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# WestLight Energy Comments on 2028 Energy Code Pre-Rulemaking Draft Amendments

*Additional submitted attachment is included below.*

November 5, 2026

California Energy Commission
Re: Docket No. 25-BSTD-03
715 P Street
Sacramento, CA 95814
docket@energy.ca.gov

RE: Comments on 2028 Energy Code Pre-Rulemaking Draft Regulatory Text Amendments

Dear Commissioners and CEC Staff,

WestLight Energy (WestLight)[1] appreciates the opportunity to comment on the California Energy Commission's (CEC) 2028 Energy Code Pre-Rulemaking Draft of the Regulatory Text for the 2028 update to the California Energy Code (Title 24, Part 6). WestLight appreciates the CEC Commissioners and their staff for the prescriptive heat pump requirement for rooftop packaged air conditioning units in the 2025 Energy Code, which is poised to represent the most carbon emissions savings of any measure included in the history of the California Energy Code.[2] WestLight has already worked with four member agencies to adopt reach codes expanding the current requirements from 5 to 20 tons.

As a community choice aggregator committed to advancing affordable building decarbonization, WestLight has a strong interest in ensuring that the Energy Code supports the widespread adoption of cost-effective electrification technologies. WestLight has run a reach code technical assistance program since 2019, which has supported the adoption of over 60 reach codes by local governments in the region and is currently focused on measures targeting electrification of existing buildings, including commercial rooftop unit (RTU replacement). In 2027, WestLight expects to launch a commercial building decarbonization program, further reinforcing the importance of clear, consistent, and practical code requirements that facilitate electrification across commercial building types.

## I. Summary

[1] WestLight Energy was formerly Peninsula Clean Energy Authority.
[2] City of San Mateo, Menlo Park, Portola Valley, and East Palo Alto have adopted reach codes increasing the prescriptive requirements for RTUs up to 20 tons. Additional cities are in the process of adopting the same ordinance.

WestLight is concerned that the proposed 2028 Energy Code unnecessarily limits opportunities for cost-effective electrification of existing commercial buildings by applying substantially different requirements to RTUs based on equipment capacity. The proposed requirements for larger systems apply to fewer building occupancies and climate zones, creating a potential gap in the Energy Code's decarbonization requirements such as complicating compliance for building owners and contractors, as well as discouraging heat pump adoption where electrification could otherwise be cost-effective.

Table 141.0-E-1 in the 2025 Standards (401.5(2) in the Express Terms) governs replacements of single zone air conditioners or heat pumps less than 65 kBtu/h and requirements for six occupancy types (retail, grocery, school, office, banks, and libraries).[3] However, the proposed Table 401.5(3) that governs single-zone systems between 65 and 240 kBtu/h is limited to three occupancies (restaurants, retail, and library) and has significantly less climate zones where the requirements apply.[4]

Although the systems are fundamentally the same technology from 0 to 240 kBtu/h and are readily available in the market from multiple manufacturers, there is a discontinuity in the proposed code requirements. This may be due to the design of the analysis as published in the CEC's Energy Code Measure Proposal for Existing Building Alterations: Large Single Zone Heat Pump Rooftop Units.

WestLight respectfully request that the CEC:

I. Expand its analysis of large single zone heat pump rooftop units (RTUs) to additional building occupancies and climate zones, with the goal of more closely aligning Table 401.5(3) in the Draft 2028 California Energy Code with Table 40.15(2) wherever technically feasible and cost-effective.
II. Publish the methodology and supporting calculations used to determine viable gas compliance pathways, including the energy equivalency criteria applied, to improve transparency and identify opportunities to expand the applicability of heat pump requirements consistent with federal law.

These recommendations would help streamline code compliance, reduce unnecessary barriers to electrification, and accelerate cost-effective decarbonization of California's existing commercial buildings.

[3] 2025 California Energy Code, at 375.
[4] 2028 Draft California Energy Code, at 4-142.

## II. Expand Prototypes Analyzed

The building occupancies excluded from Table 401.5(3) (grocery, school, office, and bank) may occasionally have larger single zone systems installed in them, such as in auditoriums or single zone units that group together several private office spaces along one orientation of a building. In an effort to expand the requirements of Table 401.5(3), WestLight respectfully requests that the CEC analyze relevant zones in these prototypes.

Alternatively, the CEC may analyze the daily occupancy profiles of the proposed buildings and match them to prototypes that have already been analyzed. Buildings with similar load profiles can have similar requirements since the single zone unit will encounter similar loads that are already proven to be cost-effective according to the CEC's cost-effectiveness analysis. For example, retail and grocery buildings have similar occupancy profiles and thus the requirements can be the same.

Expanding the analysis would provide a more comprehensive understanding of where heat pump RTU replacements are cost-effective and help ensure that the Energy Code captures opportunities for decarbonization across a broader range of commercial buildings. Moreover, greater consistency between Tables 401.5(2) and 401.5(3) would simplify compliance for contractors and building owners, while supporting the development of effective electrification programs by CCAs and other interested stakeholders in California.

## III. Publish Energy Equivalency Calculations

The CEC's Energy Code Measure Proposal states that some climate zones or prototypes were excluded from the proposed code language and Table 401.5(3) because "a viable gas pathway could not be identified" or "there were no viable efficiency measures to demonstrate a gas furnace RTU."[5] This is despite the fact that "replacement of gas furnace RTUs with heat pump RTUs was cost effective."[6] Presumably, these requirements are to comply with the federal Energy and Policy Conservation Act (EPCA), which stipulates that alternative pathways in the energy code must be either energy- or cost-"equivalent."[7]

However, without additional information regarding the methodology used to evaluate gas and heat pump pathways, stakeholders cannot fully assess why certain building types and climate zones were excluded or whether alternative analytical approach could support broader

[5] 2028 California Energy Code Measure Proposal – Existing Building Alterations Large Single Zone Heat Pump Rooftop Units, at 32.
[6] *Ibid.*
[7] 42 U.S.C. §6297(f)(3).

applicability of the proposed requirements. WestLight respectfully requests that the CEC publish the procedures, assumptions, and findings for determining a viable gas pathway in detail to support future market enhancements:

a. What metrics are being used to compare the gas and heat pump pathways?
b. What definition is the CEC using for "equivalency?"
c. How was that definition determined?
d. Are alternative definitions possible and why were they decided against?
e. How closely did the alternative gas pathways reach the CEC's definition?

If the CEC requires the gas pathway to outperform the cost-effective heat pump requirements on multiple metrics, that could be perceived as placing an unnecessarily difficult burden on the gas pathway. A simple but viable gas pathway that approaches the energy performance of the heat pump performance in one metric (for example, Long-Term System Cost (LSC)) — without exceeding it — would balance the needs of the market and compliance with EPCA.

WestLight believes that a transparent, technically grounded approach to evaluating compliance pathways would help ensure that the Energy Code advances cost-effective building decarbonization to the greatest extent permissible.

## IV. Conclusion

WestLight appreciates the CEC's continued leadership in advancing building decarbonization through the California Energy Code. Expanding the analysis of large single zone heat pump RTUs to additional building occupancies and climate zones, while improving transparency around energy equivalency requirements, would help remove unnecessary barriers to cost-effective electrification.

WestLight Energy respectfully encourages the CEC to incorporate these recommendations into the 2028 Energy Code to establish more consistent and practical requirements that support building owners, contractors, and program administrators in accelerating commercial building decarbonization.

Thank you for the opportunity to provide these comments.

Sincerely,

*/s/ Blake Herrschaft, PE, LEED AP*
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November 5, 2026