

# STUYVESANT TOWN - PETER COOPER VILLAGE TENANTS ASSOCIATION

*A Volunteer Staffed Organization Working to Preserve an Affordable Community*

**Founded -1971**

February 27, 2009

Via E-mail, Fax and U.S. Mail

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Ms. Jaclyn A. Brilling, Secretary  
New York State Pubic Service Commission  
Three Empire State Plaza  
Albany, NY 12223-1350

Re: Case 08-M-1274 – In the Matter of Reviewing and Amending the Electric Submetering Regulations 16 NYCRR Part 96

Dear Secretary Brilling:

The Tenants Association was founded in the fall of 1971 as the Stuyvesant Town Tenants Association for the purpose of “promoting the unity of the tenants and to initiate the programs and collective action which will inure to the benefit of the tenants and their families.” The forming of the Association was prompted when Governor Nelson A. Rockefeller pushed a package of bills through the New York State Legislature, commonly referred to as “Vacancy Decontrol.” The Legislation enacted full vacancy decontrol for all rent controlled and rent stabilized housing in the state, effective June 30, 1971. Full vacancy decontrol was repealed in 1974 when the Legislature and Governor Malcolm Wilson enacted the Emergency Tenants Protection Act. In 1993 the name of the association was officially changed to the Stuyvesant Town-Peter Cooper Village Tenants Association.

The complex is an existing development of 110 buildings and 11,232 apartments located within the service territory of Consolidated Edison Company, Inc. at numerous addresses between 23rd Street to the North, 1st Avenue to the West, 14th Street to the South, and Avenue C to the East. Principal management offices for the properties are located at 317 Avenue C, New York, NY 10009

In October 22, 2008, Tishman Speyer issued a press release stating: “Tishman Speyer, in partnership with the New York State Energy Research & Development Authority (NYSERDA), announced today that is embarking upon a \$30 million, three-year capital program designed to reduce overall energy usage by at least 20 percent in the communities of Peter Cooper Village and Stuyvesant Town in Manhattan. The energy efficiency measures include a central energy management system, advanced meter/submetering, common area lighting, low-flow equipment, Energy Star appliances and ventilation upgrades.

The energy saving measures, which will reach all of the complexes’ 110 buildings, is being undertaken through NYSERDA’s Multifamily Performance Program — an innovative statewide effort to make homes and apartments more energy efficient, more comfortable and healthy, and better for the environment.”

While the goal is commendable and we are all aware of the need to conserve energy and protect our environment, the Tenant’s Association, which supports sustainability, is determined that a green program will not be imposed on the backs and in the pocketbooks of our residents.

The Tenant Association does not support the Tishman Speyer plan to file an application for a Major Capital Improvement. We do believe that such efforts should be supported through NYSERDA, the Stimulus Package or state/local energy tax abatements if there are clear benefits to the tenants.

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## **Stuyvesant Town – Peter Cooper Village Tenants Association: Comments**

### **Policy**

1. In our view, this Case is directly linked to the Advanced Metering Infrastructure (AMI ) Case 09-M-0074. We know nothing of the Con Edison, Orange & Rockland or Central Hudson pilot programs to test AMI. However, to our knowledge, Stuyvestant Town-Peter Cooper Village was not included in any such pilot. The order required that AMI systems must “send signals to customer equipment to trigger demand-response functions, and connect with a home area network to provide direct or customer activated load control. These are excellent requirements and we fully support their implementation. However, the PSC has not made clear how this will be achieved for rent stabilized tenants in master metered buildings.
2. We support the idea of submetering if there are clear benefits to the tenants. In reading some of the responses to the PSC, others have called into question the benefits tenants may gain from submetering. For example, our tenants should be able to participate in ISO demand response programs if smart meter systems are installed in our buildings. The PSC needs to address this issue, now.
3. NYC in their PLAN2030 supported the expansion of education and information to promote the use of smart meters and the use of Real Time Pricing. Such an effort is needed if these regulations are to have any real meaning in the submetering of rent stabilized tenant buildings. This issue demands your close attention.

### **Comments on the Part 96**

We have had the opportunity to review a number of the comments submitted to the PSC. We endorse the comments submitted by Duane Morris, representing the Cooperative Coalition to Prevent Blackouts and those of the TRC Companies, consultants to NYSERDA.

PSC 96.2 (2) The comments by TRC and Duane Morris are very appropriate. NYC has a stated policy to support Real Time Pricing rates. However, it does not appear that there is a PSC tariff for RTP that could be applicable to “tenants” in master metered buildings. This is a critical issue that must be addressed. As stated in the PSC release of February 12, 2009 re: PSC Moves Ahead with Advanced Metering Requirements, AMI systems used as part of the new “Smart Grid” should reach “down to the end-use customer”.

PSC 96.2 (b)(4) For rent stabilized tenants in master metered buildings this rent reduction is “defined” by DHCR. As proven in the Roosevelt Island / Urban America case, the existing schedules are not based upon a sound economic understanding of the existing electric marketplace. We believe this to be true for our tenants as well. There have been no studies or demonstrations to provide data for tenants to understand their costs. The Tenant Association supports submetering and the introduction of smart meter systems. We support the funding of demonstrations as defined in the NYCPLAN2030 Energy Initiative 6 and Energy Initiative 7 as a guide to solving these problems.

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PSC 96.4(b) All submetering equipment installed in master metered rent stabilized buildings should be smart meter systems. These systems should provide direct electric data access to tenants in standardized, open format. The current language could permit the installation of “simple” smart meters that would provide the owner with information to use a third party vendor to bill the tenant. It is the tenant who uses the electricity who should have some control over the access and use of that data.

The Tenants Association appreciates the opportunity to comment on Case 08-M-1274.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan Steinberg". The signature is fluid and cursive, with the first name "Susan" and last name "Steinberg" clearly distinguishable.

Susan Steinberg  
Executive Vice President

