

## DOCKETED

<b>Docket Number:</b>	15-OIR-03
<b>Project Title:</b>	Nonresidential Building Energy Use Disclosure Program Certification of Emergency Regulation
<b>TN #:</b>	204959
<b>Document Title:</b>	Notice of Approval of Certificate of Compliance and Endorsed Filed STD. 400 Notice Publication/Regulations Submission
<b>Description:</b>	For a Certificate of Compliance for Amendment of California Code of Regulations, Title 20, section 1682, subdivision (c)
<b>Filer:</b>	Patty Paul
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
<b>Submission Date:</b>	6/10/2015 9:12:06 AM
<b>Docketed Date:</b>	6/10/2015

**State of California  
Office of Administrative Law**

**In re:**  
**California Energy Commission**

**Regulatory Action:**

**Title 20, California Code of Regulations**

**Adopt sections:**

**Amend sections: 1682**

**Repeal sections:**

**NOTICE OF APPROVAL OF CERTIFICATE OF  
COMPLIANCE**

**Government Code Sections 11349.1 and  
11349.6(d)**

**OAL Matter Number: 2015-0514-01**

**OAL Matter Type: Certificate of Compliance  
(C)**

---

The California Energy Commission submitted a certificate of compliance for the amendment of subdivision (c) of section 1682 of title 20 of the California Code of Regulations as an emergency regulatory action to change from July 1, 2014 to July 1, 2016 as the date when the disclosure requirements of Public Resources Code section 25402.10 apply for a nonresidential building with a total gross square foot area measuring 5,000 square feet up to 10,000 square feet.

OAL approves this regulatory action pursuant to section 11349.6(d) of the Government Code.

**Date: June 9, 2015**

**/s/ Craig Tarpenning**

---

**Craig S. