

OWNER, OPERATOR, OR MANAGER ELECTS TO INSTALL SUBMETERS, THE OWNER, OPERATOR, OR MANAGER SHALL DETERMINE THE AMOUNT OF ELECTRIC COSTS SAVED AND PASS THIS AMOUNT ON TO THE OCCUPANT OF THE DWELLING UNIT AS A REDUCTION IN RENT OR PAYMENT.

(C) IN ADDITION TO OTHER APPROPRIATE SAFEGUARDS FOR THE TENANT OCCUPANT OF THE DWELLING UNIT, THESE RULES AND REGULATIONS SHALL REQUIRE THAT:

(1) AN APARTMENT HOUSE OWNER, OPERATOR, OR MANAGER MAY NOT IMPOSE ON THE TENANT ANY CHARGES, OVER AND ABOVE THE COST PER KILOWATT HOUR WHICH IS CHARGED BY THE UTILITY COMPANY TO THE OWNER, INCLUDING ANY DWELLING UNIT ANY UTILITY COST EXCEPT CHARGES AUTHORIZED BY THE PUBLIC SERVICE COMMISSION AND ACTUALLY IMPOSED BY THE UTILITY UPON THE OWNER, OPERATOR, OR MANAGER, WHICH CHARGES HAVE BEEN ALLOCATED AMONG THE DWELLING UNITS IN THE APARTMENT BUILDING IN PROPORTION TO THE ACTUAL USAGE OF KILOWATT HOURS BY THE DWELLING UNIT, LOCAL UTILITY TAX IF ANY. HOWEVER, AN ADDITIONAL SERVICE CHARGE NOT TO EXCEED \$1 PER UNIT PER MONTH MAY BE COLLECTED TO COVER ADMINISTRATIVE COSTS AND BILLING; AND

(2) THE APARTMENT HOUSE OWNER, OPERATOR, OR MANAGER MAINTAIN ADEQUATE RECORDS REGARDING SUBMETERING AND MAKE SUCH RECORDS AVAILABLE FOR INSPECTION BY THE TENANT OCCUPANT OF THE DWELLING UNIT DURING REASONABLE BUSINESS HOURS.

(D) ANY RULE, REGULATION, OR STANDARD PROMULGATED BY THE COMMISSION PURSUANT TO THIS SECTION SHALL BE DEEMED TO HAVE BEEN ENTERED OR ADOPTED UNDER ARTICLE 78, AND FOR PURPOSES OF ENFORCEMENT, BOTH UTILITY COMPANIES AND THE OWNERS, OPERATORS, OR MANAGERS OF APARTMENT HOUSES INCLUDED IN THIS SECTION UTILITY COMPANIES ARE SUBJECT TO ENFORCEMENT PURSUANT TO § 62 AND § 101 OF THIS ARTICLE. ALL SUBMETERING EQUIPMENT SHALL BE SUBJECT TO THE SAME RULES, REGULATIONS, AND STANDARDS ESTABLISHED BY THE PUBLIC SERVICE COMMISSION FOR ACCURACY, TESTING, AND RECORD KEEPING OF METERS INSTALLED BY ELECTRIC UTILITIES AND SHALL BE SUBJECT TO THE METER REQUIREMENTS OF § 51 AND § 52 OF THIS ARTICLE.

(E) IN IMPLEMENTING THIS SECTION, AN APARTMENT HOUSE MAY NOT BE CONSIDERED A PUBLIC SERVICE COMPANY ENGAGED IN THE BUSINESS OF DISTRIBUTING OR RESELLING ELECTRICITY, AND THE APARTMENT HOUSE SHALL BE LIMITED IN ALL RESPECTS TO USING METERING EQUIPMENT FOR THE FAIR ALLOCATION OF THE COSTS OF ELECTRIC SERVICE AMONG THE OCCUPANTS USING THE APARTMENT HOUSE IN ACCORDANCE WITH SUBSECTION (C) ABOVE.

(F) ANY COMPLAINT BY AN OCCUPANT OF A DWELLING UNIT AGAINST AN OWNER, OPERATOR, OR MANAGER ARISING OUT OF THIS SECTION MAY BE HANDLED IN THE COUNTY OR MUNICIPAL CORPORATION WHERE THE APARTMENT HOUSE IS LOCATED BY THE COUNTY'S OR MUNICIPAL CORPORATION'S LANDLORD - TENANT COMMISSION, IF ONE EXISTS; IF NOT, THEN BY THE CONSUMER PROTECTION AGENCY OF THE COUNTY OR MUNICIPAL CORPORATION, IF ONE EXISTS; IF NOT, THEN BY THE CONSUMER PROTECTION DIVISION