

Hon. Michelle L. Phillips
Secretary to the Commission
New York State Public Service Commission
Three Empire State Plaza
Albany, NY 12223-1350

Dear Secretary Phillips,

On behalf of 2700 Church Ave Realty, (2700 Church Avenue, Brooklyn, New York 11226) see attached the submetering application for **2718 Church Avenue, Brooklyn, New York 11226.**

Thank you.

Alison Christopher
Quadlogic Powered by Metergy
30-30 47th Avenue, Suite 540
Long Island City, New York 11101
Email address: achristopher@quadlogic.com

Hon. Michelle L. Phillips
Secretary
New York State Public Service Commission
State of New York
3 Empire State Plaza
Albany, New York 12223

Re: Petition to Submeter electricity at a building located at 2718 Church Avenue, Brooklyn,
New York 11226.

Dear Secretary Phillips,

2700 Church Ave Realty is the owner of the above new rental building. The owner submits this Petition to submeter pursuant to 16 NYCRR § 96.2 to provide future sub-metering services for the building mentioned above which is located within the service territory of Consolidated Edison Company, Inc., 2718 Church Avenue, Brooklyn, New York 11226

Construction started October 2023 and construction anticipated completion is November 2024. The building consists of 69 Units. 48 Units will be Fair Market. 21 Units will be Rent Stabilized. The agency of jurisdiction for the affordable units is HPD. The criteria for eligibility for the Rent Stabilized units are 130% AMI for all 21 Units. Currently none of the units are occupied. Expected occupancy date has not yet been determined.

The residential units will be heated via Split units. Split units are air conditioning or heating systems that have two separate units, one indoors and one outdoors, connected by copper tubing. The outdoor unit usually contains the compressor and condenser, while the indoor unit contains the evaporator coil and air handling unit. The name comes from the two separate elements that allow the air conditioner to remove heat from the inside of the house and exhaust it outside. Programmable thermostats will be installed in the units.

Provide a description of the building's energy conservation construction building codes that are complied with as part or required of the project.

Response: 6" Roof Insulation and 6" Wall Insulation

Is the Owner participating in any state or utility program for energy efficiency? If so, please provide the name of the program.

Response: No

Is the building participating in a building level demand response program, or employ on-site co-generation plant, or an alternative?

Response: No

Description of other weatherization or energy efficiency measures that will be or have been installed, including NYSERDA sponsored measures.

6" roof insulation, 6" wall insulation entire building has piping insulation.

The following appliances will be energy star rated:

Response: Refrigerators

Installation of the sub-metering system:

Fully installed

Description of the sub-metering system to be installed:

Minicloset 24 submeters to be installed. PSC Approved.

Submetering Identification Form:

The building's completed submetering Identification Form is attached.

Plan for complying with the provisions of the Home Energy Fair Practices Act (HEFPA)

The building's HEFPA compliance plan is attached.

Description of information and education program to resident on how to reduce electric usage.

See attached.

In addition, the Owner's sub-metering plan satisfies the requirements of 16 NYCRR § 96.2. Accordingly, the Owner respectfully requests the Commission to approve this Petition to Submeter.

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.

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 (the "SC-1 rate"). 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 4.5 %) 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: 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): This is an additional charge 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 EL1 rate and a monthly use of 250 kWh:

| | | |
|------------------------|--------------------|----------------|
| | | Total |
| Basic Charge | | \$YY.YY |
| KWh | .XXXXX times 250 | \$YY.YY |
| Systems Benefit Charge | .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 4.5% | \$ T.TT |
| | YY.YY plus T.TT | \$ZZ.ZZ |
| Tenant Cost | | \$ZZ.ZZ |

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

All Con Edison rates by classification are available on its website (www.coned.com) under Rates and Tariffs. The electric Rates and Tariffs are listed under the heading "PSC No. 10" – 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 six (6) years, per the requirements set forth in 16 NYCRR §96.

Complaint procedures and tenant protection:

When a tenant has a question about an electric bill or believes the electric bill is inaccurate, the following protocol will be followed: (the building is currently not occupied)

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. **Property Management contact is Peter Abowitz (935 East**

5th Street, Brooklyn, New York 11230) and can be contacted via telephone number 917-807-7937 or via email at peterabowitz@gmail.com 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, opening and closing meter reads and dates, usage during a current period, a breakdown of dollar amounts billed, sales tax, the total charge for the period, and 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's 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).

Procedure for notifying tenants 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. (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

Certification that the lease language 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 language plan agreements for sub-metering (see attached submetering lease rider).

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

The QBrick24 system allows for the termination of submetered electric service to a particular unit consistent with the requirements of HEFPA.

