

DOCKETED

Docket Number:	15-WATER-03
Project Title:	Water Energy Appliance Rebate Program
TN #:	205324
Document Title:	Water Rebate Program Draft Guidelines - First Edition
Description:	N/A
Filer:	Daniel Johnson
Organization:	California Energy Commission
Submitter Role:	Commission Staff
Submission Date:	7/10/2015 5:15:07 PM
Docketed Date:	7/10/2015

GUIDELINES

APPLIANCE REBATE PROGRAM First Edition



CALIFORNIA
ENERGY COMMISSION
Edmund G. Brown Jr., Governor

JULY 2015
CEC-400-2015- XXX

CALIFORNIA ENERGY COMMISSION

Anne Fisher
Jack Bastida
Marcia Smith
Primary Writers

Christine Collopy
Program Manager
EFFICIENCY DIVISION

Dave Ashuckian
Deputy Director
EFFICIENCY DIVISION

Robert P. Oglesby
Executive Director

DISCLAIMER

Staff members of the California Energy Commission prepared this report. As such, it does not necessarily represent the views of the Energy Commission, its employees, or the State of California. The Energy Commission, the State of California, its employees, contractors and subcontractors make no warrant, express or implied, and assume no legal liability for the information in this report; nor does any party represent that the uses of this information will not infringe upon privately owned rights. This report has not been approved or disapproved by the Energy Commission nor has the Commission passed upon the accuracy or adequacy of the information in this report.

ACKNOWLEDGEMENTS

The California Energy Commission is grateful for the funding and technical support received from the California Climate Investments program, which made the funding for the Appliance Rebate Program possible.

The author would like to thank all those that have assisted in developing the Appliance Rebate Program and in particular:

California Energy Commission:

Christine Collopy, Maunee Berenstein, Ron Yasny, Dave Mason, Elizabeth Flores, Mona Badie, Allan Ward, Dave Ashuckian, Michael Wilson

Department of Water Resources:

Diana Brooks, Kent Frame, Toni Pezzetti, David Todd, Jodi Evans

California Water Resources Control Board:

Fran Spivey-Weber, Vice Chair

California Air Resources Board:

Shelby Livingston, Elizabeth Yura, Matthew Botill

California Natural Resources Agency:

Richard Stapler

California Public Utilities Commission:

Commissioner Catherine Sandoval, Jamie Ormond



ABSTRACT

These Appliance Rebate Program Guidelines explain how the California Energy Commission's Appliance Rebate Program will be administered and outlines terms and conditions.

DRAFT

Keywords: California, rebate, appliance, drought, greenhouse gas reduction, residential, water savings

Please use the following citation for this report:

Fisher, Anne, Jack Bastida, Marcia Smith. 2015. *Appliance Rebate Program Guidelines*. California Energy Commission. Publication Number: CEC-400-2015- XXX.

TABLE OF CONTENTS

1.	Introduction	1
2.	Funding	2
3.	Period of Performance and Rebate Offer Period	2
4.	Rebate Program Structure.....	2
a.	Rebate Processing.....	2
b.	Rebate Program Administration.....	3
5.	Eligible Appliances	3
a.	Appliance Categories.....	3
6.	Rebate Program Eligibility Rules.....	4
a.	Qualifying Purchaser.....	5
b.	Purchase Restrictions	5
c.	Proof of Purchase	7
d.	Online and Mail-in Rebate Processing.....	8
7.	Approval of Awards.....	9
8.	Reports and Documentation.....	9
9.	Rebate Program Extension.....	9
10.	Financial Audits, Record Retention, and Access to Facilities	9
11.	Use and Disclosure of Information and Reports	10
12.	Refund and Enforcement Action	11
13.	Indemnification	11
14.	Governing Law.....	12
15.	Severability.....	12
16.	Waiver.....	12
17.	Direct Install Program	12
18.	Guideline Authority	13
19.	Interpretation.....	13
20.	Effective Date of Guidelines	13
21.	Changes to Guidelines or Rebate Program	13
22.	Confidentiality.....	13
23.	Tracking and Reporting	13

LIST OF TABLES

Table 1: ENERGY STAR® Criteria for Residential Clothes Washers 4

Table 2: Appliances and Rebate Amounts to Be Included in the Rebate Program 4

1. Introduction

The California Energy Commission developed the *Appliance Rebate Program Guidelines* (guidelines) in response to Governor Edmund G. Brown Jr.'s [Executive Order B-29-15](#). Following years of severe drought and the lowest snowpack ever recorded, Governor Brown announced emergency actions to save water, increase enforcement to prevent wasteful water use, streamline the state's drought response, and invest in new technologies that will make California more drought-resilient.

