

## DOCKETED

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**Self-Help Enterprises Comments on Proposed Regulations for Building Energy Use Benchmarking and Public Disclosure (AB 802)**

*Additional submitted attachment is included below.*



*A Nonprofit Housing and Community Development Organization*

April 7, 2017

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

**Subject: Docket Number: 15-OIR-05**  
**Self-Help Enterprises Comments on Proposed Regulation for Building Energy Use**  
**Benchmarking and Public Disclosure (AB 802)**

Dear Commissioners:

Self-Help Enterprises (SHE) is a nationally recognized community development organization whose mission is to work together with low-income families to build and sustain healthy homes & communities. SHE develops high quality, affordable rental apartments to serve the housing needs of low-income Valley residents. All of our 28 rental communities are professionally managed and are located near schools, bus lines and other community services. Currently, SHE manages 1,347 rental units in seven counties from Kern County to Stanislaus County.

Self-Help Enterprises utilizes energy usage data to drive investments in energy conservation retrofits. SHE has benchmarked all of the common area accounts and manager's units. SHE also benchmarks water accounts and reviews the data to determine which sites consume above average for water and energy. If given access to comprehensive data, SHE would use that data to identify rental projects with high consumption levels and work to secure resources to implement meaningful energy conservation projects. For example, SHE is implementing LIWP-funded energy conservation projects at five rental sites, which will result in an average reduction in energy consumption of 46%.

Unfortunately, the majority of the units SHE owns are four-plex garden style apartments. SHE has developed these types of projects over the years because we primarily serve families and have found that individual living spaces that are not stacked create high quality living environments for the working families we serve. The majority of the sites we operate are in rural communities (23 of the 28 sites) and all of the sites are located in disadvantaged communities (DACs).

**The CEC should amend the Proposed Regulations to ensure owners of garden style apartments are able to receive property-level data, as permitted under AB 802. We urge the CEC to address this issue before finalizing the regulations. It is imperative that rural owners have the same access to data as urban owners.**

The proposed regulations too narrowly define residential "covered buildings" as buildings with "five or more Active Utility Accounts or any one Energy type." The CEC's proposal excludes Building Owners with garden or campus style apartment properties from the benefits of AB 802's data access provisions.

We urge the CEC to modify the following definition of “covered building:”

Section 1680(e): Two or more Covered Buildings on the same parcel, campus, or site, that are served by one common Energy meter without sub metering, such that their Energy use cannot be tracked individually, shall be considered one Covered Building. Two or more Covered Buildings on the same parcel or site with a total of five or more Utility Accounts, even if Energy use can be tracked individually, shall be considered one Covered Building.

Alternatively, we urge the CEC to allow owners to request data for multiple buildings, as follows:

Section 1682(a): The Owner of a Covered Building, or the Owner’s Agent, may request Energy data from each Utility serving a Covered Building or an aggregation of buildings on a single parcel, site or campus with a total of five or more Utility Accounts, by providing the following information.

Affordable housing outside of densely populated urban areas is often constructed as garden style apartments, which include multiple buildings of three-or-four-plexes on one property. Self Help Enterprises has 26 ineligible properties (for a total of 1,238 units) due to the five-account building rule. Rural communities already fall behind in implementing meaningful energy efficiency retrofits due to a lack of general resources (ex. no Regional Energy Network (REN) in the San Joaquin Valley and insufficient technical assistance) and lack of staffing and technical capacity. **If the CEC wants to see energy efficiency projects implemented in rural California, then data needs to be easily accessible to those building owners also.**

AB 802 does not restrict the CEC’s ability to allow owners to request aggregated data from multiple buildings, if the request in aggregate is greater than five or more Utility accounts. Further, the CEC’s definition of covered building already extends to parcels, campuses, or sites served by a common energy meter. A simple adjustment would address this issue for parcels or sites with separate metering as well.

SHE looks forward to having the opportunity to benchmark all 1,347 rental accounts and the ability to understand consumption at each of the sites we own/manage. SHE has a desire to actively pursue investments to implement meaningful energy conservation measures, and in order to do so, we need access to consumption data.

SHE also supports and endorses the comments submitted by the California Housing Partnership and the Natural Resources Defense Council.

Should you have any questions about these comments, current benchmarking efforts or how we intend to use the data when available, please contact me at [betsyg@selfhelpenterprises.org](mailto:betsyg@selfhelpenterprises.org) or (559) 802-1653.

Sincerely,



Betsy McGovern-Garcia  
Director-Real Estate Development