



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

Re: Case # 16-E-0506 – Notice of Intent of 45 East 22nd Street Property LLC to submeter
Electricity at 45 East 22nd Street, New York, NY 10010, Located in the Territory of
Consolidated Edison Company of New York, Inc.

Dear Secretary Burgess,

On behalf of 45 East 22nd Street Property LLC please find attached the distributed notice
and consumer protections afforded to the residents by HEFPA.

Thank you for your continuing attention to this matter.

A handwritten signature in cursive script that reads 'Alison Christopher'.

Alison Christopher

cc: Craig Carroll (via electronic mail)

Anthony Mannarino (via electronic mail)



QUADLOGIC CONTROLS CORPORATION
33-00 Northern Blvd. Long Island City, NY 11101 T 212.930.9300 F 212.930.9394
www.quadlogic.com



MADISON SQUARE PARK TOWER

October 12, 2017

Unit Owners
Madison Square Park Tower
45 East 22nd Street
New York, NY 10010

Dear Unit Owner,

This notice provides general information about electric submetering and how the submetering system affects you at Madison Square Park Tower, 45 East 22nd Street Condominium, 45 East 22nd Street, New York, NY 10010.

What are some of the benefits of submetering?

Saves energy. Submetering promotes conservation because residents pay only for the electricity that they use.

Saves money. Lower energy consumption will mean lower energy bills for the residents and for the Unit Owners. In addition, a monthly statement showing electric usage serves as a reminder that residents have control over their energy usage.

Enhances safety. The submetering system is remotely read. No meter readers are required to be on the property to read the meters.

How does submetering work?

A submeter is installed for each unit and measures each unit's electric consumption. The consumption information is sent to a billing services provider's computer system over the building's electric system, where it is processed and converted to individual charges. With a submetering system, each unit only pays for the electricity that it consumes.

Who will provide electricity for the building?

Consolidated Edison will provide electricity to 45 East 22nd Street, New York, NY 10010. This electricity is subject to the building's master meter, and the building's owner or management's company will pay Con Edison directly for all electricity used in the building.

Who will provide my electric bills?

An independent electric billing services company will generate your electric bills. We will give you the name of the billing services company when one is selected.

What rate will I be charged for my electricity?

Under New York State Public Service Law 16 NYCRR Part 96 Residential Submetering and the Home Energy Fair Practices Act (HEFPA), you can not be charged more than your utility's tariffed residential rate for direct metered service.

Will submetering affect my rent payments?

Once the submetering system is approved, an electric bill will be attached to your monthly rent bill or maintenance bill, or you receive a separate electric bill for your apartment.

What if I have questions regarding the electric bills I receive?

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

Unit Owners 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 Management can be contacted via email at mshifrin@halstead.com or via telephone number 212.508.7272 or at the management office at 770 Lexington Avenue, 7th Fl. New York, NY 10065.** If the unit owner and the property manager cannot reach an equitable agreement and the unit owner continues to believe the complaint has not been adequately addressed, then the unit owner may file a complaint with the Public Service Commission through the Department of Public Service. Alternatively, unit owner 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

What can I do to save on my electric costs?

The Con Edison website (www.coned.com) offers energy saving tips and other helpful information. Some of the tips are simple and relatively inexpensive to implement:

- Replace incandescent bulbs with new compact fluorescent ones
- Turn your air conditioner off when no one is home
- Choose EnergyStar appliances for maximum efficiency
- Replace ordinary light switches with dimmers

Where can I get more information?

For general questions regarding the submetering plan or electric billing, you should contact The Property Management via email at mshifrin@halstead.com or via telephone number 212.508.7272 or at the management office at 770 Lexington Avenue, 7th Fl. New York, NY 10065. For more information about energy savings visit www.coned.com or www.getenergysmart.org. For more information about submetering laws and regulations visit www.dps.ny.gov

Thank You,

Madison Square Park Tower

NOTIFICATION OF RIGHTS AND PROCEDURES

As a residential customer for electricity, you have certain rights assured by New York's Home Energy Fair Practices Act ("HEFPA"). This notification is an overview of those rights and certain policies and procedures regarding the service and billing of your electricity. A copy of this notification of rights and procedures will be available in the management office for your convenience. For a full explanation of HEFPA, you can go to the Department of Public Service's website at www.dps.ny.gov, or you may review a copy of the regulations in the property manager's office.

