

DOCKETED

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May 20, 2015

California Energy Commission
1516 Ninth Street
Sacramento, CA 95814-5512

Re: Docket Number: 15-IEPR-05

Comments of the Center for Sustainable Energy regarding Benchmarking and Local Government Challenge strategies identified in the California Energy Commission's *Existing Buildings Energy Efficiency Action Plan*

The Center for Sustainable Energy[®] (CSE) thanks the California Energy Commission (Energy Commission) for the opportunity to provide these public comments regarding benchmarking and Local Government Challenge strategies identified in the *California Existing Buildings Energy Efficiency Action Plan*. This document follows overall comments on the Action Plan submitted on April 15, 2015.

The Center for Sustainable Energy (CSE; www.energycenter.org) is a mission-driven nonprofit organization accelerating the adoption of clean and renewable energy technologies. Our role is to promote state, federal, and local sustainable energy investments, serving public agencies, as well as ports, transit agencies, regional energy partnerships, and others. We facilitate on-the-ground, clean energy market development projects that result in the adoption of energy efficiency, renewable energy, clean transportation, and energy storage technologies.

1.2 Nonresidential Benchmarking and Disclosure

CSE strongly supports the development of a statewide, time-certain nonresidential benchmarking and disclosure program for buildings above 50,000 square feet gross floor area and submits these additional comments to:

- Emphasize that all commercial, public, and multifamily building owners should have access to whole-building usage data for energy management purposes;
- Highlight relevant comments submitted by the Natural Resources Defense Council (NRDC) following the "Data Drives Informed Decisions" workshop;

- Support the inclusion of water tracking and public disclosure in the final Action Plan; and
- Encourage the Energy Commission to fund local governments working on benchmarking and public disclosure ordinances in advance of the statewide program.

All commercial, public, and multifamily building owners should have access to whole-building usage data for energy management purposes.

It is energy efficiency 101 – *you cannot manage what you do not measure*. Although CSE agrees that an initial threshold of 50,000 square feet gross floor area is appropriate for a statewide benchmarking and disclosure program, we want to ensure that all commercial, multifamily, and public building owners have easy, low or no-cost access to whole-building usage information for the purposes of ongoing energy management. CSE encourages the Energy Commission, potentially in concert with the California Public Utilities Commission (CPUC), to ensure that there is a clear ruling that investor-owned utilities (IOUs) and publicly-owned utilities (POUs) provide monthly, whole-building usage information for commercial and multifamily buildings, under and over any benchmarking threshold.

Supporting comments submitted by the Natural Resources Defense Council (NRDC) following the “Data Drives Informed Decisions” workshop.

To ensure consistency and the success of a statewide benchmarking program, CSE recommends that the Energy Commission develop a policy for whole-building data access across utility territories and finds the *Questions to Consider for Model Utility Policy for Delivery of Usage Information to Building Owners* provided as an attachment to NRDC’s comments on the “Data Drive Informed Decisions” workshop a valuable resource.¹

Water benchmarking and public disclosure should be built into the Energy Commission’s benchmarking and disclosure ordinances.

Even with the challenges of updating water meter infrastructure and working across the state’s numerous water districts, CSE supports the inclusion of whole-building water benchmarking and reporting in the revised Action Plan. This is an option available through the EPA’s ENERGY STAR Portfolio Manager measurement and tracking tool and has been adopted by eight of the 13 cities with energy benchmarking ordinances. This is an opportunity to make major shifts in the availability and transparency of water use data for large commercial and multifamily buildings and would strengthen water conservation and

¹ *Comments of the Natural Resources Defense Council (NRDC) on Goal 2.1 “Data Drives Informed Decisions” of the Existing Buildings Energy Efficiency Draft Action Plan*, Philip Henderson and Maria Stamas, p.11. May 20, 2015

water/energy nexus program design and delivery, as well as catalyze investments in commercial and multifamily building water efficiency.

Funding will help local governments lead on benchmarking and public disclosure ordinances in advance of the statewide program.

During the Local Government Challenge portion of this workshop, Energy Commission staff noted that they would welcome proposals from local governments to fund the development and implementation of benchmarking and disclosure ordinances in advance of the state program. CSE applauds this intention and recommends that the Energy Commission make this explicit in its final version of the Action Plan and in Local Government Challenge proposal guidelines and solicitation documents.

CSE notes that some local governments have been tentative about including benchmarking and disclosure ordinances in Climate Action or Energy Management Plans—and may be hesitant to submit Local Government Challenge proposals for benchmarking ordinances based on negative experiences in gaining access to whole building usage data. We therefore encourage the Energy Commission to provide public assurance as soon as practically possible that the Energy Commission intends to require utilities to provide whole-building usage information to building owners. This signal from the Energy Commission will empower local governments throughout the state to move forward with plans to implement benchmarking ordinances and strengthen the proposals submitted for Local Government Challenge funding.

1.7 Local Government Leadership

CSE is encouraged by the Energy Commission's expressed intent to fund local government leadership in advance of statewide initiatives including but not limited to:

- Upgrading public buildings
- Early adoption and implementation of benchmarking and disclosure ordinances
- Streamlined permitting and improved code compliance
- Data-driven community-wide energy planning
- Audit/assessment requirements at specific trigger points
- Significant increase in projects and project flow

CSE reiterates its previous comments that additional funds (\$20M minimum per year) are necessary to allow the program to flourish.

Some of these opportunities for local government leadership, such as streamlined permitting and strategies for improving code compliance, could be best developed and delivered across regions or through partnerships of local governments similar in location or size. For this reason, CSE encourages the Energy Commission to accept Local Government Challenge proposals from coalitions, regional working groups, and partnerships.

CSE also supports making some Challenge funds available for local government staff training, development, and oversight of energy efficiency initiatives. Specifically, local governments could use a portion of funds as a cost-match to support new or expanded energy-focused employee positions for a set period of time, with the intention of building local capacity and demonstrating the long-term value of these positions so that local governments build them into future work plans and budgets. Without this flexibility, CSE is concerned that some local governments may not have the resources necessary to ensure the successful development and implementation of innovative, robust energy efficiency initiatives.

In addition, CSE requests that the Energy Commission have an open mind when reviewing proposed strategies to improve code compliance. Many best practices, including customized training for building department staff and local development communities, virtual inspections, and online permitting are being piloted by a small number of local governments with mixed results. More pilots are necessary to fully vet these, and other, strategies in order to identify best practices that can be applied at scale to achieve significant improvements in code compliance.

Finally, CSE agrees with the strategy recommended in comments submitted by Nancy Skinner for the UC Davis Energy Efficiency Center to develop pilots to streamline specific processes with the most opportunity to reduce building energy use and to provide direct funding to local governments to increase compliance with that activity.²

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² *Comments on Existing Buildings Energy Efficiency Action Plan submitted by UC Davis Energy Efficiency Center, Nancy Skinner, Alan Meier, Ben Finkelor, and Siva Gundra, p.5.*
May 20, 2015

CSE is pleased to engage with the Energy Commission on this important endeavor to advance energy efficiency in existing buildings in support of California's economic, energy, and climate goals.

Sincerely,



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