

April 27, 2015

**RECEIVED**

APR 29 2015

Secretary  
Pennsylvania Public Utility Commission  
400 North Street, Commonwealth Keystone Building, 2nd Floor  
Harrisburg, PA 17120

PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

Dear Ms. Chiavetta:

F-2014-2458827

I am writing in regards to the initial decision of the Office of Administrative Law Judge.

inaccurate charges that PECO is charging to my company, I & B Real Estate, LLC, at the property address 3140 N. Broad Street Philadelphia, PA. I wish to appeal on the grounds that PECO is charging my company (\$3,302.86) for charges that were the responsibility of the tenant, we never used this energy.

**PECO Cannot charges us for Electric consumption we never use.**

**Also Please find the attached bills from PECO after the correction and before the correction, those bills consist of the usage in the common areas; the hallway lights on 1st 2nd and 3rd floor, basement lights that stay on 24 hours a day, front and rear building lights, washer and dryer in the basement for the tenants use, a fire alarm system including two phone line, which are all included in the common area that are paid by I & B Real Estate, LLC and the small storage room. Again, please see the total electric bill from PECO after the correction.**

**If the total electric consumption for the common area (according to Peco Bills) in the building, after the correction, is not more than an average of \$48.80 per month from April 2014 (after the correction) to present, then how can we be liable for such a large utility charge, that is the tenants responsibility and not ours.**

We purchased the property on March 3, 2013, and had finished renovations on August 2013.

The apartment, at the rear of the second floor, was rented to Emanuel Piedra on October 22, 2013. Near this apartment on the second floor was an adjacent small storage room, the wall of the storage room was on the same wall as the apartment bath room, we understand that at one time this small storage room belonged to this apartment, since it is the biggest apartment in the building. However, our company was not aware about that.

The small storage room today is used to store cleaning material for the building; it has the monitor for the two security cameras and a small ceiling light.

On January 21, 2014 the tenant, Emanuel Piedra, contacted PECO because he suspected a foreign wire between his unit and the Hair Salon. This was found to be incorrect.

A PECO field technician visited the property and determined that the small storage room adjacent to the apartment was connected to the tenant's meter.

We corrected the problem immediately, and PECO technician came to the property on March 12, 2014 to confirm that the foreign wire was corrected, and was now only connected to the small storage room. The technicians estimate was that the total utility consumption in this room would be no more than a few dollars per month.

The total electric consumption for the common area including the small storage room are: the hallway lights on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors, front and rear outdoor lights, basement lights, which are on all day, a washer and dryer in the basement for tenants use, a fire alarm system including two phone lines, which are all included in the common area, these are paid by I & B Real Estate, LLC.

If the total electric consumption for the common area in the building after the correction is not more than \$39.14 - \$71.45 (see PECO invoice) from April 2014 after the correction until today, this would be a total of \$390.42 for the last 8 months, \$390.42 that is an average of \$48.80 per month for the total building.

Than the small storage room alone, cannot be more than maybe \$5.00 per month x 5 months is \$25.00.

Below is a list of all the relevant information that I am basing my "good faith" payment on:

1. Storage room is a 4' x 4' room. This room consists of cleaning supplies for the building, the monitor for the security cameras and a ceiling light that only goes on when the room is accessed. PECO personal assessed this room to consume very low wattage with an estimated electric consumption to be no more than \$4.00 - \$5.00 per month according to the PECO inspector.
2. The tenant occupied the adjacent apartment from October 22, 2013 until March 12, 2014 a total of 5 months. We will agree to pay for the portion of the storage room but not the past due bill from the tenant. We feel that \$50.00 is a reasonable amount to pay to settle the dispute.
- 3 Please find the attached bills from PECO after the correction (and before the correction) those bills consist of the usage in the common areas; the hallway lights on 1<sup>st</sup> 2<sup>nd</sup> and 3<sup>rd</sup> floor, basement lights that stay on 24 hours a day, front and rear building lights, washer and dryer in the basement for the tenants use, a fire alarm system including two phone line, which are all included in the common area that are paid by I & B Real Estate, LLC and the small storage room. Again, please see the total electric bill from PECO after the correction.

If the total electric consumption for the common area in the building, after the correction, is not more than an average of \$48.80 per month from April 2014 (after the correction) to present, then how can we be liable for such a large utility charge, that is the tenants responsibility and not ours.

Your attention to resolve this unfair liability to I & B Real Estate, LLC will be very much appreciated.

Very truly yours,



Benjamin Israel

CC: Cindy Bass

Councilwoman Cindy Bass – 8th District

Dear Ms. Bass,

Councilwoman Cindy Bass – 8th District

City Hall, Room 594

Philadelphia, PA 19107-3290

FAX: (215) 686-1937

**Benjamin Israel**

I & B Real Estate

PO. Box 37 Ft. Washington, Pa. 19034

**Re: INITIAL DECISION SUSTAINING PRELIMINARY OBJECTION**

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PA PUBLIC UTILITY COMMISSION  
SECRETARY'S BUREAU

I am forwarding to you a letter that I send to Pa. Public Utility Commission Ms. Chiavetta secretary, which is self-explanatory.

Your attention to this matter will be very much appreciated.

Benjamin Israel



215-805-5003

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FROM: I & B Real Estate LLC  
PO Box 37  
Ft. Washington, PA 19034

TO:

Secretary  
Pennsylvania Public Utility  
400 North Street  
Commonwealth, Keystone Building 2<sup>nd</sup> Floor  
Harrisburg, PA. 17120