

DOCKETED

Docket Number:	17-BSTD-01
Project Title:	2019 Building Energy Efficiency Standards PreRulemaking
TN #:	221570
Document Title:	California Energy Alliance Comments Response to Express Terms - Section 141.0(b)2I
Description:	N/A
Filer:	System
Organization:	California Energy Alliance/Cori Jackson
Submitter Role:	Public
Submission Date:	10/20/2017 3:50:00 PM
Docketed Date:	10/20/2017

Comment Received From: Cori Jackson

Submitted On: 10/20/2017

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Response to Express Terms - Section 141.0(b)2I

Additional submitted attachment is included below.



October 20, 2017

California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

Re. Docket 17-BSTD-01
2019 Building Energy Efficiency Standards PreRulemaking and October 4th CEC 2019 Workshop
Comments on Lighting Alterations

During the 2019 Stakeholder Workshop hosted by the California Energy Commission on October 4, 2019, a question was presented regarding an apparent conflict in the requirements and exemptions related to the proposed changes for Section 141.0(b)2I, requirements for lighting alterations. Under the current express terms issued by CEC, the input power compliance option, which applies to buildings 5,000 square feet or smaller, appears to conflict with the proposed exemption of 70 luminaires or less per year per building floor or tenant space (Exception 6 to Section 141.0(b)2I). There was no response from staff or stakeholders in attendance at that time to this comment.

The CEA feels this is an important issue and we have the following comments.

As currently worded, the 70-luminaire threshold is a complete exemption for any type of lighting alteration. In contrast, the 5,000 sq. ft. compliance option applies to regulated lighting alterations and requires use of some lighting controls including general area controls and some forms of automatic shut-OFF controls. Because a space with 70 luminaires will routinely be significantly larger than 5,000 sq. ft., - about 6,000 to 7,000 s. f. - there is a conflict between these two options, which CEA believes will result in unintended consequences and energy savings losses for California.

It is very likely, when applicable, that most property owners will utilize the 70-luminaire exemption because it is the easiest and cheapest path to use when completing a lighting alteration. This will make the input power compliance option for buildings 5,000 sq. ft. or smaller generally inoperative and exempt most small buildings from including even the most basic area and occupancy controls.

The result will be a considerable loss of energy savings compared to current Standards, which allow this exemption only for luminaire component modifications.

1. The roughly 7,000 sq. ft. space exemption could be up to 40 percent greater than area regulated by the least stringent compliance option contained in the current express terms – the input power method of compliance (5,000 sq. ft. threshold).
2. About 50 percent of California nonresidential buildings are 5,000 sq. ft. or smaller. CEA estimates that an additional 5-10 percent are within the 6,000 sq. ft. to 7,000 sq. ft. range. Maintaining the current 70-luminaire exemption would - to a great extent - make it the operative pathway due to the current format of allowing this option for all types of lighting alterations, not just luminaire component modifications, as is now the case. Exempting 50 percent of California's nonresidential buildings from the Energy Standards requirements for lighting control systems is already a significant detriment to California's energy and carbon savings goals; exempting up to 60 percent or more of buildings is unacceptable.

3. The energy savings attributed to use of the input power method of compliance assumed use of basic lighting controls. The 70-luminaire exemption eliminates requirements to install any lighting controls as part of an alteration. This exemption may be replicated annually, compounding lost savings.

All told, the current express terms, which mix current Standards exemptions, with some proposed code changes put forth by CEA, create a scenario where some important components of CEA's proposal are negated by the carryforward of 2016 Standards exemptions.

The CEA strongly recommends revising the 70-luminaire exemption to 50 luminaires or less and reinstating its applicability to luminaire one-for-one modifications only. Referring back to CEA's code change proposal, CEA recommends that the 70-luminaire exemption be reduced to 50 luminaires and that it be maintained for luminaire modifications only. It is not the intent of our code change proposal to maintain the 70-luminaire exemption or to apply that exemption to all types of lighting alterations. Furthermore, a complete exemption must be applicable to a space of a smaller size than that of a space following any of the Energy Standard's compliance pathways.

In addition, to support the reduction in luminaire modifications per annum allowed under Exception 6, the CEA would like to remind the Energy Commission and Stakeholders that the Statewide Utility Codes and Standards team published analysis in support of regulating luminaire modification prior to adoption of these requirements as part of the 2013 Energy Standards. Their analysis showed that in lighting alterations involving 35 or more luminaire modifications, the inclusion of basic lighting controls was cost-effective. This value also aligns with CEA's proposal regarding compliance options for buildings 5,000 sq. ft. and smaller as it correlates to an area of roughly 2,000 - 3,500 sq.ft., an area smaller than that associated with the compliance option under the current express terms. This value would also represent a logical progression, in terms of building size and compliance options, should the Commission wish to consider that previous analysis.

In closing, the CEA wishes to restate its deep concerns with the proposed 70-luminaire exemption. Exempting 50 percent of California's nonresidential buildings is already a significant detriment to California's energy and carbon savings goals; exempting up to 60 percent or more of buildings unacceptable. The CEA believes the current express terms contained in Section 141.0(b)2I should be adjusted to reflect a 50 or less-luminaire exemption for one-for-one luminaire modifications only as per its code change proposal previously submitted for consideration to the Energy Commission.

Sincerely,



Cori Jackson
Executive Board Member
California Energy Alliance