The building at **45 East 22nd Street, New York, NY 10010** will be a submetered facility. **45 East 22nd Street Condominium** is the owner of this building. The administration of submetering will be performed by an outside vendor, Quadlogic Controls Corporation ("Quadlogic"), located at 33-00 Northern Blvd., Long Island City, NY 11101. Quadlogic is a third-party agent under contract with **45 East 22nd Street, New York, NY 10010** to invoice/bill tenants for their monthly utility usage. Tenants will receive monthly bills from Quadlogic for their respective electric usage, (meters are read daily) which amounts are payable to **Halstead Management Company LLC, 770 Lexington Avenue, 7th floor, New York, NY 10065** could also be contacted at **212.508.7272**.

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: **Molly Shifrin can be contacted via email at MShifrin@halstead.com or by telephone number 212.508.7272 or at Halstead Management Company LLC, 770 Lexington Avenue, 7th Floor, New York, NY 10065**. The property manager shall investigate and respond to the complaint in writing within 15 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, New York 10007, or via the Internet at www.dps.ny.gov

The electric bills that you receive show the amount of kilowatt hours ("kWh") that you used. The bills you receive shall provide, in clear and understandable form and language, the charges for service. In no event will the total monthly charges (including any administrative charges) exceed the utility's (Consolidated Edison Company of New York, Inc.) direct metered residential rate.

You have the right to request messages on bills and notices in Spanish. To make such a request, contact a representative by telephone at **(212.508.7272)** or by mail at c/o **Halstead Management Company LLC, 770 Lexington Avenue, 7th floor, New York, NY 10065**. Usted tiene el derecho de solicitar informacion en facturas e informativos en Espanol. Para solicitar informacion en Espanol, por favor contacte a un representante marcando el telefono **212.508.7272** o por correo escrito a la siguiente direccion: c/o **Halstead Management Company LLC, 770 Lexington Avenue, 7th floor, New York, NY 10065**.

You may request balanced billing for the payment of electric charges. This plan shall be designed to reduce fluctuations in customers' bills due to seasonal patterns of consumption. Balanced billing divides your electric costs into twelve (12) equal monthly payments. Periodically, **45 East 22nd Street, New York, NY 10010** will review and adjust the balanced billing amount as necessary. At the end of one (1) year, you shall be responsible to pay for any electric costs in excess of your balanced billing amount paid. You may contact **45 East 22nd Street, New York, NY 10010** to discuss the details of this plan, if you are interested.

Your meter is read because it measures and records the actual amount of electric you use; this enables an accurate bill to be sent to you. Making sure your electric bills are accurate and correct is important to **45 East 22nd Street, New York, NY 10010** and to you. That is why every effort is made to read your meter regularly.

You may qualify for a rate reduction the equivalent of that which is provided by Con Edison to customers who are enrolled in its low-income program pursuant to its tariff (see P.S.C. No. 9 – Electricity, Thirtieth Revised Leaf No. 202). If you receive benefits under Supplemental Security Income, Temporary Assistance to Needy Persons/Families, Safety Net Assistance, or Food Stamps, or have received a Home Energy Assistance Program grant in the preceding twelve (12) months, please alert **45 East 22nd Street, New York, NY, 10010** representative by phone or in writing and he/she will work with you.

If you are having difficulty paying your electric bill, please contact us by telephone or by letter in order to arrange for a deferred payment agreement, whereby you may be able to pay the balance owed over a period of time. A deferred payment agreement is a written agreement for the payment of outstanding charges over a specific period of time, signed by both the submeterer and customer. If you can show financial need, **45 East 22nd Street, New York, NY 10010** can work with you to determine the length of the agreement and the amount of each monthly payment. You may not have to make a down payment, and installment payments may be as little as \$10.00 per month. **45 East 22nd Street, New York, NY 10010** will make reasonable efforts to help you find a way to pay your bill.

Regardless of your payment history relating to your electric bills, your electric service will be continued if your health or safety is threatened. When **45 East 22nd Street, New York, NY 10010** becomes aware of such hardship, **45 East 22nd Street, New York, NY 10010** can refer you to the Department of Social Services. Please notify **45 East 22nd Street, New York, NY 10010** if the following conditions exist:

(a) **Medical Emergencies.** You must provide a medical certificate from your doctor or local board of health; or

(b) **Life Support Equipment.** If you have life support equipment and a medical certificate.

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

To ensure that you receive all of the protections that you are eligible for, please contact a **45 East 22nd Street, New York, NY 10010** representative and identify yourself.