Thank you for your attention to this matter.

Sincerely,

Peter Abowitz

Peter Abowitz

Mr. Matthew Glasser
General Manager
Central Energy Services
Consolidated Edison Company of New York, Inc.
4 Irving Place
New York, NY 10003

Re: Petition to sub-meter electricity at the building located at 2718 Church Avenue,
Brooklyn, New York 11226.

Dear Mr. Glasser,

2700 Church Ave Realty, submitted to the New York State Public Service Commission a petition for an order to sub-meter electricity at the above-referenced property, which is located within the service territory of Consolidated Edison Company, Inc.

Thank you,

Sincerely,

Peter Abowitz
Name

2700 Church Ave Realty
Company Name

ENERGY SAVING IDEAS

Conserve Energy. Save Money. Protect the Environment.

What can you do to lower your electric bill? Quadlogic has put together the following guidelines to help you conserve energy and lower your electric bill. This information was collected from various sources*, and is intended to show you how easy it can be to make a few changes that won't have a big impact on your lifestyle but *will* have a big impact on your electric bill.

LIGHTING

- ❖ Replace ordinary light switches with dimmers. Dimmers let you set bulb brightness to suit different needs. Whenever lights are set at less than full brightness, you save energy.
- ❖ Replace ordinary incandescent bulbs with new compact fluorescent bulbs. Compact fluorescent bulbs give the same light levels as the ordinary bulbs they replace, but use 40-60% less energy.
- ❖ Use timers to turn off lights when you're away from home. That saves energy and adds security to your home.
- ❖ Use lower wattage bulbs whenever you can. Wattage isn't a measure of brightness, it's a measure of energy usage. The lower the wattage, the less energy used.
- ❖ Replace ordinary switches with motion sensors. Motion sensors monitor a room for the presence of people. When someone enters the room, lights go on automatically so you don't light an unoccupied room.

APPLIANCES

- ❖ Choose Energy Star appliances, which use considerably less energy than other appliances.
- ❖ Use your refrigerator as efficiently as possible by keeping the condenser coils clean.
- ❖ Use washers, dryers and dishwashers efficiently. Every time these appliances go through a cycle, they use very nearly the same amount of energy whether empty or full. So cleaning with full loads makes for best efficiency and best value on your energy dollars.
- ❖ Switch off the "instant on" feature in electronic devices. Many electronic products have an "instant on" circuit that uses energy continuously, even when the device is turned off. On some electronic devices, you can choose to turn it off.

COMPUTER & HOME OFFICE EQUIPMENT

- ❖ Turn your computer off when it is not in use. Much of the energy use associated with computer is wasted because PC's are often left on when not in use, including nights, weekends, and even extended periods of inactivity during the day.

- ❖ Turn off your display device or monitor. Monitors consume a significant portion of the energy used by PC's.
- ❖ Use a laptop. A typical laptop computer has a maximum power consumption of 15 watts, and extensive power management capabilities. A typical desktop PC, with display consumes about 10 times that or 150 watts, and has limited power management features. The potential energy savings from substituting PC's with portable laptops are large, up to 90% or more.
- ❖ Select a printer with power management capabilities. Printers with automatic "power down" features can reduce electricity use by over 65%.
- ❖ Select a fax machine with power management capabilities. Fax machines are generally turned on 24 hours-a-day to receive incoming faxes. However, they are typically in use for only 5% of the total time they are turned on. Fax machines with power management features can reduce energy costs by almost 50%.

| AVERAGE ANNUAL ENERGY CONSUMPTION | | | |
|-----------------------------------|-----------------------|------------------------|--------------------------|
| Equipment | Conventional Products | Energy Saving Products | Potential Energy Savings |
| Desktop PC's | 500 kWh | 250 kWh | 50% |
| Fax Machines | 300 kWh | 135 kWh | 55% |
| Laser Printers | 750 kWh | 270 kWh | 65% |
| Copier (Medium) | 1200 kWh | 535 kWh | 55% |
| Copier (Large) | 2800 kWh | 1200 kWh | 55% |

You may find "Energy Star" appliances at your local retail stores.

USEFUL LINKS

www.sears.com
www.circuitcity.com
www.bestbuy.com
www.pcrichard.com
www.allcityappliance.com

OTHER HELPFUL HINTS

- ❖ Stop drafts coming in near doors, windows, or air conditioners. Drafts make the heating and cooling systems work harder therefore costing you more money.
- ❖ Stop leaks at faucets, toilets, tubs, and showers. If the leak is from hot-water faucets, it wastes the energy from your hot water heater and costing you more money.

