



**STATE OF CONNECTICUT
PUBLIC UTILITIES REGULATORY AUTHORITY**

**APPLICATION FOR APPROVAL TO INSTALL AND USE AN ELECTRICITY
SUBMETERING SYSTEM**

A. APPLICANT INFORMATION AND ELIGIBILITY:

The term "Applicant" refers to the landlord or owner of the property at which the electricity submetering system will be installed. The Applicant is the responsible party for all aspects of the submetering installation, consumer protections, and any Vendor hired to process billings to tenants. Please review the Instructions for filling out and submitting this application. The Instructions are posted on PURA's website alongside this application form.

Applicants have an ongoing obligation to amend and/or supplement the information contained in this Application, including the substitution of Vendors and any changes to Vendor-specific procedures or policies. In the event of a Vendor substitution, Applicants should provide PURA written notice within ten (10) days of such a change.

(A-1) Applicant's legal name, address and web site:

Name: **Clinton Yacht Haven Dockominium Association, Inc.**
 Address: **PO Box 628**
 City: **Clinton** Telephone: **(860) 669-7254**
 Web site (if any): _____

Contact person/designated representative for service as to this Application:

Name: **Jonathan Friedler** Title: **Attorney**
 Address: **One State Street, Floor 14**
 City: **Hartford** Main Telephone: **(860) 241-2654**
 Telephone: _____ Fax: **(860) 522-2796**
 E-Mail Address: **ifriedler@mdmc-law.com**

Applicant is the _____ landlord _____ owner X **Dockominium** association of the property.

(A-2) If the Applicant has office(s) in Connecticut, provide the following information regarding the Applicant's principal Connecticut office:

Address: **PO Box 628**
 City: **Clinton** Main Telephone: **(860) 669-7254**
 Telephone: _____ Fax: _____

(A-3) Applicant's Federal Employer Identification Number (FEIN): 06-1240143

(A-4) Applicant's Connecticut Tax Identification Number: 5144977-000

(A-5) Applicant's legal form of ownership:

- Corporation
- LLC
- Cooperative
- If not the owner, attach owner's authorization to apply for submetering.
- Other: _____ (please specify)

(A-6) Applicant was formed or organized on December 30, 1987.

(A-7) Is the Applicant currently submetering without authorization from the Authority?

- Yes
 No

If yes, provide the date when sub-metering began: Precise Date Unknown. Believe to be in 1998.
If yes, identify, describe and propose what level of sanction is appropriate.

The CYHD has historically contracted out to third parties the reading, invoicing, and collection of electric usage charges to submetered "tenants," and was not aware of any non-compliance issues. It aims to rectify these issues by virtue of this application. The records reflect that prior to July of 2022, tenants were charged 20 cents per KWh, which is believed to be below the applicable usage rate paid by CYHD and would thus be permissible, if approved by PURA. Beginning in July of 2022, CYHD increased the rate to 30 cents per KWh, intending only to recover usage costs to it, and administrative costs associated with reading and invoicing. Thus, upon belief, no rates in excess of those permissible were charged prior to July of 2022, when the rate changed from 20 cents per KWh to 30 cents per KWh.

To the extent that applicant at any time sub-metered at rates in excess of those permissible under the PURA regulations or would otherwise be approved by PURA, the Applicant proposes to reimburse over-charges to those that paid the same.

As used in this Application, the term "Vendor" means a third party retained by or on behalf of the Applicant to provide meter reading and/or billing services at the Facility to the tenants on behalf of the Applicant. For purposes of this Application, each such Vendor is deemed a Co-Applicant.

(A-8) Vendor's legal name, address and web site:

Name: Renaissance Collaborative, Inc.

Address: 300 Whalley Avenue, 3rd Floor

City: New Haven

Main Telephone: (203) 624-7911

Web site (if any): _____

Vendor's contact person/designated representative for service as to this Application:

Name: Myriam Clarkson Title: Principal

Address: 300 Whalley Avenue, 3rd Floor, New Haven, CT

Telephone: (203) 624-7911

Fax: _____

E-mail Address: RCImgmt@aol.com

(A-9) If Vendor has office(s) in Connecticut, provide the following information regarding the Vendor's principal Connecticut office:

Address: 300 Whalley Avenue, 3rd Floor

City: New Haven

Telephone: (203) 624-7911

Fax: (203) 777-9891

(A-10) Vendor's Federal Employer Identification Number (FEIN): 06-1364216

(A-11) Vendor's Connecticut Tax Identification Number: 7605959-000

(A-12) Vendor's legal form of ownership:

- Corporation
 LLC
 Cooperative
 Other: _____ (please specify)

(A-13) Vendor was formed or organized on April 12, 1993 in New Haven, CT.

(A-14) Is the Applicant currently under investigation, or has the Applicant ever been fined, sanctioned or penalized, in any state for violation of any consumer protection law or regulation?

- Yes If yes, provide **Exhibit A-10: "Violation of Consumer Protection Law."** For each current investigation, provide all of the following: name of the state and agency conducting the investigation; date on which investigation began; description of the nature of the alleged violation; and status of the investigation. For each fine, sanction or penalty, provide all of the following: date of the fine, sanction or penalty; name of state and agency imposing the fine, sanction or penalty; description of the violation; description of the fine, sanction or penalty, including monetary amounts, if applicable; and copy of the order imposing the fine, sanction or penalty.

No

The Applicant has never been fined, sanctioned or penalized for violation of any consumer protection law or regulation. In July of 2022, CYHD changed the rates it charged its submetered tenants from 20 cents per KWh to 30 cents per KWh. One of the members questioned whether CYHD could charge that amount, at which point CYHD retained counsel to look into what rates it could charge (including whether it could recover administrative costs for reading and billing). That led to the realization that PURA approval for submetering was required. While the undersigned was communicating with PURA representatives, a CYHD member wrote to PURA to complain about the increased rates. In response to that complaint, Mr. Tom Lopez, Director of the PURA Office of Education, Outreach & Enforcement, sent a letter dated September 29, 2022 inquiring about CYHD's sub-metering activities. As it is unclear whether Mr. Lopez' letter constitutes an "investigation for violation of any consumer protection law or regulation," a copy of the undersigned's response to that letter is attached.

(A-15) Is Vendor currently under investigation, or has Submetering Contractor ever been fined, sanctioned or penalized, in any state for violation of any consumer protection law or regulation?

- Yes If yes, provide **Exhibit A-11: "Violation of Consumer Protection Law."** For each current investigation, provide all of the following: name of the state and agency conducting the investigation; date on which investigation began; description of the nature of the alleged violation; and status of the investigation. For each fine, sanction or penalty, provide all of the following: date of the fine, sanction or penalty; name of state and agency imposing the fine, sanction or penalty; description of the violation; description of the fine, sanction or penalty, including monetary amounts, if applicable; and copy of the order imposing the fine, sanction or penalty.

