

May 30, 2017

**VIA ELECTRONIC MAIL**

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

Re: Case No. 17-E-0201: Waiver Request of Section 96.5(k)(3) – Energy Audit Requirement for Notice of Intent of Our Lady of Lourdes Apartments, LLC to Submeter Electricity at 11 De Sales Place, 21 De Sales Place and 1875 Broadway, Brooklyn, NY 11207, Located in the Territory of Consolidated Edison Company of New York, Inc.

Dear Secretary Burgess:

I represent our Our Lady of Lourdes Apartments, LLC (the “Applicant”), on the pending request to Submeter Electricity pursuant to Section 96.3(a) of the NYS Public Service Commission’s (“Commission”) Rules and Regulations (16 NYCRR § 96.3(a)). On behalf of the Applicant, I hereby request a waiver request for Section 96.5(k)(3) and the requirement to have an energy audit conducted.

Since the building is currently under construction, it will meet the current NYC Energy Conservation Code (NYCECC), which sets strict guidelines for energy efficiency new or renovated buildings, such as those referenced above.

As such, this is a formal request that the energy audit requirements of Section 96.5(k)(3) be waived for Our Lady of Lourdes Apartments, LLC.

Thank you in advance for your attention to this matter. Please do not hesitate to contact me directly with any comments or questions regarding this Notice of Intent to Submeter Electricity.

Respectfully submitted,

*Robyn Frank*

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