* Sources: Con Edison, LIPA, Orange and Rockland, NYSEDA, Niagra Mohawk, Southern California Edison.

Quadlogic Controls Corporation
33-00 Northern Blvd.
Long Island City, New York 11101



ELECTRICITY INVOICE



Invoice Number
QL Account Number
Building Account Number
Invoice Date
Bill Period

8/8/2024
06/22/2023-07/24/2023

Amount Due \$55.71

Jane Sample
2718 Church Avenue
Brooklyn, New York 11226

SERVICE LOCATION: 2718 Church Avenue/1A

| Meter Reads | | | | | | | |
|-------------|------------|------------|--------------|---------------|--------------|------------|-------------|
| Meter # | Start Date | End Date | Service Days | Previous Read | Current Read | Multiplier | Usage (kWh) |
| ##### | 06/22/2023 | 07/24/2023 | 32 | 12,461.704 | 12,582.563 | 1 | 120.859 |

| Current Charges | | |
|------------------|--------------|---------|
| Description | Quantity | Amount |
| SC-1 Rate | 120.86 (kWh) | \$51.23 |
| Utility Tax | | \$2.08 |
| Sales Tax (4.5%) | | \$2.40 |

\$55.71

If applicable low-income discount.



RESIDENTIAL ELECTRIC BILL CALCULATION

CON EDISON PRINTED RATE SC-1

Building Name:
Billing Period:
Unit Number:
Total Bill \$:

Market Supply 6.9723

Select County:
Select City:
Sales Tax:
Alternative Tax Definitions for SC-8 & SC-9
MSC & MAC:
T&D GRT:

Total kWh Usage:

kWh Usage-Up To 250 250.0
kWh Usage-Over 250 594.4
If a customer exceeds 250 kWh usage, a different rate applies to the usage over 250 kWh

| kWh Charges & KW Charges | | UP TO 250 kWh | | | OVER 250 kWh | | | TOTAL kWh |
|--------------------------|----------|---------------|-------------|-------------|--------------|-------------|-------------|-----------|
| | | kWh Usage | Con Ed Rate | SubTotal \$ | kWh Usage | Con Ed Rate | SubTotal \$ | TOTAL \$ |
| MARKET SUPPLY | Supply | 250.0 | 0.069723 | \$17.43 | 594.4 | 0.069723 | \$41.44 | \$58.87 |
| MONTHLY ADJUST: | Delivery | 250.0 | 0.005927 | \$1.41 | 594.4 | 0.005927 | \$3.34 | \$4.75 |
| TRANSMISSION: | Delivery | 250.0 | 0.198170 | \$27.04 | 594.4 | 0.113388 | \$67.39 | \$94.43 |
| TRANSMISSION BASE: | Delivery | | | | | | | |
| Tamp Rate Adj: | | | | | | | | |
| CESS: | Supply | 250.0 | 0.003422 | \$0.86 | 594.4 | 0.003422 | \$2.03 | \$2.89 |
| MFC: | Supply | 250.0 | 0.004486 | \$1.12 | 594.4 | 0.004486 | \$2.65 | \$3.77 |
| SBC: | Delivery | 250.0 | 0.006800 | \$1.70 | 594.4 | 0.006800 | \$4.04 | \$5.74 |
| DLM: | Delivery | 250.0 | 0.001100 | \$0.26 | 594.4 | 0.001100 | \$0.65 | \$0.93 |
| SurCredit | Delivery | 250.0 | -0.007500 | (\$1.88) | 594.4 | -0.007500 | (\$4.46) | -\$6.33 |
| SRDMA: | Delivery | 250.0 | 0.000958 | \$0.24 | 594.4 | 0.000958 | \$0.57 | \$0.81 |
| SDRS: | Delivery | 250.0 | 0.000000 | \$0.00 | 594.4 | 0.000000 | \$0.00 | \$0.00 |
| | | | 0.192788 | \$48.19 | | 0.197982 | \$117.87 | \$166.06 |

CUSTOMER CHARGE:

