

SOUNDVIEW MANAGEMENT ASSOCIATES, LLC

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

Re: Petition to sub-meter electricity at a building complex located at 50 and 80 Guion Place, New Rochelle,
New York, 10801

Dear Acting Secretary Cohen,

Soundview Management Associates, LLC is the owner of the above-mentioned existing rental complex and hereby submits the petition pursuant to 16 NYCRR § 96.2 (c) to provide future sub-metering services for the building mentioned above which is located within the service territory of Consolidated Edison Company, Inc., 50 and 80 Guion Place, New Rochelle, New York 10801.

The building located at 50 Guion Place was built in 1964 and 80 Guion Place was built in 1969. The Buildings consist of 210 units. 50 Guion Place has 100 Units and 80 Guion Place has 110 Units. Currently 186 units are occupied. All are fair market units. There are no rent subsidized or low income tenants at either building.

Each building is supported by an independent boiler system which produces heat and hot water for the tenants use. The fuel used to produce heat and hot water is oil. The Landlord provides all heat and hot water and pays for all fuel. Electric heating is not used in the buildings.

In addition, the Owner's sub-metering plan satisfies the requirements of 16 NYCRR § 96.2 (c). Note when approval is granted and submetering takes effect tenants will receive a reduction in rent. Accordingly, the Owner respectfully requests the Commission approve this petition.

Economic advantages of sub-metering over direct utility metering:

The sub-metering system to be installed in the Building will include remote reading capabilities utilizing Power Line Carrier. This communication will allow a more cost-effective sub-metering 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 will include the hourly usage of electricity for each apartment.

The QuadLogic sub-metering system has an advantage in that; it includes fair energy cost allocation based on actual resident consumption. The QuadLogic system also includes daily data availability for usage and the convenience of a remote reading system, which makes entry to the private residences and inconveniencing the tenants not required for meter reading.

Description of the sub-metering system to be installed:

Quadlogic Control Corporation's [Mini-Closet-5](#) meters measure usage in kilowatt-hours, VARs, VAs, Watts, Amps, and Power Factor.(only the KWh will be used) 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 60,000 apartment units in the New York Metropolitan area. The system also features

sophisticated self-diagnostics to ensure reliable operations. It can also be upgraded to provide advanced data. Please see attached Quadlogic Specifications for further details.

Method to be used to calculate rates to tenants:

The rate calculation to be used is the Consolidated Edison Service Classification SC-1 for direct metered service. Specifically, a tenant's kilowatt hour (kWh) usage will be multiplied by the Consolidated Edison Service Classification SC-1 rate for a billing period, then sales tax (currently 6 % for Westchester County) will be added to arrive at the total tenant cost.

The Consolidated Edison Service Classification SC-1 rate is a combination of various items, including:

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 the current Consolidated Edison Service Classification SC-1 rate and a monthly use of 250 kWh (different rates are used for the kWh exceeding 250 kWh per month):

		Total
Basic Charge		\$YY.YY
kWh	.XXXXX times 250	\$YY.YY
Systems Benefit Charge (Includes RPS, MFC, RDMA and PSL)	.XXXXX times 250	\$ Y.YY
Fuel Adjustment Charge	.XXXXX times 250	\$ Y.YY
	Subtotal	\$YY.YY
Utility Tax	.XXXXX times YY.YY	\$ Y.YY
	Subtotal	\$YY.YY
Sales Tax	YY.YY times .0600	\$ T.TT
	YY.YY plus T.TT	\$ZZ.ZZ
Tenant Cost		\$ZZ.ZZ

In no event will the total monthly rates exceed the utility's rate for direct metered service to residents (per 16 NYCRR § 96.2 (b)).

All Con-Edison rates are detailed on the Con-Edison website (www.coned.com) under electric Rates and Tariffs. The electric rates are listed under the heading "PSC No. 10" – Electric.

Quad Logic 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 six (6) years, per the requirements set forth in 16 NYCRR §96.

Complaint procedures and tenant protection:

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 15 days of the receipt of the complaint. **The Property Manager Anthony D'Apicea can be contacted at 914-576-0055.** 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, New York 10007, or via the Internet at www.dps.ny.gov

Electric bills from Quadlogic to tenants will contain, among other things; the name, address, dates of the present and previous readings, whether estimated or actual, the meter multiplier, amount consumed between present and current readings, the customer's service classification, administrative charge and the amount owed for the latest period (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's 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.

Procedure for notifying tenant and Con-Edison of the proposal to sub-meter; lease riders; test billing:

A section in the lease rider will notify each tenant that their unit is submetered for electricity. (note when approved) (the submetering lease rider will be added as an addendum to the building's lease rider) The provision will in plain language clearly enumerate the grievance procedures for the tenant 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.

Con Edison will be notified at the time this petition is filed with the Public Service Commission under separate cover (see attached letter to Con Edison)

Enforcement mechanism is available to tenants:

The complaint procedure constitutes the tenant's standard enforcement program, which are in compliance with the Home Energy Fair Practices Act. The HEFPA annual notice will be displayed in the lobby of both buildings.

Certification that the lease rider shall be sufficient to describe all relevant information to the tenant:

The owner will certify that the method of rate calculation, rate cap, complaint procedures, tenant protections, and enforcement mechanism will be incorporated in all lease agreements for sub-metering (see attached submetering lease rider). Please note as per lease once tenant is charged based on submetering, tenant will be given reduction in rent based on the rates as per lease.

Statement on sub-metering system capability to individually terminate electricity from each unit:

The sub-metering system is not designed to disconnect any single tenant's unit from the utility system.

Description of other weatherization or energy efficiency measures that will be or have been installed:

Double pane insulated glass windows and balcony doors were installed at 50 Guion in 2003 and at 80 Guion in 2004.

The energy star rated appliance is as follows:

The refrigerators are all energy star rated and installed within the last five years.

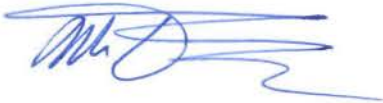
Installation of the sub-metering system:

The submetering system has not been installed.

Thank you for your attention to this matter.

Sincerely,

Soundview Management Associates, LLC

A handwritten signature in blue ink, appearing to be 'M. D.', with a long horizontal flourish extending to the right.