No

(A-16) Describe the Vendor's experience with submetering, the size and scope of its operations and any other information that would be helpful in assisting the Authority to determine whether the Vendor has the capability to provide submetering services.

Each boat slip at the marina has its own submeter, which tracks the usage by KWh. RCI reads the submeter for each slip at the end of each month. It subtracts from that reading, the submeter's reading at the end of the prior month to calculate the KWh usage for the current month. That number is then multiplied by the rate charged by CYHD per KWh. An invoice is generated for the slip owner, which includes the costs for electric usage for that individual slip. RCI uses QuickBooks Online software as a service to generate the invoices. The invoice shows the submeter reading at the start of the month and at the end of the month, it sets forth the current month's usage ("quantity"), the current KWh rate assessed by CYHD, and the total amount for that month's usage. Attached to this application is a sample invoice from October 1, 2022 to one of the slip owners.

(A-17) Eligibility:

- Campground or marina.
- Commercial, industrial, multifamily residential or multiuse building where electricity or thermal energy is provided by a Class I source or qualifying Class III CHP system.
- Other location where submetering promotes energy goals described in the Comprehensive Energy Strategy. Applicants must describe how the installation of submeters supports the goals of the [Comprehensive Energy Strategy](#) (CES) and cite the applicable sections of the CES. Also explain and itemize the conservation measures utilized at the facility and how their savings will be measured and verified and any conditions that may offset the conservation savings.

For purposes of the remaining sections of this Application, the term "Applicant" is deemed to include a Vendor where and as applicable.

Submeter is defined as a non-EDC electric meter located behind an EDC meter, used to measure the electric consumption of kWh by an individual end-use Submetered Party.

Where necessary, the response to the questions in the remainder of the Application may be submitted on attached sheets, provided that each sheet and response is clearly labeled and pages sequentially numbered.

B. FACILITY TO BE SUBMETERED AND TECHNICAL ASPECTS OF THE SUBMETERING SYSTEM AND CLASS I OR CHP SOURCE:

(B-1) Provide the following information regarding the multi-unit facility (hereinafter the "Facility") at which the submetering system is to be installed and operated:

Name of Facility (if applicable): **The marina is loated at 70 Riverside Dr, Clinton CT**

Number of buildings in the Facility: **The facility is a marina, and the submetered spaces are individual slips. CYHD has a single clubhouse and a commercial unit. The submetered spaces are the 135 Dockominium Marina Units (hereafter, "slips"). The majority owner of the facility is HBM Holdings, LLC.**

For each building in the Facility provide: (See Below)

- a. The Applicant's designation of the building (e.g., "Building A").
- b. The street address of the building.
- c. The mailing address of the building.
- d. The number of floors in that building and the number of units on each floor.
- e. The number of units in that building.
- f. The number of submetered units in that building.
- g. Attach as **Exhibit B-1** a floor plan of each building. If there are non-residential units (e.g. a doctor's office) in the Facility, such units should be identified on the floor plan.
- h. The owner of the Facility, if different from the Applicant.

- i. Why the Facility cannot accept individual utility meters.

Commercial Unit: The commercial unit includes a 20,000 square foot rack building with 81 rack units (boat storage), an 8,000 square foot showroom, and two maintenance/ service bays. It also includes 3 management offices. There are no submetered units in that building. Applicant does not include a floor plan for the commercial unit, but can supplement the application upon request.

Club House: The clubhouse includes a kitchen area, recreational area, living room space, Lobby and outdoor swimming pool. The clubhouse is not submetered: electricity usage for the clubhouse is assessed to members through common charges. As there is no submetering of this space, the Applicant does not provide a floor plan.

Slips: The marina has five docks, Docks A, B, C, D, and E respectively. There are a total of 135 wet slips, which are owned by various members of the CYHDA. Attached hereto is a floorplan showing the arrangement of the docks and the individual wet slips. Each dock is metered, and each slip is individually sub-metered. Reference is made to the Applicant's October 24, 2022 response to Mr. Tom Lopez' letter, which includes information respecting the accounts for each meter. Sub-metering only occurs during the season, which runs from May 1st through October 31st each year. During those months, slip owners are charged based on the usage of each slip that they own.

If there are non-residential units located in the Facility, will any such units be submetered as well?
yes no

Is this Facility solely for commercial or industrial use? yes no

- (B-2) If the Facility is **new construction**: All new construction is required to provide equipment for the installation of EDC meters should submetering end in the future

- a. State when construction is scheduled to commence. If construction has commenced, describe progress to date (i.e., site prepared, foundation complete, building framed, etc.)

N/A

- b. State the anticipated date on which the Facility is expected to receive a Certificate of Occupancy.

N/A

- (B-3) If the Facility is **not new construction**: All renovations and/or conversions are required (i) to provide for installation of EDC meters, or (ii) to submit appropriate documentation to the Authority to seek an exemption from this requirement, such exemption to be granted at the Authority's discretion.

- a. State whether and to what extent the submetering system has been installed as of the date of this Application.

Upon belief, submetering system was installed in about 1998.

- b. If the submetering system has not yet been installed, state the date on which installation of the submetering system is anticipated to begin.

- (B-4) **Exhibit B-4:** Provide a complete set of electric plans for the Facility to be submetered, showing all wiring between the electric utility's meter(s), the Class I renewable energy source or CHP system, and the submeters in the individual units. The plans should also show all thermal energy and

related equipment and facilities, if any, and the wiring of those equipment and facilities with respect to all submetering equipment and EDC meters. The plans should identify all common usage areas, indicate the wiring to all common usage areas and be in sufficient detail to clearly indicate the usage each meter is measuring. If the common areas are already separately metered, indicate on the plans where common area meters are located.

*****The purpose of this rendering is to verify that each proposed submeter will measure only the electricity used exclusively by the tenant's unit and will not measure electricity supplied to common areas or any other portion of the property behind the EDC's master meter. PURA will NOT perform an engineering review of the submitted renderings/plans for compliance with electrical engineering codes and safety standards. The Applicant remains responsible for obtaining review and approval for any applicable engineering and safety standards as required by state and municipal laws, building codes, or other relevant regulations.*****

Where a Class I or CHP source is being installed, provide a detailed calculation of the estimated annual energy consumption and peak demand for the facility. This information will be used together with technical specifications and expected output from the Class I/Class III CHP source to support the Performance Standards identified in Section V of the Instructions for this application.

