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California Energy Commission
Docket 19-BSTD-03
1516 9th Street
Sacramento, CA 95814

Subject: Docket 19-BSTD-03 – Comments of the Solar Energy Industries Association and Coalition for Community Solar Access re: Section 10-115 of the Draft 2022 Building Energy Efficiency Standards

The Solar Energy Industries Association (SEIA) and the Coalition for Community Solar Access (CCSA) appreciate the opportunity to comment on the draft 2022 Building Energy Efficiency Standards (BEES) issued on February 22, 2021. SEIA and CCSA commend the California Energy Commission (CEC) and its staff for its continued effort to advance the state's building and energy codes to help achieve the state's goal of transitioning to a clean energy economy. After thorough review, SEIA and CCSA provide the following comments on the draft regulations in Section 10-115 as relates to the Community Shared Solar Electric Generation compliance pathway. SEIA will be providing additional comments on other parts of the draft BEES going forward.

Founded in 1974, SEIA is the national trade association of the United States solar industry. Through advocacy and education, SEIA and its 1,000 member companies work to advance solar energy by expanding markets, removing market barriers, strengthening the industry, and educating the public on the benefits of solar energy. SEIA's members have a strong interest in the adoption and implementation of innovative, forward-looking policies and programs that will accelerate the development of solar photovoltaic (PV) generation.

CCSA is a business-led trade organization, comprised of over 50 member companies, that works to expand access to clean, local, affordable energy nationwide through community solar. CCSA's mission is to empower energy consumers, including renters, homeowners, businesses and households of all socio-economic levels, by increasing their access to reliable clean energy.

Section 10-115 – Community Shared Solar Electric Generation System or Community Shared Battery Storage System Compliance Option for On-Site Electric Generation or Battery Storage Requirements

SEIA and CCSA have been engaged in the Community Shared Electric Generation compliance pathway since its inception. SEIA and CCSA weighed in on the first application approved under this code section by the Sacramento Municipal Utility District (SMUD) and supported many of the changes made in its original application. Upon review of the revised Section 10-115, SEIA and CCSA generally support the direction of the revised regulations as relates to the community solar compliance pathway. SEIA and

CCSA believe the revisions help to ensure that the policy objectives of this section are met while also allowing sufficient flexibility for the community solar compliance pathway to be utilized. As Commission staff further refines Section 10-115, SEIA and CCSA encourage further consideration of the following issues:

- 1. Dedicated Building Energy Savings Benefits (Section 10-115(a)(6))** – SEIA and CCSA encourage the Commission to consider ways to ensure that meaningful bill savings are provided by community solar projects. While SEIA and CCSA agree that the bill savings should at least be greater than the cost to the building, we remain concerned that this standard could result in very modest bill savings for participants. Given the economic, grid, and environmental benefits created by these projects, it should be feasible to pass along meaningful bill savings to program participants. Therefore, SEIA and CCSA urge the Commission to consider ways to ensure that participating buildings receive meaningful bill savings from community solar projects under this section.
- 2. Application for Commission Approval (Section 10-115(b))** – The Commission should clarify who is considered the “administrator” of a community solar generating system in the context of a community solar program where there are multiple independently developed/owned projects under a common set of program rules. This currently remains unclear under the regulations and guidance documents.
- 3. Establishment of Community Solar Tariffs and Programs** – Although SEIA and CCSA generally support the revisions to Section 10-115, we remain concerned that California does not have viable community solar program offerings to support community solar project development. This is currently the most significant roadblock to unlocking community solar in California. SEIA and CCSA urge the Commission to coordinate with its sister agencies to develop tariffs and programs that will support the development of community solar projects at scale.

SEIA and CCSA appreciate the opportunity to comment on the draft regulations and look forward to continued collaboration with the Commission and stakeholders on the development of the 2022 BEES.

/s/ Rick Umoff

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