TOTAL KWH CHARGES

| Fuel Adjustment | | Total kWh Use | Adj. Factor | Total \$ |
|--------------------------------------|----------|---------------|-------------|----------|
| FUEL ADJ MSC (MSC Adjustment Factor) | Supply | 844.4 | 0.005781 | \$4.89 |
| FUEL ADJ MAC (MAC Adjustment Factor) | Delivery | 844.4 | -0.002015 | -\$1.70 |
| TOTAL FUEL ADJUSTMENTS | | | | \$3.19 |

| | | | | | | |
|---|--|--|--------------|-------------|----------|--------|
| Gross Receipt Tax | | | Taxable Amt. | Tax Rate | Total \$ | |
| COMMODITY GROSS RECEIPTS TAX | | | Supply | KWH Charges | | |
| Taxable Amt = Totals of Market Supply Amt + MFC Amt + CESS Amt (Step 1) + Fuel Adj MSC Amt | | | | \$70.42 | 2.49660% | \$1.89 |
| FULL SERVICE GROSS RECEIPTS TAX (T&D) | | | Delivery | KWH Charges | | |
| Taxable Amt = Sum of Total Amts: Monthly Adjust, Transmission, Distribution, System Benefit (Step 1) plus Total Amts: Customer Charge (Step 2), Fuel Adj MAC (Step 4) | | | | \$114.82 | 4.99360% | \$5.83 |

TOTAL GRT

| Taxable Subtotal | PRCT | Total \$ |
|--|------|----------|
| Subtotal Charges before Sales tax: Sum of Total kWh Charges, Total Fuel Adjustments, Total GRT | | \$192.66 |
| TAXABLE SUBTOTAL | | \$192.66 |

| Sales Tax | Taxable Amt. | Tax Rate | Total \$ |
|--|--------------|----------|----------|
| SALES TAX - NYS | \$192.66 | 4.5000% | \$8.67 |
| Taxable Amount is the sum of Steps 3-5 (Amount Due SubTotal) | | | |

TOTAL AMOUNT DUE

Submetering Lease Rider
2718 Church Avenue
Brooklyn, New York 11226

1. You acknowledge that **2700 Church Ave Realty**, will be the provider of electricity to the building and that the tenant will be paying the charges for such electricity directly to this entity (or its successor), You will be required to pay Owner for the use of electricity at the Apartment on the basis of a separate (submetered) charge that will be billed to You by Owner (or its agent) on a monthly basis. The charges to You for electricity are due without offset or abatement on the first day of each and every month for which a bill is rendered. In the event of non-payment of electric charges, the Owner shall afford You all notices and protections available to You pursuant to the Home Energy Fair Practices Act (HEFPA) before any action(s) based on such non-payment, including termination of service, is commenced. **In, the event that a tenant is invoiced incorrectly, the property management will refund the tenant affected by the submeterer actions that led to such refunds provided that the submeterer has such contact information for the residents.**

2. Method to be used to calculate rates to residents:

The rate calculation to be used is the Consolidated Edison Service Classification SC-1 for direct metered service (the "SC-1 rate"). 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 4.5 %) 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: 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): This is an additional charge 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 EL1 rate and a monthly use of 250 kWh:

| | | Total |
|--------------|------------------|---------|
| Basic Charge | | \$YY.YY |
| KWh | .XXXXX times 250 | \$YY.YY |

| | | |
|------------------------|--------------------|----------------|
| Systems Benefit Charge | .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 4.5% | \$ T.TT |
| | YY.YY plus T.TT | \$ZZ.ZZ |
| Tenant Cost | | \$ZZ.ZZ |

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

All Con Edison rates by classification are available on its website (www.coned.com) under Rates and Tariffs. The electric Rates and Tariffs are listed under the heading "PSC No. 10" – Electric: Full Service

The meter reading data and billing calculations will be documented and maintained for a 6-year period for each unit.

3. When a tenant has a question about an electric bill or believes the electric bill is inaccurate, the following protocol will be followed: (the building is currently not occupied)

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 . **Property Management contact is Peter Abowitz (935 East 5th Street, Brooklyn, New York 11230) and can be contacted via telephone number 917-807-7937 or via email at peterabowitz@gmail.com** 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

4. You will be afforded rights and protections available to residential energy consumers in New York State under HEFPA, including the ability to file a complaint with the PSC. The nearest office of the PSC is at: NYS Public Service Commission, 90 Church Street, New York, NY 10007, 212-417-2234, 800-342-3377, www.dps.ny.gov. You may contact the PSC at any time if You are dissatisfied regarding management's response to Your complaint or at any time regarding submetered service.
5. You may request balanced billing for Your electric charges. 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, You shall be responsible to pay for any electric costs in excess of the balanced billing amount paid.

