief requested. The property manager shall investigate and respond to the complaint in writing within fifteen (15) days of the receipt of the complaint. If the tenant is dissatisfied with the property manager's response, he or she may request a review of the outcome by filing a written protest within fifteen (15) days from the date of the response from the property manager.

Consumer rights and protections are also available to the tenants under Home Energy Fair Practices Act. The landlord will adhere to the Home Energy Fair Practices Act (HEFA).

Tenants may contact the Department of Public Service at any time; www.dps.state.ny.us, if they are dissatisfied regarding management's response to their complaint. The nearest office of the Public Service Commission is at 90 Church Street, New York, 10007; tenants may also call toll free number 1-800-342-3377.

Tenant may request balanced billing. Balanced billing divides the electric costs into equal monthly payments. Periodically the balanced billing amounts will be reviewed and adjusted as necessary. At the end of one year, tenant shall be responsible to pay for any electric costs in excess of the balanced billing amount paid.

If tenant has difficulty paying the electric bill, tenant may contact management by telephone or by letter in order to arrange for a deferred payment agreement, whereby tenant may be able to pay the balance owed over a period of time. If tenant can show financial need, management can work with tenant to determine the length of the agreement and the amount of each monthly payment.

Regardless of tenant's payment history, management will continue electric service if tenant's health or safety is threatened. When tenant becomes aware of such hardship, management can refer tenant to the Department of Social Services. Please notify management if the following conditions exist:

- a) **Medical Emergencies.** Tenant must provide a medical certificate from a doctor or local board of health: or
- b) **Life Support Equipment,** if tenant has life support equipment and a medical certificate.

Special protections may be available if tenant and/or those living with tenant are age eighteen (18) or younger or sixty-two (62) and older, blind or disabled.

If tenant is age sixty-two (62) or older, tenant may be eligible for quarterly billing.

Tenant can designate a third party as an additional contact to receive notices of past due balances.

As a residential customer for electricity, tenant has certain additional rights assured by New York's Home Energy Fair Practices Act ("HEFPA").

Tenant Signature

Date

Management

Date