

**DOCKETED**

<b>Docket Number:</b>	22-BSTD-01
<b>Project Title:</b>	2025 Energy Code Pre-Rulemaking
<b>TN #:</b>	250674
<b>Document Title:</b>	CEA Letter to CEC - Energy Code Acceptance Testing Program Urgency Request
<b>Description:</b>	California Energy Alliance Comments (CEA)
<b>Filer:</b>	System
<b>Organization:</b>	California Energy Alliance
<b>Submitter Role:</b>	Public
<b>Submission Date:</b>	6/20/2023 10:43:48 AM
<b>Docketed Date:</b>	6/20/2023

*Comment Received From: California Energy Alliance  
Submitted On: 6/20/2023  
Docket Number: 22-BSTD-01*

**CEA Letter to CEC - Energy Code Acceptance Testing Program  
Urgency Request**

*Additional submitted attachment is included below.*



June 20, 2023

California Energy Commission  
715 P Street  
Sacramento, CA 95814

Re: Energy Code Acceptance Testing Program Urgency Request - Docket No: 22-BSTD-01

Dear Commissioners and Energy Commission Staff,

Thank you for the opportunity to provide these comments regarding the state of code compliance and Acceptance Testing. These statements were also delivered during the Commissioner Retreat held on May 11, 2023. A core group of CEA members are part of California's Acceptance Testing community, working to help the California Energy Commission (CEC) ensure that the Building Energy Efficiency Standards in Title 24, Part 6 (Energy Code) work as intended. Additionally, many of our members are manufacturers that make the types of advanced controls or lighting & HVAC systems that have helped the Energy Code become one of the most effective energy efficiency policies in the world.

These members share a common concern that the Energy Code is not achieving anywhere near its full potential. We feel the State can and should be doing better. There is a particular urgency for the CEC's Acceptance Testing community, where insufficient enforcement and implementation is making engagement unprofitable and therefore unsustainable. Our members see the trend going in the wrong direction.

CEA would like to pose the following questions and potential action items to the CEC to improve the use of Acceptance Test Technician Certification Providers (ATTCPs):

- What can the CEC do to ensure that all jurisdictions, including those with lesser resources, can properly manage and enforce the Energy Code?
- Our members have prior data on Acceptance Testing rates by jurisdiction and are conducting surveys within the Acceptance Testing community to update the data. How would the CEC work with CEA Members to do a quality control check across multiple AHJs to identify this disparity amongst AHJs?
- CEA recommends conducting an analysis of non-compliant projects that contained erroneous or missing elements and process errors. A list of projects would be produced by the ATTCPs. A CEC representative, subject matter expert from the ATTCP, and the AHJ would review the list of projects to determine areas requiring improvement. This analysis would help all to better understand roles, responsibilities, and gaps in the overall process.



- CEA urges the CEC to finalize the state-owned and operated data repository where all compliance forms are uploaded and available to be quickly identified. This would allow all jurisdictions the ability to confirm that a project has had all applicable compliance forms and acceptance test forms completed by checking a single data repository.

CEA and its Members thank the CEC for the opportunity to submit these comments, and we would encourage the CEC to continue to convene workshops and other conversations with stakeholders on these topics. CEA is eager to collaborate with the CEC and our industry partners to help solve California's compliance and enforcement problems.

Sincerely,

A handwritten signature in black ink that reads "Josh Dean".

Josh Dean  
Executive Director  
California Energy Alliance

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cc: Drew Bohan; Michael J. Sokol; Joe Loyer; Lorraine White