6. If You have difficulty paying the electric bill, You may contact the management company for the Building 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. If You can show financial need, the management company for the Building can work with You to determine the length of the agreement and the amount of each monthly payment.
7. Regardless of Your payment history, the management company and submeterer of the Building will continue electric service if Your health or safety is threatened. When You become aware of such hardship, the management company for the Building can refer You to the Department of Social Services. Please notify the management company for the Building if the following conditions exist:
 - a. **Medical Emergencies.** You must provide a medical certificate from a doctor or local board of health; or
 - b. **Life Support Equipment.** If You have life support equipment and a medical certificate.
8. 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.
9. If You are age sixty-two (62) or older, You may be eligible for quarterly billing for Your electrical charges.
10. You can designate a third party as an additional contact to receive notices of past due balances for your electrical charges.
11. As a residential customer for electricity, You also have certain additional rights assured by HEFPA.
12. You agree that at all times the use of electricity in the Apartment shall never exceed the capacity of existing feeders to the Building or the risers, wiring or electrical installations serving the Apartment. You shall not make any alterations, modifications or additions to the electrical installations serving the Apartment.
13. Owner shall have the right to suspend electric service to the Apartment when necessary by reason of accident or for repairs, alterations, replacements or improvements necessary or desirable in Owner's judgment for as long as may be reasonably required by reason thereof and Owner shall not incur any liability for any damage or loss sustained by You or any other occupant of the Apartment as a result of such suspension. Owner shall not in any way be liable or responsible to You or any other occupant for any loss, damage, cost or expense that You or any occupant of the Apartment may incur if either the quantity or character of electric service is changed or is no longer available or suitable for Your requirements or if the supply or availability of Electricity is limited, reduced, interrupted, or suspended by the public utility company serving the Building or for any reason or circumstances beyond the control of Owner. Except as may be provided by applicable law, You shall not be entitled to any rent reduction because of a stoppage, modification, interruption, suspension, limitation, or reduction of electric service to the Apartment.
14. If Owner (or its agent) fails to deliver a bill to You for the use of electricity at the Apartment for any given month, then such failure shall not prejudice or impair Owner's right to subsequently deliver or cause its agent to deliver such a bill to You, nor shall any such failure relieve or excuse You from having to pay to such bill, except as may otherwise be provided by applicable law.
15. You may qualify for a rate reduction the equivalent of that which is provided by your utility to customers who are enrolled in its low-income program pursuant to its tariff (see P.S.C. No. 10 – 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 a management representative by phone or in writing and he/she will work with you.

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") **2700 Church Ave Realty to submeter electricity at 2718 Church Avenue, Brooklyn, New York 11226** located in the Territory of Consolidated Edison Company of New York, Inc. This notification is an overview of those rights and certain policies and procedures regarding the service and billing of your electricity.

The building at **2718 Church Avenue, Brooklyn, New York** (the "Building") is a submetered facility. **2700 Church Ave Realty** (the "Owner") is the owner of the Building. The Owner, through its managing agent (together with the Owner, the "Submeterer"), is responsible for the administration of submetering to your residential unit and will invoice you for your monthly electric usage. A third-party billing company under contract with the Submeterer prepares residents' invoices for their respective monthly electricity usage. Residents, in turn, receive their monthly submetered electricity bills from the Submeterer or its third-party billing company, Metergy Solutions.

If you have any questions or complaints concerning your electricity bill, please contact **Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230. Telephone Number 917-807-7937 or via email at peterabowitz@gmail.com** In the event of a complaint about the submetered electricity bill, you shall submit such complaint in writing to the Submeterer by mail to the address in the previous sentence. In turn, the Submeterer and/or its third-party billing company shall investigate your complaint within fifteen (15) days of the receipt of the complaint and will report the results to the complainant thereafter. As part of this response, you shall be advised of the disposition of the complaint and the reason therefore. If you and the Submeterer cannot reach an equitable agreement and you continue to believe the complaint has not been adequately addressed, then you may file a complaint with the PSC through the Department of Public Service. Alternatively, you 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 (800) 342-3377, by facsimile at (212) 417-2234, in person at the nearest office at 90 Church Street, New York, New York 10007 or 3 Empire State Plaza, Albany, NY 12223 or via the Internet at www.dps.ny.gov.

The electricity 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 but excluding sales tax) exceed your electric utility's direct metered residential rate. The Submeterer may terminate or disconnect service under certain conditions (*i.e.*, nonpayment of electricity bills) pursuant to HEFPA.

You have the right to request messages on bills and notices in Spanish. To make such a request, contact the Submeterer. Usted tiene el derecho de solicitar información en facturas e informativos en Español. Para solicitar información en español, póngase en contacto con el Submeterer.

You may request budget billing for the payment of electricity charges. This plan shall be designed to reduce fluctuations in customer bills due to seasonal patterns of consumption. Budget billing divides your electricity costs into twelve (12) equal monthly payments. Periodically, the Submeterer or its third-party billing company will review the budget billing for conformity with actual billings and may adjust that monthly amount as necessary. After those reviews, you may be responsible to pay for any electricity costs in excess of the budget billing amount(s) you previously paid. You may contact the Submeterer to discuss the details of a budget billing plan, if you are interested.