The Governor directed the Energy Commission, jointly with the Department of Water Resources (DWR) and the State Water Resources Control Board (Water Board), to implement a time-limited statewide appliance rebate program to provide monetary incentives for the replacement of inefficient household devices. He further directed the Energy Commission to implement and administer the Appliance Rebate Program (Rebate Program) on April 1, 2015.

The Rebate Program objectives are to:

- Save water by encouraging the public, through a consumer rebate program, to replace old inefficient appliances with water-efficient models.
- Reduce greenhouse gas (GHG) emissions by replacing old inefficient appliances with energy-efficient models.
- Work with existing rebate programs and partnerships by layering rebates and leveraging outreach opportunities.
- Keep administrative costs low while adhering to reporting requirements.
- Use existing ENERGY STAR® consumer education and outreach materials and supplement with drought response information.

The Rebate Program implementation is the Energy Commission's first phase of its drought response under Directive 4 of the Executive Order. Phase 2, which will launch before the close of 2015, is a direct installation program targeted at California's most disadvantaged communities, through an integrated effort by the Energy Commission, the Department of Community Services and Development (CSD), and DWR. Working with the CSD's residential energy efficiency services program and 40 local service providers throughout California, the Energy Commission will provide water-reducing clothes washers, dishwashers, kitchen and lavatory faucets, and showerheads to eligible residents in disadvantaged communities.

The communities will be selected using the CalEnviroScreen tool. CalEnviroScreen is a method that can be used to help identify California communities that are disproportionately burdened by multiple sources of pollution.

The Energy Commission will ensure that at least 25 percent of allocated funds are dedicated to projects in those areas.

These guidelines describe how the Rebate Program will be implemented and administered. Specifically, the guidelines:

- Explain the rebate structure and process.
- Specify rebate eligibility rules.
- Outline the rebate claim process.

2. Funding

Funding for the Rebate Program will come from the Greenhouse Gas Reduction Fund (GGRF) created under Government Code section 16428.8, administered by the California Air Resources Board (ARB) and possibly other funding sources. All GGRF-funded programs must advance Assembly Bill 32 (Núñez, Chapter 488, Statutes of 2006) as the primary program goal.

Rebates will be awarded on a first-come, first-served basis to eligible residential consumers who purchase qualified residential products during the rebate offer period until Rebate Program funds are exhausted. The Rebate Program will supplement and not supplant current rebate offerings available through utility, manufacturer, and retailer programs.

3. Period of Performance and Rebate Offer Period

Rebates will be offered starting on XX-XX-2015 for clothes washers. Rebates will continue to be offered until program funds are exhausted or the Energy Commission issues a public notice closing the rebate offer period, whichever occurs first. To avoid overallocation of program funds, the Energy Commission intends to publish program information regularly to keep consumers and participating retailers informed on the amount and availability of funds. The Energy Commission will issue a public notice announcing the start of the rebate offer.

4. Rebate Program Structure

a. Rebate Processing

California is experiencing a state of emergency due to severe drought conditions. The drought, in its fourth year in 2015, is expected to continue beyond 2016. California's water supplies are severely depleted with record low snowpack in the Sierra Nevada Mountains and decreased water levels in most of California's reservoirs. Drought-stricken communities are already experiencing the reality of residents running out of water. The Energy Commission is committed to maximizing water savings through efficiency measures without delay.