The submeters for slips were installed over 30 years ago when the marina was rebuilt. In about 2006, the Association purchased new submeters. The submeters purchased for the replacement, and currently existing at the marina, are Elster Type AB1 detachable watt-hour meters. They were installed by Michael Greco (Lic. No. ELC.0121925-E1). There are no as-builts as they are replacements for originally installed meters. Each meter is installed at each slip in advance of the electrical outlets used at the slip for electric usage. There are no submeters for electric used in common areas.

(B-5) Will common areas be separately metered?

Yes

Common areas are separately metered.

No. If No, describe how the Applicant will assure that residents will not be charged for electricity used in the common areas or in any other part of the premises that is not within the exclusive control of the resident/tenant.

(B-6) Identify the make, size and model number of the submeters that will be used in the submetering system and provide information that shows that the submeters have been certified to meet the minimum standards established by the Authority. Refer to the Authority's proceeding and ruling(s) in Docket No. [13-01-26](#) for information about approved submeters.

See response to B-4.

Identify the manufacturer and model number(s) of the submeters and data collection system that will be used in the submetering system. Include as **Exhibit B-6**, all information available from the manufacturer of the submetering system including but not limited to: 1) technical specifications of the submeter and data collection system, 2) manufacturer instructions for installation, maintenance and testing of the submeter/data collection system, and 3) manufacturer's instructions for the operation of the submeters/data collection system. Provide documentation that shows that the submeters have been certified compliant to ANSI (American National Standards Institute) C12.1, Code of Electricity Metering, and ANSI C12.20, 0.2% and 0.5% Accuracy Class Meters. In lieu of compliance with ANSI C12.1 and C12.20, IEC (International Electrotechnical Commission) standards IEC 62052-11, Electricity Metering Equipment (AC) – General Requirements, Tests and Test Conditions, and IEC 62053-22, Static Meters for Active Energy (classes 0,2S and 0,5S), are considered compliant. Additionally, provide documentation indicating that the instrument transformers, if utilized, are compliant with one or more of the following standards: ANSI C12-11,

Instrument Transformers for Revenue Metering, IEEE (Institute of Electrical and Electronics Engineers) C57.13, Instrument Transformers, or IEC 60044, Instrument Transformers.

- a. Applicant agrees to comply with Conn. Agencies Regs. § 16-11-238, and acknowledges that it is required to include the meter manufacturer, date of manufacture and all installation and removal dates for the life of the meter in its meter records and to retain meter records for a period of two years after the meter has been discarded. Yes

(B-7) Identify the make, size and model number of the Class I renewable energy source or Class III CHP system.

- a. Include as **Exhibit B-7**, all information available from the manufacturer of the Class I renewable energy source or Class III CHP system, including but not limited to technical specifications of the system.

b. **Proof of Class I or Class III Renewable Energy Source Certification**

- (i) For Class I or Class III renewable energy source systems already in operation and approved by PURA, provide the renewable certification number and identify the PURA docket in which the Class I or Class III renewable energy source system was approved.
- (ii) For Class I or Class III renewable energy source systems not yet in operation and approved by PURA, applicant understands and agrees to provide as a compliance filing in this application docket, proof that the Class I or Class III certification is approved by PURA no later than 12 months after approval of this electric submetering application. Proof shall include the PURA docket number and certification number. Yes

(B-8) Provide the following regarding the electrician who installed (or will install) the submeters:

Name: **Michael Greco**

Company Name: **N/A**

Address: **29 Hawthorn Road**

City: **Guilford, CT 06437**

Main Telephone: **Unknown**

CT Electrician's License #: **Lic. No. ELC.0121925-E1**

(B-9) Describe the procedure by which the submeters will be read, including but not limited to the following information:

- a. whether the submeter will be read remotely;

The submeters are read on-site, not remotely.

- b. the frequency with which the submeter will be read;

The submeters are read on a monthly basis during the boating season which goes from May 1st to October 31st each year.

- c. the procedure for generating an invoice or bill to the tenant; and

The CYHD's property manager, RCI, reads the submeters, and determines the KWh usage for each slip on a monthly basis. It multiplies the KWh usage for each slip by the rate it charges per KWh, then creates an invoice for that amount. A separate invoice is generated for each individual slip; Owners of multiple slips receive an invoice for each slip they own.

d. How the tenant has access to the submeter and how the tenant can "read" the meter.

The meters are located directly on the slip and can be read by anyone. Owners are able to and do record their own usage.

Provide as **Exhibit B-9a** any written procedures or policies developed and maintained by either the Applicant or the Vendor with respect to reading the submeter used by the Applicant.

There are currently no written procedures. Attached here is a proposed "Notice Regarding Electric Submetering," (hereafter, the "Proposed Notice") which Applicant proposes to distribute to slip owners, which includes an outline for submeter reading procedures.

Provide as **Exhibit B-9b** all forms, notices, reports, etc. that are generated by the Vendor and sent to the Applicant in connection with reading the meters for purposes of generating invoices or bills to the Submetered Party.

No individual notices or reports in connection with reading the meters. RCI provides CYHD financial statements reflecting what has been billed and what has been paid generally. As is set forth in the Proposed Notice, the Association proposes that its managing agent maintain a ledger documenting the readings for each submeter (including the previous and present reading dates, current reading amount, current Supply Rate, and total kWh consumed per submeter), which the Association shall maintain for the time periods set forth in the CT Regulations.

Provide as **Exhibit B-9c** all notices or other written materials provided to the tenant which explain how the meters are read and bills or invoices generated.

There are currently no such notices or materials. The attached "Proposed Notice" includes information respecting how the submeters are read and bills/ invoices are generated.

(B-10) Enforcement of Performance Standards

See Section V of the Application Instructions for details on the Performance Standards applicable to Class I and Class III CHP resources.

On or before March 1st of each year, Applicants must submit an annual report that compares the actual usage (demand and/or consumption) of the facility to the performance standards in place when submetering was approved for their Class I renewable energy source or Class III CHP system. This information must be submitted under the PURA Docket Number assigned to the Applicant and as directed in the PURA Decision in that Docket. Submetering Customers must explain the circumstances surrounding any shortfall in meeting the performance standards defined above during the preceding reporting year. Applicants acknowledge that PURA can take enforcement actions, including revocation of the approval to submeter, for failure to meet the performance standards. Acknowledge compliance: Yes or N/A

C. COMPLIANCE WITH RULES AND REQUIREMENTS GENERALLY

(C-1) Submetering Rules and Regulations:

a. State the name of the EDC providing distribution services to the Facility, the name of the entity(ies) supplying electricity generation services to the Facility, and the name of the entity(ies) that bills the Applicant for that generation.

Eversource Energy.

- c. State whether the reading dates for the submeters will differ from the dates for the reading of the EDC's meters. If so, explain the difference and why the meter reading dates cannot be aligned.