Your meter is read because it measures and records the actual amount of electricity you use; this enables an accurate bill to be sent to you. Making sure your electricity bills are accurate and correct is important to the Submeterer 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. 10 – Electricity, Rider S). If you receive benefits under Supplemental Security Income, Temporary Assistance to Needy Persons/Families, Safety Net Assistance, or Supplemental Nutrition Assistance Program, the federal Lifeline program or any other program associated with the federal Lifeline program, or have received a Home Energy Assistance Program grant in the preceding twelve (12) months, please alert the Submeterer by telephone or in writing and we will work with you to determine your eligibility.

If you are having difficulty paying your electricity bill, please contact the Submeterer by telephone or in writing in order to see if you qualify 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 demonstrate to the Submeterer a financial need, the Submeterer 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. The Submeterer will make reasonable efforts to help you find a way to pay your bill.

Regardless of your payment history relating to your electricity bills, your electricity service will be continued if your health or safety or the health or safety of any other resident is threatened. Specifically, please notify the Submeterer if either of the following conditions exists:

(a) **Medical Emergencies.** You must provide a medical certificate from a doctor or local board of health establishing that you and/or another resident is suffering from a medical emergency.

(b) **Life Support Equipment.** You must provide a medical certificate from a doctor or local board of health if you and/or another resident suffers from a medical condition requiring electricity service to operate a life-sustaining device.

When the Submeterer becomes aware of such hardship, the Submeterer can refer you to the local Department of Social Services.

Special protections may be available if you are, and those living with you are age, eighteen (18) or younger or sixty-two (62) or older, blind, or disabled. Please contact the Submeterer to ensure that you receive all of the protections for which you are eligible.

You can also designate a third party as an additional contact to receive (1) total amounts due, (2) amounts past due, (3) amounts of any payments paid by or on behalf of the residential customer, and (4) copies of all notices relating to service termination or collection of amounts due, provided that the designated third party agrees in writing to receive such notices. The Submeterer shall inform the designated third party that the authorization to receive such notices does not constitute acceptance of any liability on the third party for service provided to you. The Submeterer shall promptly notify you of the refusal or cancellation of such authorization by your designated third party. You may also opt to continue to receive such notices in addition to the designated third party. If you are interested in this voluntary third-party notice, please notify the Submeterer with the third party's contact information and written agreement of the third party to receive copies of all notifications relating to past due balances, the 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, please fill it out if you qualify for any special protection described on the form. You may return the completed form to the Submeterer.

BUDGET BILLING PLAN

Resident(s) Name(s): _____

Address: _____

Account No.: _____

As set forth below, **Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230. Telephone Number #917-807-7937, email address: peterabowitz@gmail.com (Building Address)** 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** per month for the 12-month period starting with the billing cycle commencing on **MM/DD/YYYY** and ending on **MM/DD/YYYY**.

This monthly payment is based on an estimate of your annual billing, which has been calculated by averaging monthly amounts over the above-referenced 12-month period. Your average monthly amount is **\$ _____**, 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. **2718 Church Avenue, Brooklyn, New York 11226** 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, **2718 Church Avenue, Brooklyn, New York 11226** 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 **2718 Church Avenue, Brooklyn, New York 11226** 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: _____

2700 Church Ave Realty LLC: _____

Date: _____

Return one signed copy to 2718 Church Avenue, Brooklyn, New York 11226 by MM/DD/YYYY.

Residential Payment Agreement

Resident(s) Name(s): _____

Address: _____

Account No.: _____

The total amount owed to **The Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230** on this account as of MM/DD/YYYY is \$XX.XX

Subject to 16 NYCRR § 11.10 (a-b) of the Home Energy Fair Practices Act ("HEFPA"), **The Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230** is required to offer a payment agreement that you are able to pay considering your financial circumstances. **This agreement should not be signed if you are unable to keep the terms.** Alternate terms may be available if you can demonstrate financial need. Alternate terms may include no down payment and payments as low as \$10 per month above your current bills. **If you sign and return this form, along with a down payment of \$XX.XX, by MM/DD/YYYY, you will be entering into a payment agreement and, by doing so, will avoid termination of electricity service.**

Assistance to pay utility bills may be available to recipients of public assistance or supplemental security income from your local social services office. This agreement may be changed if your financial circumstances change significantly because of conditions beyond your control. If after entering into this agreement, you fail to comply with the terms, **The Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230** may terminate your electricity service. If you do not sign this agreement or pay the total amount due of \$XX.XX by MM/DD/YYYY, **The Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230** may seek to terminate your electricity service. **If you are unable to pay these terms, if further assistance is needed, or if you wish to discuss this agreement, please call The Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230. Telephone Number #917-80707937**

Payment of Outstanding Balance:

Your current monthly budget amount is: \$XX.XX (in addition to your current electricity charges)

If you are not already enrolled in our Budget Billing Program, which allows you to pay for your service in equal monthly installments, and wish to enroll, check the box below and we will start you on this process.

