

Mr. Jeffrey C. Cohen  
Acting Secretary to the Public Service Commission  
New York State Public Service Commission  
3 Empire State Plaza  
Albany, NY 12223-1350

Re: Revised -Petition to Submeter Electricity at Meadow Manor Apartments, 3412 113<sup>th</sup>  
Street, Flushing, New York 11368

Dear Acting Secretary Cohen:

Meadow Manor Inc. as Owner of the above referenced property hereby submits this petition for Public Service Commission approval, pursuant to Section 96.2 of the Commission's Rules and Regulations, to submeter an existing residential rental building, which has 132 units. All units are occupied; with 28 units receiving subsidies and 104 units are rent stabilized located within the service territory of Consolidated Edison Company, Inc (Con Edison), at 3412 113<sup>th</sup> Street, Flushing, New York 11368.

The Building does not utilize electric resistive heat. The building is heated by two low pressure federal boilers with an SBI net rated 6,014 MBH. The burners are duel fuel (natural gas #4 oil) and are currently burning natural gas. Tenants do not pay separately for heating. At this time the units in the building do not have any energy star appliances (going forward the owners will install energy star appliances when replacement are required). The management will provide each tenant with a brochure of ways to reduce energy consumption. (for your reference, the brochure is included in this petition)

As set forth below, Meadow Manor Inc. sub metering plan meets all requirements of the Commission's Rules for submetering of direct metered or master-metered residential building in accordance with Part 96.2 Residential Submetering (Public Service Law, §§65, 66) owned by private or governmental entities and Meadow Manor Inc., respectfully requests approval of its petition.

1. Economic advantages of submetering over direct utility metering

The submetering system to be installed will include remote reading capabilities utilizing Power Line Carrier. This communication will allow a more cost-effective submetering system due to the elimination of control wiring. Each of the meters will communicate daily over the existing power lines in the building using a data collection device referred to as a Scan Transponder. The data that is sent to the Scan Transponder will include the hourly usage of electricity for each apartment in the building.

The advantages to the Quadlogic submetering system are many, and include fair energy cost allocation based on actual resident consumption. The Quadlogic system also has the advantages of daily data availability for usage analyses and the convenience of a remotely read system, whereby entry to the premises is not required for meter reading.

2. Description of the submetering system to be installed, including a validation of its reliability and accuracy.

Quadlogic Control Corporation's Mini-Closet-5 meters measure usage in kilowatt-hours, VARs, VAs, Watts, Amps, and Power Factor. Other features of this meter include a non-volatile memory and an easy to read LCD 6-digit display. Additionally, the meter monitors and stores an apartment's hourly electric usage and retains this information for approximately 60 days. The submetering system meets ANSI C12.1 and C12.16 American National Standards Institute Code for Electricity Metering.

Remote reading capability is possible through the use of Quadlogic Controls Power Line Carrier system, which is installed in more than 30,000 apartment units nationwide. The system also features sophisticated self-diagnostics to ensure reliable operations. Please see attached Quadlogic Specifications for further details.

3. Method to be used to calculate rates to Resident's.

The average rate calculation is derived by taking the total dollar cost charged to the building by Consolidated Edison (Con Edison) (and ESCO if applicable) and dividing it by the total electric usage (kWh) of the building for a specific period. The cost per kWh is then multiplied by the tenant's actual consumption plus sales tax to derive total electric cost.

Basic Charge (Customer Charge): This is a charge for basic system infrastructure and customer-related services, including customer accounting, meter reading, and meter maintenance.

kWh Cost: This energy charge is broken down into four separate components – market supply, monthly adjustment, delivery (transmission and distribution).

Systems Benefit Charge (SBC)/Renewable Portfolio Standard (RPS)/Merchant Function Charge (MFC)/ Revenue Decoupling Mechanism Adjustment (RDMA)/ Surcharge to Collect PSL: These are additional charges per kWh.

Fuel Adjustment: The sum of Market Supply Charge (MSC) and Monthly Adjustment Charge (MAC) adjustment factors.

Utility Tax: The sum of Commodity Gross Receipt Tax and Full Service Gross Receipt Tax.

Sales Tax: The current NYS sales tax.