To the extent required by PURA, the reading dates for submeters can be aligned with the reading dates for submeters.

- d. Confirm that the tenants will be billed only on a monthly basis. Yes

(C-2) Submetering Rules and Regulations (cont'd):

- a. Describe the Applicant's procedures with respect to tenant inquiries concerning the submetering system, the operation of the submetering system, reading of submeters, labeling, marking and mounting of submeters, access to submeters, and bills sent to the tenants for payment. Provide as **Exhibit C-2a** a copy of these procedures.

The submeters are located at the individual slips, and tenants are able to track their own usage by reading the submeters. Tenants are able to bring any questions to RCI's attention related to the operation of the submetering system, and invoicing. For more information, see the attached Proposed Notice.

- b. Describe in detail the Applicant's method and frequency for non-standard billings for move-ins, move outs and prorating the bills for a Submetered Party.

This would arise where one of the dockominium spaces are sold to a new owner, who, as with a condominium, receives a resale certificate and other documents at the closing. If requested, management would take the reading on the closing date and ensure that the owner is assessed charges for its use during ownership.

- c. Provide as **Exhibit C-2b** all documents provided to the tenant describing the tenant's rights and the procedures with respect to tenant inquiries concerning the submetering system, availability of the Applicant's utility billing statements and/or tariffs, the operation of the submetering system, reading of submeters, meter testing and tenant billing for electric service.

There are currently no specific documents that relate to submetering procedures. Slip owners receive a resale certificate, as well as a copy of the CYHD's bylaws and declarations at closing. All documents are available to the slip owners, each of which are members of the association. The slip owners may raise any issues, questions, or concerns with the CYHD association with respect to submetering. Indeed, one of the members recently raised a concern that the CYHD had increased its rate for electric usage, which prompted CYHD to retain counsel and undertake measures to ensure compliance with the PURA regulations.

The Association attaches its Proposed Notice, which it has prepared in conjunction with this application, which further describes the Slip owner's rights and the procedures with respect to submetering inquiries and complaints.

- d. Class I or Class III CHP Submetering Customer - Provide as **Exhibit C-2c** a copy of the relevant utility customer class rate charged for the service territory in which the Facility is located (the "Rate"). Note that Rate comprises **only** the aggregate of (i) the default general service charge, standard service or last-resort service, as applicable to the Submetering Customer, and (ii) the respective Bypassable Federally Mandated Congestion Charge, as applicable to the Submetering Customer.

- e. Class I or Class III CHP Submetering Customers - Provide as **Exhibit C-2d** documentation describing how the rate charged to customers will be no greater than the Rate identified in **Exhibit C-2c**.
- f. Provide as **Exhibit C-2e** a copy of the Applicant's procedures for notifying tenants of changes in rates or rate classification for electric service provided to the Facility by the electric utility, including copies of any notices or other written material that will be used to notify the tenant of any such changes. Explain how submetering account balances will be separately maintained from rental accounts.

See the attached Proposed Notice.

- g. Describe in detail the Applicant's method and frequency of distributing tenant bills.

The CYHD's property manager, RCI, reads the submeters, and determines the KWh usage for each slip on a monthly basis. It multiplies the KWh usage for each slip by the rate it charges per KWh, then creates an invoice for that amount. A separate invoice is generated for each individual slip; Owners of multiple slips receive an invoice for each slip they own. Invoices are sent every month electronically or by hard copy, per request.

(C-3) Submetering Rules and Regulations (cont'd):

- a. Provide as **Exhibit C-3a** a copy of a sample bill that will be sent to tenants. See Conn. Agencies Regs. [§ 16-11-107\(c\)](#) for requirements. **See D-7 and D-8 below.**

Attached is a sample invoice that was sent to a CYHD slip owner in October of 2022.

- b. Provide as **Exhibit C-3b** a copy of a sample estimated bill that will be sent to tenants and any written materials that will be sent to a tenant regarding any such estimated bill. See Conn. Agencies Regs. [§ 16-11-107\(a\)](#) for requirements. Describe the circumstances under which a tenant might be sent an estimated bill.

N/A - Invoices are not estimated.

- c. Provide as **Exhibit C-3c** a copy of sample lease including the provisions regarding electric submetering, which includes any fee charged for submetering, security deposits, late fees, and any other charges and/or conditions for electric service in addition to those of the electric distribution company, and customer service contact information for the tenant's questions regarding their electric bill. **See D-7 and D-8 below.**

There is no such sample lease, as the slip owners are owners of the space.

(C-4) Submetering Rules and Regulations (cont'd):

- a. Provide as **Exhibit C-4a** a copy of the Applicant's written procedures and likely reasons for adjustments to bills. See Conn. Agencies Regs. [§ 16-11-110](#) for requirements.

See the attached Proposed Notice.

- b. Provide as **Exhibit C-4b** all documents provided to the tenant informing them of their rights and who to contact with questions regarding their bills.

See the attached Proposed Notice.

(C-5) Submetering Rules and Regulations (cont'd):

- a. State whether Applicant employees whose duties include entering into a tenant's unit wear a "distinguishing uniform identifying [the person] as an employee of the [Applicant]" or display a photo identification card identifying the person as an employee of the Applicant or both.

No uniforms.

- b. Provide as **Exhibit C-5a** a copy of the Applicant's procedures governing entry of a tenant's unit by an employee of the Applicant, including but not limited to notice of any such entry provided to the tenant, which procedures should comply with the requirements of Conn. Gen. Stat. Sec. 47a-16.

N/A - The submetered spaces are not dwelling units.

(C-6) Submetering Rules and Regulations (cont'd):

By checking the box, you agree you have read and will comply with Conn. Agencies Regs. § 16-11-116 (Points of Delivery, Establishment of delivery point), § 16-11-117 (Points of Delivery, Meter location), § 16-11-118 (Metering, Measurement), § 16-11-119 (Metering, Multipliers and test constants), § 16-11-120 (Metering, Accuracy of watt-hour meters), § 16-11-121 (Metering, Accuracy of demand meters), § 16-11-122 (Metering, Instrument transformers), § 16-11-126 (Meter Tests—Special, Customer request), § 16-11-127 (Meter Tests—Special, Commission directive), § 16-11-128 (Meter Tests—Regular, Location of tests), § 16-11-129 (Meter Tests—Regular, Installation test), § 16-11-130 (Meter Tests—Regular, Periodic tests), § 16-11-131 (Meter Tests—Regular, Meter records), § 16-11-132 (Meter Tests—Regular, Meter test records), § 16-11-133 (Meter Tests—Regular, Types of meters), § 16-11-236 (Calculating Submetered Party's Cost), § 16-11-237 (Installation and Maintenance of Submeters), and § 16-11-238 (Meter Tests and Record Retention). yes

- a. Provide as **Exhibit C-6a** a copy of the Applicant's procedures implemented to test the accuracy of a submeter upon the tenant's request.