The Electric & Gas Industries Association (EGIA), an experienced Rebate Administrator, will administer a statewide program to provide consumer rebates for purchase of water efficient

appliances. EGIA will perform services that may include, but will not be limited to, developing and managing a website to administer the program; creating a database to record and track all program elements; educating consumers and retailers about the program; providing estimates for incentive funding duration, GHG reductions, water savings, and energy savings; developing an online rebate application; receiving rebate applications and validating claims to ensure guidelines are met; issuing rebate checks to consumers who submit compliant applications; and developing a point-of-sale instant Rebate Program. The Rebate Administrator will also provide a customer service call center; and guard against fraud, waste, and abuse of the Rebate Program. GHG emission reductions must be quantified using a method approved by ARB.¹

b. Rebate Program Administration

The Rebate Program is expected to be appropriated funds from the GGRF to the Energy Commission through the Fiscal Year 2015-2016 Budget Act (Chapter XX, Statutes of 2015). The Energy Commission will use its GGRF allocation to pay the full cost of all qualifying product rebates, outreach and education, and administrative costs to implement the Rebate Program.

5. Eligible Appliances

a. Appliance Categories

Under Executive Order B-29-15 and emergency directives, the Rebate Program targets appliances with the largest water and energy savings potential and cost-effectiveness. The Energy Commission has selected clothes washers to be rebated at \$100 each. Eligible clothes washers must be:

- Listed in the Energy Commission's Appliance Efficiency Database.
- ENERGY STAR® compliant (see Table 1).

¹ ARB is required to develop quantification methods for agencies receiving Greenhouse Gas Reduction Fund (GGRF) appropriations per Senate Bill 862 (Committee on Budget and Fiscal Review, Chapter 36, Statutes of 2014). Quantification methods are posted on ARB's auction proceeds website at <http://www.arb.ca.gov/auctionproceeds>.

Table 1: ENERGY STAR® Criteria for Residential Clothes Washers

Product Type	Current Criteria Levels (as of March 7, 2015)
ENERGY STAR Residential Clothes Washers, Front-loading (> 2.5 cu-ft.)	IMEF \geq 2.38 IWF \leq 3.7
ENERGY STAR Residential Clothes Washers, Top-loading (> 2.5 cu-ft.)	IMEF \geq 2.06 IWF \leq 4.3

Source: https://www.energystar.gov/index.cfm?c=clotheswash.pr_crit_clothes_washers

A list of qualifying clothes washers will be made available on the Rebate Administrator’s Rebate Program website. Only those appliance models that have been shown to meet the specified Rebate Program criteria will qualify for a rebate. The Energy Commission has selected qualifying clothes washers based on the ability to provide the greatest water and energy savings, and GHG emission reduction benefits to California consumers in both the short and long term in comparison to the cost of administering a Rebate Program.

Table 2: Appliances and Rebate Amounts to Be Included in the Rebate Program

Category	Water Savings per Unit	Proposed Rebate	GHG Savings
	Gallon/year	\$/unit	MT CO ₂ /year
Clothes washers	5,110	\$100	10,384

Source: California Energy Commission, Efficiency Division, Appliances Office

The Energy Commission reserves the right to change the Rebate Program to include more appliances, which would be a substantive change to the guidelines. (See “Changes to Guidelines,” p. 10.) Consumers can combine a Rebate Program rebate with other rebates, such as water and energy utility rebates. The combined rebate amount from all sources must not exceed the cost of the appliance.

6. Rebate Program Eligibility Rules

The following types of rebates may be offered:

1. **Online rebate** – Customer purchases an eligible appliance and then submits a rebate application using the Rebate Administrator’s online portal.
2. **Mail-in rebate** – Customer purchases an eligible appliance and then mails in a rebate application in paper form (available for customers without email access).

3. **Instant rebate** – Customer purchases an eligible appliance and receives a rebate at the point of sale without submitting a rebate application.

a. Qualifying Purchaser

To qualify for an **online rebate** or **mail-in rebate**, a purchaser must meet the following criteria:

- Be a California resident with a valid California residential address.
- Purchase a new, qualifying appliance model.
- Make the purchase within the specified rebate offer period.
- Install the appliance at a valid California residential address.
- For purchases made from online retailers, the online retailers must have a physical location (brick-and-mortar store) in California, and the purchaser's installation address must be within California. The appliance must be either delivered to a California address or picked up in a California brick-and-mortar store.
- Submit a completed rebate application to the Rebate Administrator within 90 days of the date of the appliance purchase and includes proof of purchase.
- If the Rebate Administrator deems a submitted application incomplete, the applicant has 30 days to supply the missing information. If after 30 days the applicant has not completed the rebate application, the application will be denied, and the applicant must reapply.