Yes! I would like Budget Billing:

☐

Acceptance of Residential Payment Agreement:

Resident(s) Signature(s): _____ Date: _____

This agreement has been accepted by **The Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230**. If you and **The Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230** cannot negotiate a payment agreement, or if you need any further assistance, you may contact the Public Service Commission at 1-800-342-3377.

Return one copy of this agreement signed, along with the down payment of \$XX.XX, by MM/DD/YYYY to The Management contact Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230. If this is not done, your electricity service may be terminated.

FAILURE TO MAKE PAYMENT NOTICE DATED: _____

Resident(s) Name(s): _____

Address: _____

Account No.: _____

Dear [customer name]:

Your account is now ninety (90) days overdue. Please make payment of \$XX.XX by MM/DD/YY or we shall institute termination of your electricity service.

PLEASE REMIT \$XX.XX BY MM/DD/YY TO AVOID INITIATION OF TERMINATION OF YOUR ELECTRICITY SERVICE.

If you are unable to make payment because your financial circumstances have changed significantly due to events beyond your control, please contact **Management Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230. at 917-807-7937.** If you or anyone in your household meets any of the following conditions please contact us: medical emergency, elderly, blind, or disabled.

Sincerely,

Management

FINAL TERMINATION NOTICE DATED:

Resident(s) Name(s): _____

Address: _____

Account No.: _____

Dear [customer name]:

By letter dated **MM/DD/YY**, we notified you that your failure to remit the past due amount of **\$XX.XX** by **MM/DD/YY** would result in our terminating your electricity service. Our records indicate that we have not received your payment. Please remit **\$XX.XX** or your service will be terminated after **MM/DD/YY**.

If you disagree with the amount owed, you may call or write **Management contact is Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230.** (telephone # 917-807-7937) or you may contact the Public Service Commission at 1-800-342-3377.

THIS IS A FINAL TERMINATION NOTICE. PLEASE BRING THIS NOTICE TO OUR ATTENTION WHEN PAYING THIS BILL.

PLEASE REMIT \$XX.XX BY MM/DD/YY TO AVOID TERMINATION OF YOUR ELECTRICITY SERVICE.

If you are unable to make payment because your financial circumstances have changed significantly due to events beyond your control, please contact **Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230.** If you or anyone in your household meets any of the following conditions please contact **Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230.:** medical emergency, elderly, blind, or disabled.

Sincerely,

Management

NOTIFICATION TO SOCIAL SERVICES OF CUSTOMERS
INABILITY TO PAY

Management contact is Peter Abowitz
935 East 5th Street
Brooklyn, New York 11230
Tel: 917-807-7937

Resident(s) Name(s): _____

Address: _____

Account No.: _____

The above resident/customer has been sent a final notice of termination of electricity service. If the total payment due of **\$XX.XX** is not paid by **MM/DD/YYYY**, termination of their electricity service may occur anytime after **MM/DD/YYYY**.

Past Due Reminder Notice

RESIDENT(S) NAME(S): _____

ADDRESS: _____

ACCOUNT NO.: _____

On **MM/DD/YYYY**, you signed a Residential Deferred Payment Agreement (DPA), which obligated you to make a down payment of **\$XX.XX** by **MM/DD/YYYY** and regular payments of **\$XX.XX** (in addition to your current electricity charges) in order to avoid termination of electricity service. Our records indicate that you have failed to comply with the terms of the DPA. As a result, we are hereby notifying you that you must meet the terms of the existing DPA by making the necessary payment within twenty (20) calendar days of the date payment was due or a final termination notice may be issued to terminate your electricity service.

If you are unable to make payment under the terms of the DPA because your financial circumstances have changed significantly due to events beyond your control, you should immediately contact **Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230. Telephone # 917-807-7937** because a new payment agreement may be available. Further, assistance to pay utility bills may be available to recipients of public assistance or supplemental security income from your local social services office.

The total amount owed to Management for this account as of MM/DD/YYYY is: \$XX.XX.