See attached Proposed Notice.

- b. Provide as **Exhibit C-6b** all documents provided to the tenant describing the tenant's rights with respect to requests for tests of the accuracy of a submeter.

See attached Proposed Notice.

- c. Describe the testing procedure that will be used to test the accuracy of the submeter and state whether the procedure used will be a "certified bench test."

See attached Proposed Notice.

If a certified bench test will be utilized, state whether the Applicant will rely on a third party to provide the testing service and, if a third party will be used, state the third party's name, business address and telephone number.

If a certified bench test will not be utilized, provide as **Exhibit C-6c1** documentation describing how that test will be performed and provide as **Exhibit C-6c2** all written material regarding the test procedure that will be provided to the tenant.

D. COMPLIANCE WITH RULES AND REGULATIONS REGARDING CUSTOMER SERVICE AND COMPLAINT HANDLING

By checking the box, you understand and agree to comply with the Conn. Agencies Regs. § 16-11-103(a) through (c) (Customer Relations, Rate Schedules), § 16-11-104 (Customer Relations, Information to customers), § 16-11-105 (Customer Relations, Customer bills and deposits), § 16-11-106 (Customer Relations, Customer Complaints and service requests), § 16-11-107 (Customer Relations, Meter reading and bill form), and § 16-11-110 (Customer Relations, Adjustment of bills),
yes

- (D-1) Provide as **Exhibit D-1** a copy of the Applicant's customer service procedures and/or notices with respect to submetering for tenants at the Facility. These materials should include but are not limited to:

See the attached Proposed Notice.

- a. notification to tenants as to how to contact the Applicant with respect to concerns, issues or complaints as to submetering, including but not limited to billing for electric service;
- b. notification to tenants of their right to have the submeter tested, and the procedures for requesting a test of the submeter; and
- c. notification to tenants of their rights with respect to adjustments to bills;
- d. notification to tenants that all questions regarding electric quality issues are to be directed to the property manager; and
- e. notification to tenants that submetering must be approved by the Authority and providing the tenant with information as to how to contact the Authority when they have complaints, issues or concerns that they believe have not been adequately addressed by the Applicant.
- f. retention of records for 3 years of tenant complaints and inquiries concerning the submetering system and charges for electric use by tenants

- (D-2) Provide as **Exhibit D-2** samples of any materials that the Applicant provides to tenants promoting conservation generally and submetering as a method of promoting conservation.

No materials provided, other than as set forth in the attached Proposed Notice.

- (D-3) Provide as **Exhibit D-3** the Applicant's procedures with respect to monitoring tenant consumption, determining whether a deviation from the tenant's historical usage pattern might reflect abnormal usage, notifying the tenant of regarding a change in the tenant's usage that might signal abnormal usage, investigating and resolving any such questions, and documenting these events, including but not limited to a statement as to whether the Applicant's on-site management or personnel provide a written report of problems found, the remedy, and the cost of repairs to the tenant for any damage caused by the tenant.

See the attached Proposed Notice.

- (D-4) If the Applicant intends to rely on a Vendor to handle tenant inquiries and complaints, please provide the following information regarding the Vendor's customer service operations:

- a. How many customer service representatives does the Vendor currently employ for the purpose of responding to tenant inquiries and state how the Vendor determined that that staffing level was appropriate.

2 RCI employees

b. What is the location and hours of operation of the Vendor's customer service center?

RCI maintains normal business hours during the day at its office located at 300 Whalley Ave. After hours there is a 24-hour answering service.

c. How many telephone lines does the Vendor maintain for tenants to call in? Is a toll-free number supplied to the tenant? How is the tenant notified of the existence of Vendor's service center and how to reach it?

Slip owners are provided this information when they purchase a Slip. Moreover, the attached Proposed Notice provides this information.

(D-5) If the Applicant does not intend to utilize a Vendor for handling tenant inquiries and complaints, the Applicant should describe here its "customer service functions," including those aspects of the customer service function described in D-4 above.

N/A – Applicant utilizes a property manager.

(D-6) Where and how can tenants pay their electric bills?

They can pay online through RCI's service, they can mail them in, they can call the office and pay via phone. Or stop in the office.

(D-7) Is the tenant charged a service fee for submetering? If so, state the total fee, and state how often the fee is billed (e.g., monthly, quarterly, etc.).

Approval is requested to permit Applicant to charge a \$5.00 service fee for submetering to sub-metered tenants (slip owners). The purpose of this fee would be to offset costs to the CYHDA for paying its property manager to read submeters, generate invoices, bill slip owners, and collect.

(D-8) Provide as Exhibit D-8 an itemization of all potential fees a tenant can be asked to pay with respect to submetering, including but not limited to any late fee and/or service fee described in D-7 above. The itemization should describe the nature and amount of the fee. This itemization should also be included in any lease agreement provided to tenant in C-3c above.

No fees other than the \$5.00 service fee identified in (D-7), and fees associated with meter accuracy testing for additional requests within a 12 month period.

E. ADDITIONAL INFORMATION

(E-1) The Applicant understands it must notify the residents of the facility that the Applicant has applied to the Authority for permission to submeter, and include the following information: (1) That the Applicant has submitted an application to the Authority for approval to submeter water service in the facility; (2) The docket number of the proceeding in which the Authority will review the application; (3) That if the resident has any concerns or objections about the Applicant's proposal to submeter, he or she may submit written comments, referencing the docket number, to the Authority via the Executive Secretary at email Pura.executivesecretary@ct.gov. Please confirm the Applicant provided such notice by checking the box. Yes

(E-2) If apartments in the facility use electricity for all or part of the heat, describe the energy conservation measures, if any, that have been or will be taken by the applicant to reduce the amount of electricity that tenants will be required to use to produce heat.

N/A

F. ACKNOWLEDGEMENT OF THE AUTHORITY'S JURISDICTION

(F-1) By submitting this Application, the Applicant and all Co-Applicant(s) acknowledge that they will be subject to the Authority's jurisdiction with respect to their submetering activities under Conn. Gen. Stat. § 16-19ff, including but not limited to the Authority's power to revoke submetering approvals, order the immediate cessation of submetering and/or impose fines pursuant to Conn. Gen. Stat. § 16-41. Yes

AFFIDAVIT #1

"Veracity of Statements"

State of Connecticut

Town Oell Lyme

County of New London

Richard Shriver, Affiant, being duly sworn/affirmed according to law, deposes and says that:

He is the President of the Applicant, **Clinton Yacht Haven Dockominium Association, Inc.**

That he is authorized to and does make this affidavit for said Applicant;

That Richard Shriver, on behalf of **Clinton Yacht Haven Dockominium Association, Inc.**, the Applicant herein, certifies under penalty of false statement that all statements made in the application for approval to submeter are true and complete to the best of his knowledge and that Applicant will also amend its application while the application is pending if any substantial changes occur regarding the information provided in the application within ten days of any such change.

