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April 25, 2015

Hon. Kathleen H. Burgess
Secretary to the Commission
New York State Public Service Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

Honorable Ms. Burgess:

Re: PSC case number: 15-E-0077 - Notice of Intent to Submeter Electricity at the Island House Apartments at 551, 555, 575 Main Street, New York, New York 10044, Located in the Territory of Consolidated Edison Company of New York, Inc.

The Residents of Island House Association is filing a motion to request the dismissal of the above-referenced Notice of Intent to Submeter Electricity filed on February 3, 2015 by David Hirschhorn and Island House Preservation Partners (submeterer). Our request for dismissal is based on the following:

The submeterer's application incorrectly side-steps PSC regulations (§ 96.3 Filings Seeking Authorization to Convert Existing Master-metered Residential Rental Premises to Submetering and Submetering in New Premises) in that an "Intent to Submeter" filing may only be used when the electric heat IS NOT the responsibility of the residents, or when the heat is not electrically-based. However, at Island House, the heat is electrically-based and it will be the resident's responsibility to pay for heat, which is why the submeterer should have filed a "Petition to Submeter."

- The submeterer's application fails to disclose the fact that extensive upgrades that are needed in order to make the building energy efficient. Although several engineering reports found serious problems with respect to energy efficiency at IH, and indicated an energy audit is necessary, and required by the PSC's own regulations, a comprehensive energy audit has yet to be performed. Among the energy-efficiency upgrades recommended by engineers is the replacement of the building's 40 year old windows, which play a significant role in the building's excessive energy consumption. However, as of April 22, 2015, as reported at an Island House Tenants Association (IHTA) Engineering Committee

meeting called by IHTA Secretary Frank Farance, the window replacement project remains tentative, with no scheduled time-line set for the project.

- The submeterer's application fails to disclose that the building is heated by old electric baseboard heating units that have thermal regulators knobs only (no thermostats). Furthermore, the landlord fails to mention the inefficiency of the present heating system, given that the heaters inadequately heat the apartments, and the tenant are unable to control their energy consumption because the heating units lack programmable thermostats, as is required by the PSC for electric heating. In addition, the submeterer's application fails to specify what equipment is to be used in submetering.
- With respect to §96.3, although Island House is in the process of converting to a co-op, it is still a rental building, with approximately 30% of tenants choosing to remain as renters, with 60% buying their cooperative apartments.
- The submeterer's application fails to indicate whether submetered electric service including electric heat will be affordable for the moderate-income residents of Island House. Unfortunately, because of the severe energy inefficiencies of the building, including the fact that heat is provided by 40 year-old electric baseboard heating units that lack thermostats while the insulation in the building has crumbled to dust, no apartment or exterior sealing work has been proposed and many of the appliances in the building are not energy-star rated and are more than 10 years old, the resulting high cost of electric heat will in effect render the apartments unaffordable for the vast majority of the tenants who, according to Mitchel Lama guidelines, are moderate-income. Sub metering of electricity including electric heat, under the circumstances, will severely harm the lives of the 1,000 tenants of Island House, and will result in the displacement of many.

For the above reasons, we respectfully request that this Intent to Submeter Electricity be dismissed.

Sincerely,

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Residents of Island House Association