To qualify for an **instant rebate**, a purchaser must meet the following criteria:

- Be a California resident with a valid California residential address.
- Purchase a new, qualifying appliance model.
- Purchase the appliance in-person from a qualified retail store.
- Install the appliance at a valid California residential address.

b. Purchase Restrictions

- Rebates are limited to one appliance type per California residential address. A "residential address" may be a detached single-family home, a condominium unit, an apartment unit, or a mobile home. (Post office box addresses do not qualify.) Tenants may be required to obtain the property owner's permission to install the appliance.
- For **online rebate** and **mail-in rebate**, the appliance must be installed in the residence prior to submittal of the complete rebate application.

- Rebates will be awarded first-come, first-served as long as Rebate Program funds are available. **Online rebates** will be based on the online submittal date stamp of a complete rebate application received by the Rebate Administrator; **mail-in rebates** will be awarded based on postmark stamp on the envelope of the rebate application received by the Rebate Administrator; and **instant rebates** will be based on the in-store purchase date at point of -sale. Rebate applications submitted outside the specified time frames will be disqualified.
- Rebates will not be issued for appliances purchased before or after the rebate offer period.
- The purchaser must allow access to an inspector to verify installation, if required. If installation cannot be verified at that time, the applicant must reimburse the Energy Commission, including all associated processing costs.
- Eligible appliances or products and rebate amounts are subject to change at any time.
- The rebate amount may not exceed the actual cost of the appliance. Actual costs exclude tax, shipping, labor, and other charges.
- If a customer has already received a rebate for an appliance type at a residential address from a GGRF (also called California Climate Investments) funded program, a subsequent claim may not be submitted for any additional rebates for the same appliance type under the Energy Commission's Appliance Rebate Program. A customer may, however, receive a rebate for the same appliance through other rebate programs that are not GGRF-funded.
- The Energy Commission is not responsible for any taxes that may be imposed as a result of a consumer receiving the rebate.
- The Energy Commission is not responsible for any delivery or installation charges.
- The Energy Commission makes no representation of warranty relating to an appliance, including any hazardous substances that may be contained in it.
- By submitting an **online rebate** or **mail-in rebate** application for a rebate, or receiving an **instant rebate**, applicant waives and releases the Energy Commission and its contractors or agents from any and all claims and causes of action arising out of the installation or use of qualified appliances or products.
- Rebate checks for **online rebate** and **mail-in rebate** applications will be issued to California residents directly and will become void 6 months after the issuance date on the face of the check.
- **Instant rebates** will be credited to the purchaser's retail price at the point of sale.
- Qualifying appliances may not be resold.

- Old appliances being replaced must be recycled in accordance with local disposal rules of the city and county of the residential address.

c. Proof of Purchase

Proof of purchase for **online rebate** and **mail-in rebate** applications will consist of a complete “rebate application” with sections for the following:

- Purchaser information (for example, first and last name, mailing address, physical address of installed appliance, telephone number, and email address).
- Appliance information (for example, type, brand, model number, and serial number).
- Purchaser type (for example, property owner or tenant).
- Property type (for example, single-family home, condominium unit, apartment unit, or mobile home).
- Inspection contact information, if necessary in the event of an inspection (for example, first and last name, address where appliance installed, telephone number, and email address).
- Contractor, retailer, dealer, or service provider information (for example, name, mailing address, telephone number, email address, and business or contractor’s license number issued by an authorizing governmental agency).
- The dated online or wet signature of the purchaser stating that the purchase meets the conditions of the Rebate Program and that all required proof is included with his or her application.
- Acknowledgement of Rebate Program terms and conditions (for example, Rebate Program eligibility rules, release of liability, statement that purchase meets Rebate Program eligibility rules, statement that rebate claim contains all required information, statement that purchaser must comply with applicable guidelines, rules and regulations, and statement that information provided is true and correct).
- A copy of the original purchase receipt, paid invoice, or an original rebate receipt showing the date and retailer location (full mailing address) of the purchase.
- A recent copy of the purchaser’s water or energy utility bill, for address verification.
- The original Universal Product Code (UPC) label from the appliance box or packaging or equivalent.

