

<b>DOCKETED</b>	
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<b>Project Title:</b>	Acceptance and Training Certification
<b>TN #:</b>	230872
<b>Document Title:</b>	Executive Director Recommendation Regarding NLCAA 2019 Update Report
<b>Description:</b>	N/A
<b>Filer:</b>	Veronica Olvera
<b>Organization:</b>	California Energy Commission
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**STATE OF CALIFORNIA**

**Energy Resources Conservation  
And Development Commission**

In the matter of, )  
 )  
California Energy Commission Decision ) EXECUTIVE DIRECTOR  
on the National Lighting Contractors ) RECOMMENDATION TO APPROVE THE  
Association of America’s Lighting ) NATIONAL LIGHTING CONTRACTORS  
Controls Acceptance Test Technician ) ASSOCIATION OF AMERICA’S  
Certification Provider 2019 Update ) LIGHTING CONTROLS ACCEPTANCE  
Report in Accordance with the 2019 ) TEST TECHNICIAN CERTIFICATION  
*Building Energy Efficiency Standards* ) PROVIDER 2019 UPDATE REPORT  
 )  
 ) November 26, 2019

**Executive Summary**

On November 13, 2019, the National Lighting Contractors Association of America (NLCAA) submitted the final version of the report required by Section 10-103.1(d)2 of the Building Energy Efficiency Standards (Energy Code)—referred to in this recommendation as the "2019 update report"—to the California Energy Commission (CEC). In its 2019 update report, NLCAA proposes training curricula adjustments and other application amendments to meet the requirements in Section 10-103.1(c) of the 2019 Energy Code for a nonresidential lighting controls acceptance test technician certification provider (ATTCP).

On November 15, 2019, pursuant to Section 10-103.1(e) of the Energy Code, CEC staff completed its review and validation of the information received in NLCAA's 2019 update report and deemed NLCAA's training curricula adjustments and other application amendments to satisfy the applicable requirements in Section 10-103.1(c) of the 2019 Energy Code. Staff published a detailed staff report concerning the review and evaluation of NLCAA's 2019 update report on November 25, 2019, and accordingly is presenting NLCAA's 2019 update report to the CEC for approval. The staff report has been included in the backup materials to this agenda item. A notice of availability informing interested parties that the staff report was available on the CEC's website was transmitted on November 26, 2019, over the CEC's listserv.

Based upon thorough review and consideration of NLCAA's 2019 update report and the corresponding CEC staff report, I find that NLCAA's training curricula adjustments and other application amendments for the 2019 code cycle meet the criteria and procedures required by the 2019 Energy Code. I recommend that the CEC confirm these findings and approve the proposed training curricula adjustments and other application amendments in NLCAA's 2019 update report. This approval will allow NLCAA to implement the application amendments described in its 2019 update report, which consist of certification training adjustments, new recertification training curricula, and program modifications.

## **2019 Update Report Requirements**

In accordance with Section 10-103.1(d)2 of the Energy Code, each lighting controls ATTCP must report to the CEC what training curricula adjustments it has made to address changes to lighting controls acceptance testing requirements or adopted Energy Code updates at least six months prior to the effective date of any newly adopted Energy Code. Reports must contain a signed certification that the ATTCP has met all requirements for this program. The ATTCP must also demonstrate to the CEC that its acceptance testing certification services will comply with any applicable Energy Code updates if its approved application does not comply with the ATTCP requirements in the 2019 Energy Code, which goes into effect on January 1, 2020. The 2019 update reports shall be approved through the amendment process provided under Section 10-103.1(f) of the Energy Code.