That the facts above set forth are true and correct to the best of his knowledge, information, and belief and that he expects said Applicant to be able to prove the same at any hearing hereof.


Signature of Affiant

2/7/2023

Sworn and subscribed before me this 7 day of Feb, 2023.

Karen C. Pompea
Signature of official administering oath

KAREN C. POMPEA
Notary Public, State of Connecticut
My Commission Expires 10/31/2025

Print Name and Title

My commission expires 10/31/2025.

**PROPOSED NOTICE REGARDING ELECTRIC SUBMETERING
AT CLINTON YACHT HAVEN DOCKOMINIUM**

The Clinton Yacht Haven Dockominium Association, Inc. (“CYHDA” or the “Association”) provides this notice regarding the submetering of electricity for Marine Units (“Slips”) owners at the marina. Unless otherwise specifically stated, this Notice does not alter any of the Associations Bylaw, Declarations, or other Rules. To the extent anything in this Notice is prohibited by the laws or regulations of the State of Connecticut, said laws and/ or regulations shall control.

1. Submetering at the Marina - Generally

Submetering electricity allows the Association to allocate usage charges for electricity to individual Slip owners based on the Slip’s pro rata share of consumption at a rate equal to or below that of standard service from the Utility provider (the “Provider”). Submetering promotes conservation and fairness. Electricity that is distributed to the individual Slips at the at the marina is submetered. The Slip’s submeter monitors electricity usage by tracking it by the Kilowatt Hour (kWh). Each Slip owner is responsible for paying for the electricity used at their Slip(s) on a monthly basis, the amount of which is calculated based on the Slip’s submeter readings during the marina’s operating season, from May 1st through October 31st. In accordance with the Association’s bylaws, the Association’s managing agent(s) are tasked with invoicing Slip owners for electricity usage in accordance with this Notice.

2. Managing Agent Contact Information

At the time of this Notice, the Association’s Managing agent, and its contact information, is as follows:

Renaissance Collaborative, Inc.
300 Whalley Ave.
New Haven, CT 06511

Main Office Number:	(203) 624-7911
E-mail Address:	rcimgmt@aol.com
Fax:	(203) 777-9891
24-Hour Answering Service:	(203) 624-7911

With respect to inquiries regarding the submetering of electricity at the marina, the managing agent may be contacted at its Main Office Number above during normal business hours. At all other times, members may contact the managing agent’s 24-Hour Answering Service to leave a message, or send an e-mail to the e-mail address above.

3. Procedures for Reading Submeters, Electricity Rates, and Invoicing Unit Owners

The Association’s manager will employ its best efforts to match the Association’s billing period to the billing period of its electricity provider. On or about the 12th day of each month, the

Association's property manager will take a submeter reading at each Slip. It will calculate the total kWh usage for each billing period by subtracting the submeter reading at the beginning of the billing period from the submeter reading at the end of the billing period. That figure will be multiplied by the current per-kWh rate ("Supply Rate") charged by the Association at the time of the reading to calculate the "Monthly Usage Charge." In accordance with Connecticut General Statutes § 16-19ff, the Supply Rate charged by the Association shall not exceed the amount paid by the Association for such energy to the Provider, except that the Association reserves the right to charge a \$5.00 administrative fee per Slip per month to offset the costs of submeter reading, generating invoices, billing Slip owners, and tracking payments for the same.

At the time of this Notice, electricity is supplied to the marina by Eversource Energy at the rate of 24.159 ¢ per kWh. This Supply Rate figure is calculated by taking the monthly amount charged to the marina by the Provider, and dividing it by the total kWh consumed during the billing period, which equals the average cost per kWh. Both the Provider and the Supply Rate are subject to change. Until further written notice, the Association intends to match its Supply Rate with the Supply Rate charged by its electricity Provider.

The Association, through its managing agent, provides Slip owners a monthly invoice, which includes charges assessed to the Slip for electricity usage, namely the aforementioned Monthly Usage Charge plus the administrative fee. As it respect invoicing for electricity usage, each invoice, at a minimum, shall detail the submeter reading at the beginning of the billing period, the submeter reading at the end of the billing period, the total kWh usage of the Slip for that period, the Supply Rate being charged by the Association at the time of that billing period, the total Monthly Usage Charge, and the administrative fee for electricity submetering. Invoices shall be delivered by electronic mail to Slip owners, unless a Slip owner has expressly requested that invoices be provide in hardcopy format, in which case the invoice will be mailed to the address designated by the Slip owner for billing.

Invoices may be paid to the managing agent via cash, check, or credit card. Payments can be mailed to the managing agent, paid via telephone at the managing agent's number, or made in person at the managing agent's office.

4. Non-Standard Billing and Adjustments

In the event a member sells or surrenders a Slip, it shall only be obligated to pay for electricity usage up through the last date of his/ her ownership, should that be different than the standard end of a billing period. The owner shall inform the managing agent ten (10) days in advance of its last date of ownership, and the managing agent shall take a submeter reading of the Slip's usage as of that date. The owner is encouraged to take an independent reading of the submeter on its last day of ownership to ensure the accuracy of the final reading and invoice.

Slip owners have the right to seek an adjustment to their bills for electric usage if they are charged for more electricity than is actually used, or if a faulty submeters renders an inaccurate reading. Requests for adjustment should be made in writing to the managing agent and sent via e-mail with the subject line: "Adjustment to Electric Charges for Slip No. [REDACTED]." The request should include the nature and amount of the requested adjustment, and the basis therefor. Proof of the

necessity of the adjustment may be required, if, for example, a Slip owner challenges the submeter reading as of a certain date. To ensure the adequacy of such proof, Slip owners are encouraged to photograph the submeter reading and forward the image with their request. Slip owners may request that the submeter be tested for accuracy in accordance with the procedure outlined below. The property manager will investigate the request and respond within five (5) days, exclusive of weekends, unless additional time is needed to investigate. Slip owners may appeal an adverse decision to the Association.

5. Records, Information, and Access

The Association's managing agent shall record the monthly reading of each submeter in a ledger. The ledger shall provide, at a minimum, the Slip number/ identification, the date of the present and previous meter reading, the current kWh reading for each submeter, and the total kWh consumed during the billing period. The managing agent shall also maintain copies of rate schedules of Provider rates. The property manager shall furnish a copy of the ledger to the Association's Executive Board on a monthly basis, and records of the same are available for inspection and copying by any member upon request. The Association shall maintain such records for not less than three years.

