March 17, 2015

CALIFORNIA ENERGY COMMISSION
Attention: **Docket No. 15-BSTD-01**
Dockets Office
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

Re: 2016 Building Standards Update; 14-BSTD-01 Rulemaking Comments

To Whom It May Concern:

Richard Heath and Associates, Inc. (RHA), respectfully submits the following comments related to the 45 Day Language of California's 2016 Building Energy Efficiency Standards (Title 24 Part 6).

For over 35 years, RHA has administered energy efficiency programs for California's utilities and the Department of Community Services and Development. RHA administers several of the largest energy efficiency programs for the investor-owned utilities, resulting in the installation of energy efficiency measures for over 1,500 commercial customers and over 150,000 residential customers in the last year alone. Since 2013, RHA's commercial programs have garnered savings of 63,720,372 kWh and 11,852 kW. These programs serve with micro, small, and medium sized business, which are generally categorized in the hard-to-reach market segments.

RHA operates audit and direct install programs for the majority of California's investor-owned utilities, enabling the agricultural sector and small business owners to lower their energy use through energy retrofit measures. RHA partners with the local utility to offer energy efficiency incentives and rebates to the agricultural sector, and to micro and small commercial markets. Program services are provided to businesses, municipal governments and non-profits. Commercial measures include lighting, HVAC, refrigeration, water heating, and plug loads, with lighting playing a vital role in the energy savings.

Since the 2013 Code has gone into effect, there is increasing evidence showing serious negative impact to the investor-owned utility energy efficiency retrofit programs. Namely, the adopted changes have increased project costs and complicated efficiency solutions so that all but the smallest lighting efficiency upgrades become unrealistic for owners and/or tenants of existing California small businesses.

RHA declares its full support of the proposed changes that are outlined in the 45-Day Language for 2016 Title 24 Part 6. The recommended language is reasonable and consistent with the goals for retrofit energy efficiency improvements, and realigns the intent of the 2013 Code with the state's efficiency goals by considering the financial limitations of these public service programs administered under the auspices of the California Public Utilities Commission.

The revised language corrects unintentionally detrimental language in the 2013 Code related to retrofits, and will encourage transformation of the lighting retrofit market that has all but stopped in response to the cost and complexity of implementing the current regulations. These corrections would yield huge

benefits to business owners and operators, contractors, manufacturers and distributors, program implementers and utilities across California.

Specifically, RHA supports:

- Version 9 for Indoor Lighting Alterations of the proposed 2016 45 Day Language dated March 10, 2015 in its entirety (06-Mazi-Subchapt_6_-_141 0_Nonres Lighting Alterations-v9).
- The exceptions related to indoor lighting system Alterations and Modifications, including:
    - ***EXCEPTION 2 to Section 141.0(b)2I.*** *"For work consisting of only luminaire replacements per ii above, where replacement luminaires have at least 20 percent lower power consumption compared to the original luminaires."; and*
    - ***EXCEPTION 2 to Section 141.0(b)2J.*** *"Replacement of luminaire components where the modified luminaires have at least 20 percent lower power consumption compared to the original luminaires."*
- Reconsideration of the proposed Section 141.0(b)2K Wiring Alterations item, believing this item should be applied for daylighting controls of large projects only. Without this modification of focus as provided in Version 9, it creates barriers for small and medium projects where the associated costs become prohibitive to the retrofit market.
- Ecology Action's proposal in the Exterior Lighting Alterations section to add an Exception for exterior fixture replacements. Their proposed amendment would require that that Code not be triggered so long as replacement luminaires have at least 40 percent lower power consumption compared to the original luminaires. This is a vital adjustment to simplify exterior lighting retrofit applications and ease the burden for exterior lighting projects.

Lastly, RHA is in favor of Ecology Action's proposed Exception that would allow existing controls when 5 or fewer luminaires are replaced, so that Time Clocks would not be required when 12 or fewer luminaires are to be replaced. For small and microbusinesses, this would lessen the financial burden on property owners and tenants while still promoting reduction in energy consumption for these small exterior jobs.

RHA has supported, and will continue to support, Title 24 Part 6, and hopes that the CEC will consider these proposed changes that would enhance California's energy retrofit portfolio. As a stakeholder in this proceeding, RHA feels that rapid implementation of the revised 2016 language would promote energy savings in the lighting retrofit marketplace and allow these programs to continue.

Respectfully,

Dr. James O'Bannon
Chairman of the Board, Richard Heath & Associates, Inc.