Proof of purchase for **instant rebates** may consist of:

- Purchaser information (for example, first and last name, mailing address, address of installed appliance, telephone number, and email address).
- Purchaser type (for example, property owner or tenant).
- Property type (such as a single-family home, condominium unit, apartment unit, or mobile home).
- Inspection contact information, if necessary in the event of an inspection (for example, name, address, telephone number, and email address).
- Acknowledgement of Rebate Program terms and conditions (for example, Rebate Program eligibility rules, release of liability, statement that purchase meets Rebate Program eligibility rules, statement that rebate claim contains all required information, statement that purchaser must comply with applicable guidelines, rules and regulations, and statement that information provided is true and correct).

Retailer to provide appliance information (such as type, brand, model number, and serial number).

d. Online and Mail-In Rebate Processing

The Rebate Administrator will implement an online rebate system, including a customer service call center, to assist consumers filing applications and can accommodate consumers with no email access by taking Rebate Program application information over the phone, followed by proof of purchase sent in by U.S. mail. Printed, mail-in rebate applications with proof of purchase will also be accepted. The process for these rebates, not including instant rebates, is expected to occur as follows:

- Eligible residential consumers submit online rebate applications or mail-in rebate applications to the Rebate Administrator consisting of the materials specified on the Rebate Program website and in outreach and education materials provided at retailer locations.
- The Rebate Administrator receives and processes rebate claims, including verification that the claims satisfy the guidelines and other Rebate Program requirements.
- The Rebate Administrator prepares invoices for payment and submits them to the Energy Commission.
- The Rebate Administrator mails checks to consumers whose online rebate and mail-in rebate claims have been verified as eligible.
- The Rebate Administrator addresses consumer questions and concerns and tracks the progress of the Rebate Program, including rebate expenditures, remaining funds, water and energy savings, and GHG emission reductions.

- When program funds are exhausted, any remaining claims will be rejected, claimants will be notified, and a public announcement will be made that rebates are no longer available.
- A waiting list for rebate claims may be established to prevent oversubscription and will be clearly identified as such on the online and mail-in rebate applications.

7. Approval of Awards

The Energy Commission's contract with the Rebate Administrator will include the project description, work statement tasks, milestones and corresponding due dates, budget, and project schedule. Failure to meet any work statement tasks and milestones within the schedule or budget specified in the agreement may result in cancellation of the contract by the Energy Commission.

Formal Energy Commission approval of each consumer rebate is not required. The rebates will be awarded as specified in these guidelines.

8. Reports and Documentation

The Rebate Administrator is required to submit monthly progress reports and a final report to Energy Commission's agreement manager (CAM), as specified in the funding award agreement. The Rebate Administrator will be responsible for tracking and reporting metrics including, but not limited to, GHG reduction benefits, water savings, and energy savings; appliance models rebated; number of online rebate and mail-in rebate applications received and processed; number of instant rebates issued; and rebate dollars issued each for online rebates, mail-in rebates, and instant rebates. The metrics are reported to the CAM monthly in accordance with the Rebate Administrator contract and with the ARB's *Cap-and-Trade Auction Proceeds Funding Guidelines for Agencies that Administer California Climate Investments* released June 16, 2015, and as may be updated. The Rebate Administrator will provide the tracking metrics to the Energy Commission over the life of the Rebate Program.

9. Rebate Program Extension

If more funding becomes available, the Rebate Program can be extended by the Energy Commission. All rebate and rebate process activities funded following these guidelines must be completed, and funds must be expended by xx-xx-2017.

