



**NORTH CAROLINA  
PUBLIC STAFF  
UTILITIES COMMISSION**

May 1, 2023

Mr. Terrence M. Sween  
Vice President  
Charlotte Leased Housing Associates II, LLLP  
2905 Northwest Boulevard, Suite 150  
Plymouth, Minnesota 55441

Re: Docket No. ER-144, Subs 0-4  
Charlotte Leased Housing Associates II, LLLP (Applicant)  
Creekridge on the Park Apartments

Dear Mr. Sween:

The Public Staff has reviewed the electric reseller applications in the above referenced dockets, and believes that the applications are not yet complete in light of the items set forth in the attachment hereto.

Please file all missing information and exhibits or corrections as noted on the attachment. The statutory timeframe for the Commission's review begins once a completed application(s) is received.

Sincerely,

Electronically submitted  
/s/ William E. H. Creech  
[zeke.creech@psncuc.nc.gov](mailto:zeke.creech@psncuc.nc.gov)

**Attachment**

c: Chief Clerk  
Scott Saillor  
Parties of Record

Executive Director  
(919) 733-2435

Accounting  
(919) 733-4279

Consumer Services  
(919) 733-9277

Economic Research  
(919) 733-2267

Energy  
(919) 733-2267

Legal  
(919) 733-6110

Transportation  
(919) 733-7766

Water/Telephone  
(919) 733-5610

**PUBLIC STAFF ELECTRIC RESELLER (ER) APPLICATION REVIEW PURSUANT TO  
COMMISSION RULE R22 AND N.C.G.S. 62-110(h)**

**Applicant:** Charlotte Leased Housing Associates II, LLLP  
**Apartment Complex:** Creekridge on the Park Apartments  
**Docket Nos.:** ER-144, Subs 0-4  
**Date of Application:** March 3, 2023

***Instructions to the Applicant:*** Please provide the Public Staff with the supplemental information requested to answer questions and/or cure the deficiencies listed below. Once complete, please file with the Commission an amended application. The revised application will be reviewed for completeness and lack of deficiencies.

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

Owner Information. Please identify all partners of Charlotte Leased Housing Associates II, LLLP. Please identify all persons with an ownership interest in, and all managers of, these partners. If the owners of each partner are LLCs or LPs, continue back through the chain of ownership, identifying each LLC or LP in the chain, until you reach an LLC or LP that has one or more individuals or publicly traded corporations among its members or managers. For that LLC or LP, please identify each individual member or manager, and identify the name and officers of each publicly traded corporate member or manager. Please describe the business relationships among all the entities identified in your response (which entity owns others, and in what percentage share).

Item 11. The “supplementary sheet” attached to the application states that the apartment complex will consist of 150 units, which differs from the number of lessees that can be served at the apartment (~300) stated in Application Item 11. Please explain why the number of units is different from the number of lessees to be served.

Item 12. The “supplementary sheet” (referenced in response to Item 12 and attached to the application) indicates that the apartment complex will be served by a Duke Energy Carolinas master meter and that the electricity used by each tenant will be measured by individual, privately-owned submeters installed at each unit. Please explain if and how the proposed master meter/submeter arrangement is in compliance with the individual metering and bill allocation requirements in N.C.G.S. § 62-110(h). In addition, does the Applicant intend to file a request with the Commission for an exemption from the master metering prohibition of N.C.G.S. 143-151.42(a) in conjunction with this application, and, if not, why not?

Item 17.

(a) Please specify where the tenants may access the records, at what times and days of the week they may access the records, and the per page cost if the tenants wish to have copies of the records.

(b) If the records are retained only in electronic form, please specify where a backup copy will be retained in case the primary copy is inadvertently deleted.

(c) Please confirm that the retained records will include the dates when tenants move in and out. This information is necessary so that tenants or the Public Staff can recalculate bills and verify their accuracy.

Item 27. The location of the apartment cannot be identified on the County Road Map in Attachment #4. Please provide a map that clearly shows the location of the apartment with the leased premises outlined.

Item 28. Please explain how the Applicant determined that the apartment would be served under DEC's LGS rate schedule.

Item 29. The Property Services and Pricing Agreement attached as Exhibit A to the Master Resident Metering Billing Agreement between the Applicant and its billing agent, JIT BlueStar (JIT), references fees that "JIT shall charge the Resident," which, other than the Late Payment Charge of 1% of the past due balance and the \$25 Returned Check Charge, are not authorized by N.C.G.S. § 62-110(h) or Commission Rule R22. The Applicant should confirm that it will not bill any amounts associated with resold utility service to tenants that are not authorized by N.C.G.S. § 62-110(h) or Commission Rule R22. The Applicants should also provide corresponding changes to the Property Services and Pricing Agreement.

Item 30. The Unit Mix exhibit in Attachment #7 is not legible. Please provide a legible copy of this exhibit.

Item 31.

(a) Please provide a revised billing statement form that conforms with all the requirements of Commission Rule R22 and includes the following:

- (i) sample charges, usage, and bill messages for a sample tenant at Creekridge on the Park Apartments;
- (ii) the amount of the supplier's bill and the amount allocated to the tenant;
- (iii) the name of the supplier (Duke Energy Carolinas);
- (iv) the beginning and ending dates for the usage period and the date the meter for the unit was read for that usage period;
- (v) the date the bill was sent to the tenant and the Past-Due Date, which should be 25 days after the billing date in accordance with the Applicant's response to application item 14;
- (vi) the name of the provider (which should match the Applicant's name) and a local or toll-free telephone number and address of the provider that the lessees can use to obtain more information about the bill;
- (vii) the amount of the administrative fee;

- (viii) the amount of any utility allowance that will be paid by the lessor, and a description for the utility allowance;
- (ix) a statement that a late fee will be assessed in the amount of 1% per month of the balance in arrears if the bill is not paid on or before the Past-Due Date.
- (x) a statement of the lessee's right to address questions about the bill to the provider and the lessee's right to file a complaint with, or otherwise seek recourse from, the Commission if the lessee cannot resolve an electric service billing dispute with the provider (similar to the language in Commission Rule R22-7(g)(3)); and
- (xi) a description for how the supplier's bill is allocated to the tenant.

(b) All charges for resold electric service, including amounts past due, late fees, and returned check charges, must be billed monthly on a billing statement approved in form by the Commission. In the event a lessee owes amounts past due, late fees, or returned check charges, please explain how the Applicant plans to bill the lessee. If any entity other than the Applicant's billing vendor, JIT, will be billing lessees, it should be identified and should submit a template or form billing statement as part of this application.

Item 32. The lease forms attached to the application includes state-specific provisions that only apply to lessees residing in Minnesota and utility charges that are not authorized by N.C.G.S. 62-110(h) or Commission Rule R22. The Applicant should file the lease forms that will be used for lessees in North Carolina.

\*Miscellaneous Item. The Applicant filed five identical applications under five separate docket numbers for different buildings within the same apartment complex. Unless there is a need for separate dockets, the Applicant should submit a request to the NCUC Chief Clerk's Office to consolidate these five dockets into a single docket.