The following is an example of the formula that will be used to derive a tenant's electricity charges based on Average rate and a monthly usage of 250 kWh:

		<b>Total</b>
Total building's cost:	\$AA.AA	
Con Edison (and ESCO if applicable)		
Total building kWh	BBBB	
Rate	\$AA.AA / BBBB	\$CC.CC
kWh (Tenant)	250 times \$CC.CC	\$YY.YY
Sales Tax	YY.YY times .045000	\$ T.TT
	YY.YY plus T.TT	\$ZZ.ZZ
<b>Tenant Cost</b>		<b>\$ZZ.ZZ</b>

In no event will the total monthly rates (including a monthly administrative charge) exceed the utility's tariff residential rate for direct metered service to such residents (see 16 NYCRR § 96.2 [b] [3]).

All Con Edison rates by classification are available on its website ([www.coned.com](http://www.coned.com)) under Rates and Tariffs. The electric Rates and Tariffs are listed under the heading "PSC No. 9" – Electric: Full Service.

Quadlogic Controls Corp., as the Building's electric billing company, will read the meters monthly and process a bill based on the actual consumption of each tenant. The meter reading data and billing calculations will be documented and maintained for a 6-year period for each unit.

#### 4. Complaint procedures and tenant protections

When a tenant has a question about electric bill or believes the electric bill is inaccurate the following protocol will be followed:

Tenant should submit the complaint to the property manager of the Building, including the action or relief requested and/or the reason for a complaint about a submetering charge. The property manager shall investigate and respond to the complaint in writing within fifteen days of the receipt of the complaint. If the tenant and the property manager cannot reach an equitable agreement and tenant continues to believe the complaint has not been adequately addressed, then the tenant may file a complaint with the Public Service Commission through the Department of Public Service. Alternatively, tenants may contact the Department of Public Service at any time concerning submetered service in writing at New York State Department of Public Service, 3 Empire State Plaza,

Albany, New York 12223, by telephone at 1-800-342-3377, in person at the nearest office at 90 Church Street, New York, NY 10007, or via the internet at [www.dps.ny.gov](http://www.dps.ny.gov).

Electric bills from Quadlogic to tenants will contain, among other things, opening and closing meter reads and dates, usage during a current period, a breakdown of dollar amounts billed, the total charge for the period, and at the total amount due (see attached sample Quadlogic electric bill).

In the event of non-payment of electric charges, the Owner shall afford the tenant all notices and protections available to such tenant pursuant to the Home Energy Fair Practices Act (HEFPA) before any action(s) based on such non-payment, including termination of service, is commenced (see attached HEFPA documents for the Building). Electric will not be treated as additional rent by the Owner.

5. Procedure for notifying all tenants and Con Edison of the proposal to submeter

A section in the lease will notify each tenant that their apartment unit is submetered for electricity. The lease provision will in plain language clearly enumerate the grievance procedures for the tenants and will specify the rate calculation, rate caps, complaint procedures, and tenant protections and enforcement mechanisms and such provisions will be in compliance with the Home Energy Fair Practices Act.(see attached lease rider)

At or about the time this petition is filed, Con Edison will be notified of this petition to submeter via letter (see attached letter to Con Edison)

6. Enforcement mechanism is available to Tenants

The complaint procedure detailed in section 4 above constitutes the tenant's enforcement mechanism, which compliant with HEFPA.

7. Installation of submetering system.

The submetering system has been installed.

8. Certification that the offering plan language shall be sufficient to describe all relevant information to the owners.

Meadow Manor Inc., by the undersigned, hereby certifies that the method of rate calculation, complaint procedures, tenant protections, and the enforcement mechanism will be incorporated in plain language in all lease agreements governing the submetered premises.

9. Provide all applicable rent reduction formula/schedule to be used to recalculate rent mounts based on conversion to submetering

The following is the schedule of Rent Reductions from HCR(New York City).

<b>Number of Rooms</b>	<b>Direct Metering</b>	<b>Submetering</b>
<b>1 -12 units</b>	<b>\$55.00</b>	<b>\$42.58</b>
<b>2 - 36 units</b>	<b>\$60.00</b>	<b>\$46.99</b>
<b>3 - 72 units</b>	<b>\$70.00</b>	<b>\$56.25</b>
<b>4 – 12 units</b>	<b>\$74.00</b>	<b>\$59.78</b>
<b>5</b>	<b>\$80.00</b>	<b>\$65.29</b>
<b>6 or more add</b>	<b>\$6.25 per room</b>	<b>\$5.68 per room</b>

Thank you in advance for your attention to this matter. Please do not hesitate to contact me directly with any comments or questions.

---

**Brian Glicksman**

Name (printed)

---

**Meadow Manor Holdings LLC**

Company Name

Tel: 718-302-0008