10. Financial Audits, Record Retention, and Access to Facilities

Upon written request from the Energy Commission, the Rebate Administrator shall provide detailed documentation of all expenses, allow the Energy Commission or its agent access to facilities and records, and allow the Energy Commission or its agent to collect data needed to

measure and verify expenditures and proper rebate allocation. The Rebate Administrator must allow any representative of the Energy Commission, or any other agency of the state, to have reasonable access to and the right of inspection of all records and transactions that pertain to the rebate services and issuance, and to interview any officer or employee regarding transactions during the term of the Rebate Program and for a minimum of three years after the Rebate Program has been formally concluded or the final payment is received, or final rebate is issued whichever is later, unless otherwise specified in the contract. Further, the Rebate Administrator must agree to incorporate an audit of the Rebate Program within any scheduled audits, when specifically requested by the Energy Commission or the State of California.

The Rebate Administrator shall retain all project records (including financial records, progress reports, and payment requests documentation) for a minimum of three years after the Rebate Program has been formally concluded, or the final payment is received, whichever is later, unless otherwise specified in the contract.

The Rebate Administrator must include the above audit, record retention, and access rights in any subcontract.

11. Use and Disclosure of Information and Reports

The Energy Commission, other state agencies, or their respective authorized agents may use any information or records submitted to the Energy Commission or obtained as part of any audit following these guidelines to determine eligibility and compliance with these guidelines, applicable law, or a particular funding contract, to evaluate the pertinent program or program elements, and to prepare necessary reports as required by law.

Information and records submitted under these guidelines will be disclosed to other governmental entities and policing authorities for civil and criminal investigation and enforcement purposes. This information and records may also be disclosed to the public pursuant to the California Public Records Act (Government Code Section 6250, et seq.) and available for public review on the ARB website. Personal information of rebate recipients, such as resident name and address, taxpayer identification, or social security numbers, will not be disclosed to the public.

Information concerning the ZIP code of rebate recipients and the amount of rebate awards is public information, and will be disclosed in accordance with the California Public Records Act. This information, along with other public information describing the rebate recipients, may be disclosed to members of the public to educate them and encourage further program participation. The information may be disclosed through the Energy Commission's website, another state agency's website, or through other means.

If, as part of any audit, the Energy Commission requires copies of records that the Rebate Administrator believes contain proprietary information entitled to protection under the California Public Records Act or other law, the Rebate Administrator may request that such

records be designated confidential pursuant to the Energy Commission's regulations for confidential designation, Title 20, California Code of Regulations, Section 2505.

12. Refund and Enforcement Action

a. Recovery of Overpayment

If the Energy Commission determines that any invoiced and paid amounts exceed the actual allowable incurred costs, the funds recipient will repay the amounts to the Energy Commission within 30 days of request or as otherwise agreed by the Energy Commission and the funds recipient. If the Energy Commission does not receive such repayments, it will be entitled to take any actions, including withholding further payments to the funds recipient and seeking repayment from the funds recipient.

The Energy Commission may also direct the Energy Commission's Office of Chief Counsel to commence formal legal action against any rebate recipient to recover any portion of payment the Commission determines the rebate recipient was not otherwise entitled to receive.

b. Fraud and Misrepresentation

The Energy Commission may investigate any funding recipient, including, but not limited to consumer, retailer, or the Rebate Administrator, which it has reason to believe may have misstated, falsified, or misrepresented information in applying for a rebate, invoicing for a funding payment, or in reporting any information as required by these guidelines, applicable contract(s), or other Rebate Program requirements. Based on the results of the investigation, the Energy Commission may take any action it deems appropriate, including, but not limited to, cancellation of the funding and contract, recovery of any overpayment, and recommending the initiation of an Attorney General investigation and prosecution pursuant to Government Code sections 12650, et seq., or other provisions of law.

The State of California, through the Attorney General's Office or other state agency, may independently investigate any funding recipient, including, but not limited to consumer, retailer, or the Rebate Administrator, and bring actions for fraud, misrepresentation, or misuse of funds as appropriate.

13. Indemnification

To the extent allowed under California law and to the extent any Rebate Program fund recipients legally can, the Rebate Program fund recipients will indemnify, defend, and hold harmless the State (including the Energy Commission) and state officers, agents, and employees from any and all claims and losses in connection with its performance within the Rebate Program.

14. Governing Law

The Rebate Program and rebates issued under it are governed by the laws of the State of California, including as to interpretation and performance.

15. Severability

If any provision of these guidelines is unenforceable or held to be unenforceable, all other provisions will still remain in full force and effect.