Amendments containing any substantive changes are subject to the same review and approval process as new ATTCP applications. This means staff's evaluation of the amendments must be made available for a reasonable public comment period, and the amendments must be approved by the CEC at a business meeting. Amendments containing only nonsubstantive amendments may be approved by the CEC's executive director without publishing staff's evaluation. Although staff's review of the 2019 update reports will follow the procedures in the 2016 Energy Code, the contents of each 2019 update report will be reviewed for compliance with the 2019 Energy Code. Staff will evaluate the training curricula adjustments and other application amendments contained within an ATTCP's 2019 update report to determine if the ATTCP's services comply with the criteria and procedures in Section 10-103.1(c)3 of the 2019 Energy Code.

## **National Lighting Contractors Association of America**

The CEC approved NLCAA as a nonresidential lighting controls ATTCP on November 17, 2014, allowing NLCAA to train, certify, and oversee technicians and employers to perform the lighting controls acceptance tests required by the 2013 Energy Code. On September 14, 2016, the CEC approved NLCAA's 2016 update report, allowing NLCAA to implement its revised certification and new recertification training under the 2016 Energy Code.

NLCAA first began submitting components of its 2019 update report on June 27, 2019, with the final component submitted on July 19, 2019, in response to CEC staff's initial review for completeness. In its 2019 update report, NLCAA proposes training curricula adjustments and other application amendments to meet the ATTCP requirements in Section 10-103.1(c) of the 2019 Energy Code. NLCAA's amendments to address 2019 Energy Code regulatory changes are nonsubstantive in scope. However, NLCAA included voluntary amendments in its 2019 update report that are substantive and nonsubstantive in scope. Since NLCAA's 2019 update report includes substantive amendments, the entire report is subject to the review and determination process in Section 10-103.1(e) of the Energy Code. NLCAA submitted the final version of its 2019 update report to the CEC on November 13, 2019, in response to staff's evaluation for compliance. On November 15, 2019, staff deemed the proposed application amendments in NLCAA's 2019 update report to satisfy the requirements in Section 10-103.1(c) of the 2019 Energy Code.

## Summary of the Staff Report

Staff has determined that NLCAA's 2019 update report satisfies the lighting controls ATTCP requirements in the 2019 Energy Code. Staff recommends that the CEC approve the training curricula adjustments and other application amendments NLCAA proposed in its 2019 update report.

CEC staff has published a staff report on the review and evaluation of NLCAA's 2019 update report pursuant to Section 10-103.1(e) of the Energy Code. Staff has evaluated NLCAA's 2019 training curricula adjustments and other application amendments for compliance with the applicable requirements in Section 10-103.1(c) of the 2019 Energy Code. In the report, staff has considered each updated requirement in Section 10-103.1(c) of the 2019 Energy Code, summarized NLCAA's corresponding application amendment intended to demonstrate compliance, and explained the method used to determine that NLCAA's application amendments comply with the 2019 Energy Code. For each voluntary amendment, staff has considered the applicable 2019 Energy Code requirements and summarized how NLCAA's amendment complies with the 2019 Energy Code.

Pursuant to Section 10-103.1(e)3 of the Energy Code, the staff report was made available to interested parties on November 25, 2019, at: <https://www.energy.ca.gov/title24/attcp/updates.html>. A notice of availability was transmitted on November 26, 2019, over the CEC's listserv to inform interested parties that the staff report was available for public review and comment.

## Conclusion

Pursuant to Section 10-103.1(e) of the Energy Code, CEC staff has completed a thorough review and validation of the training curricula adjustments and other application amendments proposed in NLCAA's 2019 update report. Staff deemed NLCAA's application amendments proposed in its 2019 update report to satisfy the requirements in Section 10-103.1(c)3 for a lighting controls ATTCP.

Accordingly, I find that NLCAA's training curricula adjustments and other applications amendments for the 2019 code cycle meet the criteria and procedures required by the 2019 Energy Code. I recommend that the CEC confirm these findings and approve the amendments to NLCAA's application. This approval will allow NLCAA to implement the amendments described in its 2019 update report, which consist of certification training adjustments, new recertification training curricula, and program modifications.

*ORIGINAL SIGNED BY:*

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Drew Bohan  
Executive Director  
California Energy Commission

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Date