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

Every submeterer shall permit a residential customer to designate a third party to receive all notifications relating to disconnection of service or other credit actions sent to such residential customer, provided that the designated third party agrees in writing to receive such notices. The submeterer shall inform the third party that the authorization to receive such notices does not constitute acceptance of any liability on the third party for service provided to the customer. The submeterer shall promptly notify the residential customer of the refusal or cancellation of such authorization by the third party. If you are interested in Voluntary Third-Party Notice, notify **45 East 22nd Street, New York, NY 10010** with the party's contact information and written agreement of the third party to receive copies of all notifications relating to disconnection of service or other credit actions sent to you.

Please review the attached "Special Protections Registration Form" relating to some of the rights discussed above. Although you are not required to do so, it is requested that you please fill it out if you qualify for any special protection described on the form. You may return the completed form to **45 East 22nd Street, New York, NY 10010** at the address above.

BUDGET BILLING PLAN

Resident(s) Name(s): _____

Address: _____

Account No.: _____

As set forth below, **Halstead Management Company LLC, 770 Lexington Avenue, 7th fl., New York, NY 10065 (45 East 22nd Street, New York, NY 10010)** agrees to provide services in return for your agreement to make payments according to the terms of this Budget Billing Plan (the "Plan").

The Plan requires that you pay **\$XX.XX (TBD)** per month for the 12-month period starting with the billing cycle commencing on **01.01.2018** and ending on **12.31.2018**.

This monthly payment is based on an estimate of your annual billing, which has been calculated by multiplying the average monthly consumption by the current estimate of commodity prices over the above-referenced 12-month period. Your average monthly consumption is _____ kWh, based on your or the premises' last 12 months of actual consumption.

The Plan shall be subject to regular review for conformity with actual billing. **45 East 22nd Street, New York, NY 10010** reserves the right to recalculate the monthly payment to reflect either (a) an increase in consumption beyond the average monthly consumption, and/or (b) an increase in commodity prices.

Each month, you will be billed the equal monthly payment and you will be required to pay that amount. Your bill will inform you what your consumption for the period was, as well as the actual charge you would have incurred if you were not on the Plan. If you fail to pay the bill when due, you may be subject to a final termination notice pursuant to the Home Energy Fair Practices Act or other collection remedies.

In the last month of the Plan, **45 East 22nd Street, New York, NY 10010** Street shall true up your account based on a comparison of the billing under the Plan and the amount you would have been charged for the 12-month period if you were not on the Plan. If you owe **45 East 22nd Street, New York, NY 10010** Street a sum of money due to the true up, you will be billed for the amount due. If you have been over billed, you will be issued a credit to be applied to the next plan year.

[] Yes! I would like budget billing and agree to the terms of the Plan.

Acceptance of Agreement:

Resident(s) Signature(s): _____

Date: _____

Halstead Management: _____

Date: _____

Return one signed copy to Halstead Management Co., LLC, 770 Lexington Avenue, New York, NY 10065 by 12/01/2017.

**SPECIAL PROTECTIONS
REGISTRATION FORM**

Please complete this form if any of the following applies. Return this form to:

**Halstead Management Company LLC
770 Lexington Avenue, 7th Fl., New York, NY 10065
Tel: 212.508.7272**

ACCOUNT INFORMATION

(Be sure to complete before mailing)

Name

Address

Apartment

Town/City

Zip

Telephone # Daytime

Evening

Account Number (as shown on bill)

I would like to be considered for Special Protections.

In my household (Check):

- ☐ Unit Owner is 62 years of age or over, and any and all persons residing therewith are either 62 years of age or under 18 years of age.
- ☐ Unit Owner is blind (Legally or Medically)
- ☐ Unit Owner has a permanent disability
- ☐ Unit Owner/resident of my house has a Medical Hardship (type):

-
- ☐ Unit Owner/resident of my house has a Life Support Hardship (type):
-

I receive government assistance.

- ☐ I receive Public Assistance (PA). My case number is:

- ☐ I receive Supplemental Security Income (SSI). Note: SSI benefits are not the same as Social Security Retirement Benefits. My Social Security Number (optional) is:

Please send me more information about:

- ☐ Balanced billing

To be Completed by Third Party

Please let me know if this customer's bill is overdue. As a "caregiver," I understand that I am not responsible for payment of this bill.

Caregiver/Agency

Address

Apartment

Town/City

Zip

Telephone # Daytime

Evening

Designee Signature