



**NORTH CAROLINA
PUBLIC STAFF
UTILITIES COMMISSION**

October 21, 2015

Mr. Richard Stasica, General Counsel
Breckenridge Group CNC, LLC
1301 South Capital of Texas Highway
Austin, TX 78746

Re: Docket Nos. ER-55, Sub 0, and ER-39, Sub 1 (transfer of Aspen Charlotte)

Dear Mr. Stasica:

This correspondence concerns the electric reseller application and additional information filed with the North Carolina Utilities Commission (Commission) in the above-referenced dockets.

The Public Staff believes that the application is not yet complete for the reasons set forth in the attachment hereto. Under North Carolina law, a completed electric reseller application is deemed approved if no Commission action is taken on it within 60 days of filing. If you desire to pursue the application further, please file all missing information and exhibits or corrections as noted on the attachment. The statutory time for the Commission's review of the application will begin once a completed application is received.

Sincerely,

Electronically submitted
/s/ Elizabeth A. Denning
elizabeth.denning@psncuc.nc.gov

EAD/bll
Attachment
c: Chief Clerk
Scott Sailor

Executive Director
(919) 733-2435

Communications
(919) 733-2810

Economic Research
(919) 733-2902

Legal
(919) 733-6110

Transportation
(919) 733-7766

Accounting
(919) 733-4279

Consumer Services
(919) 733-9277

Electric
(919) 733-2267

Natural Gas
(919) 733-4326

Water
(919) 733-5610

**Deficiencies Regarding Additional Information Filed on August 27, 2015, in
Docket Nos. ER-55, Sub 0, and ER-39, Sub 1
Breckenridge Group CNC, LLC (Applicant - Purchaser/Transferee)
Aspen Charlotte**

Item numbers refer to the corresponding numbers on the application form filed in this docket.

Item 28.

- (a) Under the Utility Billing Procedures section, the billing agreement states that tenants “sign up online for the SimpleBills service, including all tenants in the residence.” Will tenants be required to sign up online with SimpleBills to receive electric service from the Applicant? Please describe the sign up procedure, explain how tenants will learn about this procedure, and indicate what information tenants must provide to establish an account with SimpleBills.
- (b) Please explain how bills will be delivered to tenants.
- (c) Please list and describe each type of charge that SimpleBills will be billing to tenants for the Applicant, such as late fees, past due amounts, returned check charges, etc.

Item 30.

- (a) The sample billing statement lists an apartment address but does not show a space for the tenant’s name. Please indicate where the tenant’s name will be placed on the bill.
- (b) The bill does not list charges for late fees, past due amounts or returned check charges. Please indicate if tenants will be billed these charges and how they will be billed.
- (c) “Duke Energy” should be removed from the first electric charge line item after “Aspen Heights Charlotte.” Alternatively, “Duke Energy Carolinas” should identified here as the electric supplier.
- (d) The billing statement includes a section entitled “Explanation of Charges.” This section should include descriptions for the “Electricity Allowance” and “Monthly Fee” line item amounts. Also, there is no mention of late fees or returned check fees. All types of charges that may be charged to the tenants should be listed here.
- (e) In the first and second sentences of the description for Electricity listed under Explanation of Charges, the words “your utility company” should be changed to “Duke Energy Carolinas.”

- (f) Please explain how tenants will be billed for past due amounts.
- (g) Please explain how credits and refunds will be issued to tenants when the Electricity Allowance exceeds the amount owed by the tenant for electricity usage.
- (h) The billing statement must contain a statement of the tenant's right to address questions about the bill to the provider and the tenant's right to file a complaint with, or otherwise seek recourse from, the Commission if the tenant cannot resolve an electric service billing dispute with the provider. The statement should be similar to the following in Commission Rule R22-7(g)(3): "A statement advising tenants that they should first contact the provider's office with any questions they may have regarding bills or complaints about service, and that in cases of dispute, they may contact the Commission either by calling the Public Staff – North Carolina Utilities Commission, Consumer Services Division, at (866) 380-9816 (in-state calls only) or (919) 733-9277 or by appearing in person or writing the Public Staff – North Carolina Utilities Commission, Consumer Services Division, 4326 Mail Service Center, Raleigh, North Carolina 27699-4300."

Item 31.

- (a) The sample lease continues to name the Seller (Breckenridge Group Charlotte North Carolina, LLC) as Landlord. Please provide a copy of the lease forms to be used by the Applicant for tenants who are billed for electric service. Please be sure to include updated copies of any attachments and addenda that will be provided to tenants, including the Dwelling Selection Addendum and the Rules and Regulations.
- (b) Page 6 of the Resident Handbook lists Duke Energy as the contact for electricity and Conservice as the contact for water bill management. This information should be updated as appropriate.