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TECC Comments on Equitable Building Decarbonization Tribal Direct Install Program Draft Guidelines

Additional submitted attachment is included below.



March 26, 2026

To: California Energy Commission

From: SCTCA Tribal Energy & Climate Collaborative

Re: Equitable Building Decarbonization Tribal Direct Install Program Draft Guidelines

Honorable Commissioners,

The Southern California Tribal Chairmen’s Association (SCTCA) Tribal Energy & Climate Collaborative (TECC) appreciates the efforts of the California Energy Commission (CEC) to design and deploy a successful Equitable Building Decarbonization (EBD) Tribal Direct Install Program. SCTCA is a multi-service nonprofit corporation established in 1972 to represent the interests and address the needs of a consortium of 26 federally recognized Native American Tribes in Southern California. TECC was formed in 2023 to identify and advance the climate, energy, and related economic and workforce development goals of SCTCA Member Tribes. TECC’s primary programs include Capacity Building and Technical Assistance, Economic and Workforce Development, and Policy and Regulatory Advocacy. TECC’s programming includes statewide efforts such as its monthly Tribal Energy & Climate eXchange (TECC-X) meetings, monthly Advancing Tribes Interests at the CPUC training webinars, the Tribal engagement contractor for San Diego Regional Energy Network and as a subcontractor for SoCal Regional Energy Network, and Tribal technical assistance subcontractor for Communities in Charge Round 4 (via TECC partner Prosper Sustainably). TECC Co-Directors and partners led the California Tribal Gap Analysis project.¹ In addition, TECC is a Tribal outreach subcontractor under Los Angeles County for the Southern California Equitable Building Decarbonization Program.

TECC respectfully submits the following comments on the EBD Tribal Direct Install Program Guidelines issued by the CEC on January 29, 2026:

TECC sincerely appreciates and supports CEC's commitment to launching and implementing the Tribal EBD direct install program. In the updated guidelines it states Proposed budget is about \$30M...Program funding may be adjusted. We urge the CEC to maintain this program's \$30M budget for Tribes, particularly with so many recent cuts to

¹ <https://caltribalgapanalysis.org/>



related federal and state programs. TECC is currently supporting the SoCal EBD program, which has various restrictions that will make it unsuitable for many Tribal communities and their residents, whereas the Tribal EBD program is specifically designed to serve and work for Tribes. It is also important to ensure that the program and its implementer can serve as many Tribes and homes as possible.

Related to maintaining the full \$30M budget, we strongly encourage CEC to do a second application round for Tribes, in partnership with the implementer, to ensure that Tribes that didn't understand the program, didn't trust the program, or otherwise were unable to apply in the first round have another chance to participate. Ideally, the second round will start after some Tribal homes have been successfully retrofitted, to demonstrate program success and benefits to Tribes that were unable to or opted not to participate in the first round.

Lastly, if CEC treats the 15% administrative cost cap as a firm cap that cannot be exceeded under any circumstances, this could undermine program success. The 15% cap is more appropriate and manageable for a regional program with a much larger budget. However, with an uncertain total implementer budget that could be well under \$30M and a statewide range to serve, it is likely that Tribal EBD program implementer's 15% administrative costs budget will be insufficient to cover all that it is supposed to. CEC increased the de minimis indirect cost rate to 15% in 2024 (following the federal government's adjustment), and it is our understanding that all indirect/overhead costs will be subject to the administrative costs cap for this program. In addition to paying for all indirect costs, this cap is supposed to cover a range of programmatic activities that represent a substantial amount of direct costs, including:

- Recruiting contractors and vendors (potentially from all corners of the State), negotiating their contracts, and then managing these contractors and implementing cost controls. The implementer will be assuming substantial liability risk and will need robust insurance, which will be subject to this cap. From our experience negotiating contracts for many energy projects on behalf of Tribes, we know how rigorous these negotiations can be and how important it is to negotiate a thorough contract with adequate protections from substantial risk.



- Program management, coordination, and program layering. For a program of this size and complexity, this is no small task and it appears that the level of effort and cost of this is being significantly underestimated.
- Reporting, which presumably includes data collection and program evaluation. From our experience in managing multiple CEC grant funded projects and in managing projects and programs funded by dozens of agencies over the years, we have found CEC's grants management requirements can be relatively rigorous, time intensive, and costly when compared to other agencies.

If the implementer finds that they can't accomplish all that has been designated as administrative costs within the 15% cap, what happens? Will the implementer be forced to cover these costs with no potential reimbursement? This complex program presents a lot of uncertainty for prospective implementers (some of which may be nonprofit organizations), who won't entirely know what is necessary for program success until they are implementing. It will be a significant risk for an implementer to enter into a contract with the CEC for this program subject to a rigid 15% administrative costs cap.

TECC recommends adding flexibility to the cost cap for such a complex program. CEC should decouple indirect costs from the administrative Costs so that indirect overhead costs don't absorb the entire administrative costs budget. More importantly, the CEC should permit the implementer to revise their budget to exceed the 15% administrative costs cap if necessary and justifiable, subject to CEC's approval and other budget revision requirements.

TECC appreciates the State and CEC offering the Equitable Building Decarbonization Tribal Direct Install Program, and we want to see it implemented, successfully benefiting as many Tribal communities and residences as possible. If you have any questions regarding these comments, please contact me at jsimmons@socaltecc.org.

Respectfully,

Josh Simmons
TECC Co-Director