Quarterly Billing Plan

Customer Name: _____

Premise Address: _____

Account Number: _____

Under this plan, **Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230** agrees to provide services in return for your agreement to make payments according to terms of this Plan.

The Customer confirms that he/she is greater than 62 years old, and that the Customer's bills in the preceding 12 months starting on MM/DD/YY and ending on MM/DD/YY, did not exceed \$150.

Under this Plan, the Customer will receive the first bill on MM/DD/YY covering actual charges incurred during the 3-month period MM/DD/YY to MM/DD/YY, and you will receive quarterly bills thereafter on or before MM/DD/YY, MM/DD/YY, and MM/DD/YY for actual charges incurred during each such preceding 3-month period.

On the dates specified above, you will be billed for actual charges incurred and you will be required to pay such amount stated on the bill. If you fail to pay the bill when it is due, you may be subject to termination of service pursuant to the Home Energy Fair Practices Act.

[] Yes! I would like Quarterly Billing:

Return one completed copy to Peter Abowitz, 935 East 5th Street, Brooklyn, New York 11230 by MM/DD/YYYY.

CONFIDENTIAL
Evaluation of Customer's Ability To Pay

1. Employer Name, Address and Phone Number

2. What is your monthly income?

3. Please identify all other forms of income (Unemployment, Disability, and Public Assistance) and the amounts of each

4. Please list all checking and savings accounts and balances:

5. Please list all credit cards, balances due and the amount of the monthly payment on each:

6. Do you own your home or do you rent? _____

7. What is your monthly mortgage or rent payment? _____

8. List other assets (i.e., Stocks and Bonds) :

9. List other debts (bank loans, credit lines, utility bills, etc.) and the amount of the monthly payment on each:

10. Identify all other monthly expenditures by amount:

| | | |
|---------------------------------------|----|-------|
| - Food expenses | \$ | _____ |
| - Medical expenses | \$ | _____ |
| - Telephone bills | \$ | _____ |
| - Utility bills | \$ | _____ |
| - Mandatory loan/credit card payments | \$ | _____ |
| - Other | \$ | _____ |
| | \$ | _____ |
| | \$ | _____ |
| | \$ | _____ |

**SPECIAL PROTECTIONS
REGISTRATION FORM**

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

**Peter Abowitz
935 East 5th Street
Brooklyn, New York 11230
Tel: 917-807-7937
Email address: peterabowitz@gmail.com**

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



Department of Public Service

Submeterer Identification Form

Updates to the Submeterer Identification Form should be submitted within ten days of any change to the information provided herein and submitted to: Secretary@dps.ny.gov in a searchable PDF format, under the Commission Case number of the approved order issued.

Date: 8-8-2024 DPS Case Number: _____

Submeterer Information

Service Address of Submetered Property Building Name: 2718 Church Avenue
Street: 2718 Church Avenue City: Brooklyn NY Zip Code: 11226

Building Owner/Account Holder Name: 2700 Church Ave Realty
Mailing Address Street: _____ **City:** _____ **State:** _____ **Zip Code:** _____
Telephone: _____ **E-mail:** _____ **Website:** _____

Property Management Name: Peter Abowitz
Address Street: 935 East 5th Street **City:** Brooklyn **State:** NY **Zip Code:** 11230
Telephone: 917-807-7937 **E-mail:** _____ **Website:** _____

Billing Agent Name: Metergy Solutions LLC
Address Street: 30-30 47th Ave, Suite 540 **City:** Long Island City **State:** NY **Zip Code:** 11101
Telephone: 212-930-9300 **E-mail:** clientservices@quadlogic.com **Website:** _____

| Occupancy Date: | Yes/No | Number of Units | Total Number of Residential Electric Submetered Units: |
|-----------------------|--------|-----------------|--|
| Building Type | | | |
| Electric Heat: | Yes | 69 | Building fuel source for unit heating: Split Units |
| Rental: | Yes | 69 | |
| Condominium: | | | |
| Cooperative: | | | |
| Market Rate: | Yes | 48 | |
| Income Based Housing: | Yes | 21 | Agency Administrator of Assistance: HPD |

Primary Regulatory Complaint Contact Name: Peter Abowitz
Address Street: 935 East 5th Street **City:** Brooklyn **State:** NY **Zip Code:** 11230
Telephone: 917-807-7937 **E-mail:** peterabowitz@gmail.com **Website:** _____

Secondary Regulatory Complaint Contact Name: Alison Christopher
Address Street: 30-30 47th Ave, Suite 540 **City:** Long Island City **State:** NY **Zip Code:** 11101
Telephone: 212-930-9300 **E-mail:** regulatorysupport@quadlogic.com **Website:** _____