

DOCKETED

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DISCLOSURE**

Additional submitted attachment is included below.



**California Energy Commission
Docket Number: 15-OIR-05**

**LOCAL GOVERNMENT SUSTAINABLE ENERGY COALITION
COMMENTS ON SCOPE FOR AB 802 RULEMAKING:
BENCHMARKING AND PUBLIC DISCLOSURE**

December 31, 2015

The Local Government Sustainable Energy Coalition (LGSEC) ¹ is pleased to provide these comments to the California Energy Commission (“CEC”) on issues related to implementation of Assembly Bill (“AB”) 802. We applaud the CEC for its work to quickly ensure that local governments are able to access data on how energy is used in buildings in our jurisdictions. The LGSEC has reviewed the comments submitted on December 22 by the Benchmarking Collaborative under the signature of the Center for Sustainable Energy. We endorse those comments, and emphasize how important it will be for the CEC to address whole-building data access and statewide benchmarking in parallel, as separate regulations.

Assembly Bill 802 is intended to increase energy efficiency in existing buildings across the state. It has separate components with regards to data sharing and benchmarking that are related, but distinct in their applicability and function. These components include:

- Requiring utilities to provide whole-building energy usage information, also referred to as aggregate data, to building owners (or agents) upon request, so long as their buildings have a minimum number of accounts. This is a sum of all the usage in the building, even if it occurs on multiple customers’ meters.
- Directing the CEC to adopt regulations to require large commercial and multifamily buildings to benchmark energy use and make this information available to the public.

We strongly recommend the CEC develop separate regulations for each category, rather than develop an intertwined regulation. For example, while whole-building energy usage data is necessary for the statewide benchmarking program, collection of this data is separate from the provision of whole-building data to owners who request it from their utility. This permissive

¹ Across California, cities, counties, associations and councils of government, special districts, and non-profit organizations that support government entities are members of the LGSEC. Each of these organizations may have different views on elements of these comments, which were approved by the LGSEC’s Board.

data request process covers a broader swath of buildings than the public disclosure program and may be used for different purposes.

In addition, while recognizing the importance of meter data for grid planning, we encourage the CEC to limit the scope of this first 2016 AB 802 rulemaking to whole-building data access and energy benchmarking and transparency as described above, so as to focus limited CEC and stakeholder resources on facilitating the market transformation intended by the law, which critically depends upon owner/agent engagement with data and services.

The LGSEC also strongly supports phasing in the new regulations, providing technical assistance to local governments as they become familiar with the new requirements and work with their local utilities to develop protocols and procedures for transferring data. We also encourage the CEC to adopt standard reporting formats that are already in use in California and across the country. Using proven strategies will make it easier for the many entities that must engage with one another to do so.

The LGSEC stands ready to assist the CEC as it moves forward with implementation of AB 802.

Sincerely,

A handwritten signature in blue ink that reads "Jody London". The signature is fluid and cursive, with a long horizontal stroke at the end.

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