16. Waiver

No waiver of any breach of these guidelines constitutes waiver of any other breach. All remedies will be taken and construed as cumulative, meaning in addition to every other remedy available under the Rebate Program or any other law.

17. Direct Install Program

The Direct Install Program is the second phase of the Energy Commission's drought response effort under Directive 4 of the Executive Order. Phase 2 will target disadvantaged and drought-impacted communities in California by investing funds to ensure at least 25 percent of its allocated GGRF funds are dedicated to projects benefitting disadvantaged communities, and target projects physically located within disadvantaged community census tracts using the CalEnviroScreen tool.

The Energy Commission plans to partner with CSD and DWR through CSD's existing residential Low-Income Weatherization Program to provide water-reducing clothes washers, dishwashers, kitchen and lavatory faucets, and showerheads to eligible single-family and multifamily residents in disadvantaged communities. The Energy Commission would then develop, negotiate, and enter into an interagency agreement (IA) with CSD to allocate GGRF funding to the Low-Income Weatherization Program for the water-saving appliances listed above.

The intent of the IA would be to leverage the Energy Commission's GGRF Rebate Program funding with a sister agency's existing and related programs to identify eligible residents (residing in the most disadvantaged communities) in need of energy-efficient, water-reducing appliances and fixtures. By combining funding and leveraging resources, these local programs will also be able to offer energy-efficient, water-reducing appliances and fixtures, which will not only save water during the current drought, but result in reduction of GHG emissions. CSD would amend its existing contracts with providers across California to include water-saving appliances in the program and include water-saving measures to its tracking database to report GHG emission reductions, water savings, and energy savings resulting from the GGRF funding. **The guidelines will be revised and workshops held to incorporate changes before the Direct Install Program is launched.**

18. Guideline Authority

These guidelines are adopted according to Executive Order, B-29-15 which states the following: *“chapter 3.5 (commencing with section 11340) of part 1 of division 3 of the Government Code and chapter 5 (commencing with section 25400) of division 15 of the Public Resources Code are suspended for the development and adoption of regulations or guidelines needed to carry out the provisions in this Order. Any entity issuing regulations or guidelines pursuant to this directive shall conduct a public meeting on the regulations and guidelines prior to adopting them.”*

19. Interpretation

Nothing in these guidelines shall be construed to abridge the powers or authority of the Energy Commission or any Energy Commission-designated Committee.

20. Effective Date of Guidelines

The guidelines shall not be effective until adopted by the Energy Commission at a publicly noticed meeting. The Energy Commission will post the adopted final *Guidelines* on its website at <http://www.energy.ca.gov/drought/>.

Applicants may also obtain paper copies of the *Guidelines* by contacting WaterApplianceRebates@energy.ca.gov.

21. Changes to Guidelines or Rebate Program

The Energy Commission reserves the right to make changes to the Rebate Program requirements or guidelines in accordance with an executive order or other requirements, including any changes to ARB guidelines issued for California Climate Investments GGRF. Changes will take effect after adoption by the Energy Commission at a publicly noticed business meeting. The Energy Commission also reserves the right to suspend or terminate the Rebate Program if necessary or revise the amount of funds available for rebates.

22. Confidentiality

Information may be held confidential as required by law.

23. Tracking and Reporting

State reporting requirements for the Rebate Program are specified under ARB's *Cap-and-Trade Auction Proceed Funding Guidelines for Agencies that Administer California Climate Investments*. The Energy Commission requires the Rebate Administrator to meet the ARB reporting requirements for participation in the Rebate Program.

For the Energy Commission to comply with these requirements, periodic information may be requested of its contractors, utilities, and partners. Regular reporting as specified in the contract will be required of the Rebate Administrator.

The Energy Commission will provide regular updates on expenditures, project status, and benefits in reports prepared according to ARB's *Cap-and-Trade Auction Proceeds Funding Guidelines for Agencies that Administer California Climate Investments* released on June 16, 2015, and as may be updated. Reports will include, but are not limited to, expenditure amounts, GHG emission reductions, and quantification of applicable cobenefits including water savings, energy savings, and information on disadvantaged communities benefitting from or directly served by the Rebate Program.

DRAFT