The submeters for each Slip are located directly at the Slip and available for inspection by the Slip owners upon request at reasonable business hours. A statement of past readings of the Slip owner's submeter and the Association's meter may be provided upon request by a Slip owner for any period not in excess of 15 months, consistent with Conn. Agencies Regs. §16-11-104. Owners may and are encouraged to track their own electricity usage and engage in energy conservation measures. Any significant deviations from historic usage should promptly be brought to the attention of the Association so it may investigate the cause of such deviation. Be advised, the Association may, in its discretion, monitor electricity consumption at each Slip and notify Slip owners of changes in their usage that might signal abnormal usage, and independently investigate the cause thereof. This may include, without limitation, testing the submeter in accordance with the procedure outlined below.

Members are directed to the Provider's website for current supply rates. Additionally, upon request, the Association will provide a member with a copy of the Provider's bill, so the member may verify the Supply Rate charged by the Association. The Association will notify members of any changes to the Supply Rate or the marina's rate classification by including a notice of rate change in the invoice for the month prior to the rate change.

The Association, through its managing agent, shall retain records of all invoices issued to Slip owners, and all bills issued by the Provider to the Association, for a period of three (3) years.

Any request to inspect submetering records, or billing from the Provider shall be made in writing and sent to the property manager at its e-mail address with the subject line: "Request to Inspect Electricity Records." The request may be referred to the Association. If any request for documentation exceeds fifteen pages, the Association reserves the right to assess a copying charge to offset its costs for copying.

6. Inquiries and Complaints

Slip owners may initially direct inquiries, concerns, issues, and/ or complaints respecting the Association's submetering activities to the managing agent. This includes, without limitation, questions regarding bills, the submetering system, the operation of the submetering system, electricity quality, testing of submeters, reading of submeters, labeling, marking and mounting of submeters, and access to submeters. Any such inquiries, concerns, issues or complaints must be made in writing and sent via e-mail to the managing agent. If the managing agent is unable to respond to such inquiries, it shall forward such inquiries to the Association's board within seven (7) days, and the Association shall investigate and respond to the Slip Owner's inquiry. In the event any inquiry is deferred to the Association in this manner, the managing agent shall inform the Slip owner that his/ her inquiry is being referred to the Association.

Slip owners are notified that submetering activity at the marina must be approved by the Connecticut Public Utilities Regulatory Authority ("PURA"). With regard to electricity submetering, Slip owners may contact PURA if they have any complaints, issues or concerns that they believe have not been adequately addressed by the Association. PURA maintains a website that sets forth the complaint process, the URL of which at the date and time of this Notice is <https://portal.ct.gov/PURA/Consumer-Services/File-a-Complaint>. The website also provides the following toll-free (within Connecticut) number: 1-800-382-4586. Slip owners are directed to the PURA website for information respecting complaints.

The Association shall retain records of any complaints, inquiries concerning the submetering system, and charges for electric use by Slip owners for three years. Records of complaints shall show the name and address of the complainant, the date and nature of the complaint, and how and when the complaint was disposed of in accordance with Conn. Agencies Regs. §16-11-106. Information respecting the same may be obtained pursuant to the procedure outlined in the previous section.

7. Submeter Testing, Requests and Procedure

Request for submeter testing

Slip owners have the right to have their submeters tested to ensure its accuracy. Slip owners shall have the right to request one submeter test in a twelve month period conducted by an entity unaffiliated with the Association, at the Association's expense. If any such accuracy test indicates that the submeter is inaccurate by more than 1% using industry standard testing protocols, such submeter shall be corrected or replaced, and the CT Public Utilities Regulatory Authority ("PURA") shall be notified. Additional submeter testing beyond the one accuracy test in a twelve month period requested by a Slip owner shall be paid for by the Slip owner, unless such additional meter testing indicates that the submeter falls outside the 1% error range, in which case the Association shall pay for the testing and PURA shall be notified.

Submeter Testing:

- a. Submeter accuracy testing may be performed for the following reasons:

- a. Expiration of the current accuracy certification of the submeter;
 - b. Periodic and Selective Testing, at the Association's discretion;
 - c. Meter Accuracy Test Request by the Association or a Slip Owner;
 - d. As part of an abnormal power usage investigation.
- b. Testing may be performed in-house or by sending the submeter out to a certified testing company, in the sole discretion of the Association.
 - c. The managing agent shall schedule a bench test after a request is received.
 - d. The Slip owner has the right to be present at the test. Reasonable attempts will be made to accommodate the Slip owner's schedule to afford them the ability to be present, if requested. In the event off-site testing is conducted, and the Slip owner requests to be present, reasonable attempts will be made to conduct the test with remote viewing. In the event of off-site testing, the Slip owner must assume any travel, travel related expenses, or remote viewing expenses.
 - e. The meter will be tested using currently certified bench testing equipment that has been certified to test the meter against the national ANSI standards for meter accuracy and operation.
 - f. The test will be conducted as follows:
 - a. Power up the meter;
 - b. Note any errors or test failures;
 - c. If failure occurs, confirm that the meter is bad (as opposed to a "false positive" test);
 - d. Print test results;
 - e. Reasons for failures shall be noted.
 - g. Results of any meter accuracy test will be available to the Slip owner, the Association, and its managing agent.
 - h. If a meter fails an accuracy test, the managing agent will determine if an overpayment for consumption has occurred, and perform an analysis to determine the appropriate adjustments to bills and issue credits to the Slip owner's account balance if necessary.

8. Events Affecting Service

The marina may experience an outage if the Provider's power lines servicing the marina experience a loss of power. When the Provider notifies the managing agent or the Association of a planned event, the managing agent will notify you by electronic mail, or, if notifications are requested by regular mail, then notice will be sent via regular mail.

