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Bradford White Corporation Comments to Data Collection RFI 3

Additional submitted attachment is included below.



July 24, 2026

Peter Strait
California Energy Commission
715 P Street
Sacramento, California 95814
Submitted Electronically to: [[California Energy Commission : e-comment : Submit Comment](#)]

Re: Docket # 24-OIR-03 Request for Information (RFI) Space Conditioning and Water Heating Equipment Data Tracking Third RFI on Draft Express Terms

Dear Mr. Strait:

On behalf of Bradford White Corporation (BWC), we would like to thank you for the opportunity to comment on the Docket # 24-OIR-03 Third RFI, Draft Express Terms.

General Comments

BWC appreciates that the California Energy Commission (CEC) has thoroughly reviewed and taken into consideration the concerns raised by manufacturers in this version of the Draft Express Terms. The Draft Express Terms, as currently written, track the sales of equipment to the purchasing and installing party, and will help the CEC improve their ability to forecast energy demand regionally.

In our response to Docket # 24-OIR-03 Request for Information Space Conditioning and Water Heating Equipment Data Tracking dated August 25, 2025, we commented that the original proposal fell short of providing information on where equipment was ultimately installed. Additionally, we emphasized that data requested, such as equipment serial numbers associated with equipment purchased by wholesale distributors, is confidential business information. If this data were to be exposed to unintended parties, even if done unintentionally, would severely compromise a manufacturer's and wholesale distributor's business. While we are grateful the newly proposed reporting requirements have removed manufacturer shipments and serial number tracking, we still have concerns related to which parties' data will be collected; what specific data will be collected; and how that data will be disclosed by sellers in California to the CEC. Our responses to the CEC's questions addressing our concerns are noted below:

Responses to RFI Questions

- 1. Is the proposed language sufficiently clear and specific in communicating which sales must be reported? If not, how may it be improved?**

In § 1396.1(b)(1) and § 1396.1(b)(2), the language emphasizes "distributors" and "contractors." BWC sells

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our products through wholesale distributors and not into retail locations (e.g., Home Depot and Lowe's), ultimately for installation by licensed professional contractors. We believe the language in § 1396.1(b)(1) and § 1396.1(b)(2), as written, is too vague and should be amended to explicitly encompass retail sales and consumer purchases as well. Our recommended revisions are below:

§ 1396.1. Title and Scope.

(a) The reports described in this Article shall be known as the Data Collection Reports for Space Conditioning and Water Heating Equipment.

(b) The reporting requirements of this Article shall apply to any entity:

(1) selling, offering for sale, or otherwise distributing in California any of the equipment specified in 1396.1(c), and

(2) selling or otherwise distributing such equipment to contractors, or “consumers” that are either located in or doing business in California.

(3) Covered entities include the following: Wholesale distributors, Retailers, and Online Retailers.

4. Are there any additional terms used in the Scope or in subsequent sections that would be appropriate to define in regulation (e.g., where an ordinary understanding or dictionary definition would be vague or insufficient)?

In § 1396.2(b)(3) the definitions section only defines the term “contractor.” As we stated above, the reporting rules must be inclusive of all sellers, as well as all purchasing parties, not just wholesale distributor entities and contractors. Retail sales make up approximately 50% of water heater sales. Furthermore, consumers are allowed to purchase and install water heaters without a contractor license. Our recommended revisions are below:

§ 1396.2 Rules of Construction and Definitions

(3) “Contractor” has the meaning specified in California Business and Professions Code sections 7026, and 7026.1. A contractor is a “licensed contractor” when performing work while having an applicable CSLB-issued license in good standing. An “unlicensed contractor” is a contractor performing work without an applicable CSLB-issued license or the CSLB-issued license is not in good standing.

(4) “Consumer” as defined by the California Consumer Legal Remedies Act (CLRA)- Civil Code § 1761(d): “Consumer” means an individual who seeks or acquires, by purchase or lease, any goods or services for personal, family, or household purposes.

8. Is the language in subsection (b) specifying which sales are to be reported sufficiently clear and specific?

In § 1396.4(a) the requirements to report sales are only specified for “contractors,” “employees of contractors,” and “buyers acting on behalf of contractors.” As we stated in our previous comment, water heaters are allowed to be sold and installed by consumers without a contractor’s license. We strongly recommend that sales to consumers also be required. Our recommendations are as follows:

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§ 1396.4 Data to be Reported

- (a) Sales to the following buyers shall be reported:
- (1) Contractors, which includes both licensed and unlicensed contractors;
 - (2) Employees of contractors; ~~and~~
 - (3) Buyers acting on behalf of contractors, including but not limited to companies purchasing equipment for installation by contractors under their employment; ~~and~~
 - (4) ~~Consumers purchasing covered equipment.~~

In addition to the changes proposed above, we recommend that the water heater equipment data reported on, listed in subsection (b), align with what is available through the AHRI product directory. This data will provide the CEC with the necessary information to forecast energy demand. As these parameters may differ from those of other covered equipment, we recommend that categories be created for each type of covered equipment. Our recommendations are as follows:

- (b) Reporting entities shall submit, in their annual report, the following data for each model of equipment sold during the reporting period to any of the entities described in 1396.4(a).
- ~~(1) Equipment Type;~~
 - ~~(2) Make or Model;~~
 - ~~(3) Model Number;~~
 - (4) Water Heater Data
 - a. Nominal Capacity;
 - b. Input;
 - c. Energy Source; and
 - d. Heater Type
 - (5) Other

Lastly, BWC expresses our support for Heating Air-Conditioning Refrigeration Distributor International's "Primary Alternative: CEC Independent Aggregator" approach as outlined in section IV. of their comments submitted to the docket on July 8, 2026. We feel that their proposal largely captures the information the CEC is asking for, while maintaining confidentiality of sensitive data. In addition, the proposal would help ease the cost burden of reporting for affected parties.

BWC appreciates the opportunity to comment, and we look forward to continuing our collaboration with the CEC on this important rulemaking.

Respectfully Submitted,

Bradford White Corporation

Tom Gervais
Senior Director, Regulatory Affairs

Cc: R.B. Carnevale; G. Eynon; M. Kozak; E. Truskoski; T. Watters; R. Wolfer; M. Corbett

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