Exhibit B-1



Clinton Yacht Haven Dockominium Association, INC
PO Box 628
Clinton, CT 06413
+1 8606697254
rcimgmt@gmail.com

Invoice

BILL TO

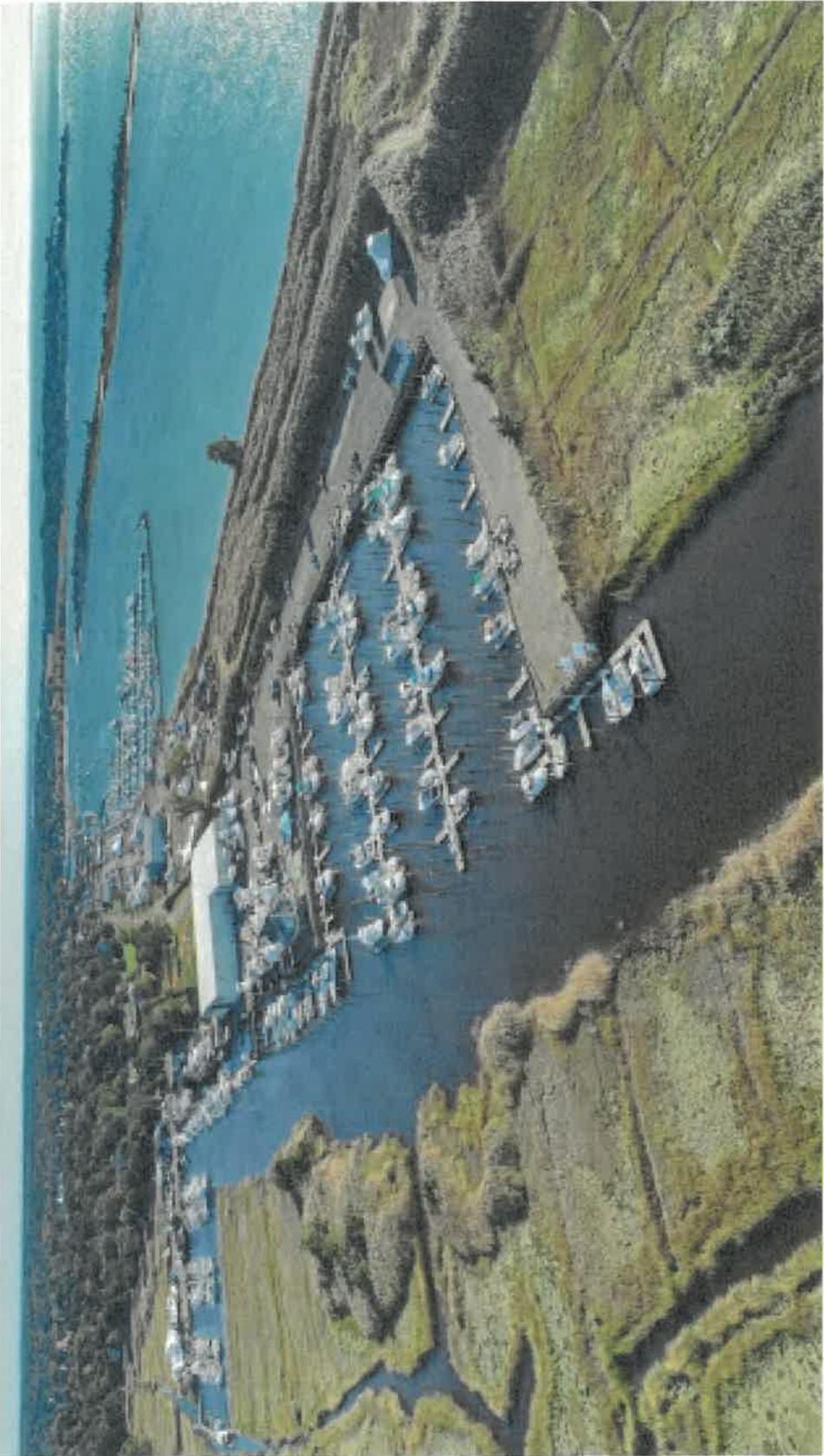
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
42654	10/01/2022	\$128.62	10/15/2022	PAYABLE ON RECEIPT	

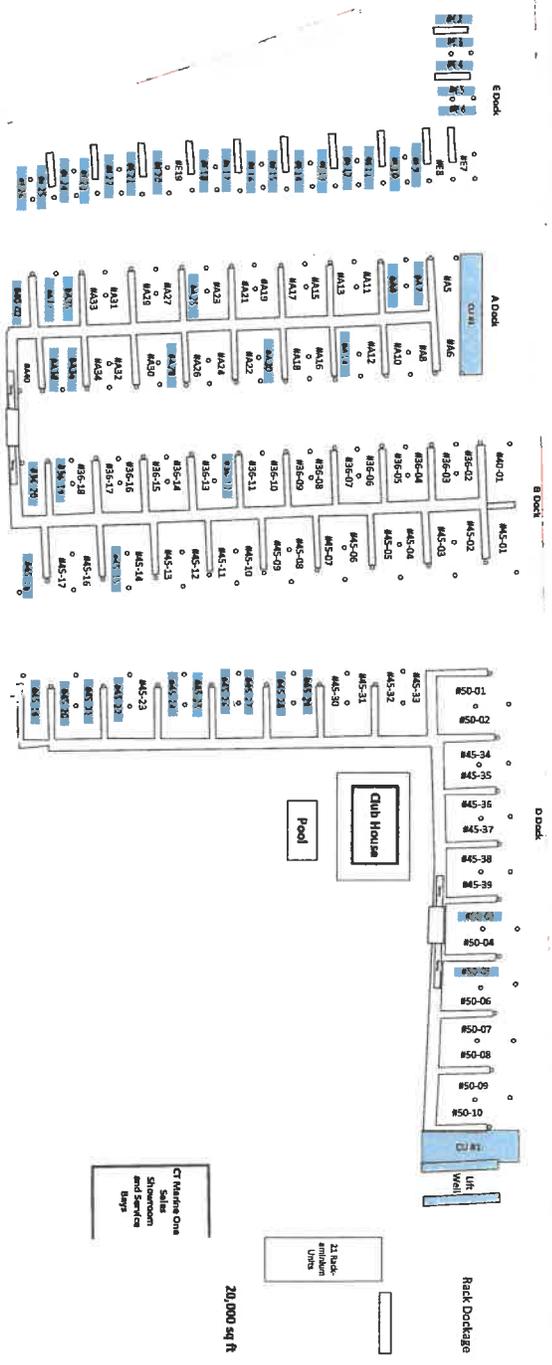
DATE	ACCOUNT SUMMARY	AMOUNT
09/01/2022	Balance Forward	541.05
10/01/2022	Payments and credits already applied to this invoice	-310.58
	Other payments and credits after 09/01/2022 through 09/30/2022	-489.44
10/01/2022	Other invoices from this date	0.00
	New charges (details below)	387.59
	Total Amount Due	128.62

DATE	DESCRIPTION	QTY	RATE	AMOUNT
45' Common	45' Wetslip monthly common charge	1	235.19	235.19
Electric	EVERSOURCE ELECTRIC CHARGES FOR END OF MONTH READING (METER READING START AND END NUMBER BELOW)43754-44262	508	0.30	152.40
	TOTAL OF NEW CHARGES			387.59
	BALANCE DUE			\$128.62

Exhibit C-3a







Club House

Pool

Rack Deckage

CT Marine One
Sales
Demonstration
Office
Days

20,000 sq ft

21 Inside
emulsion
Units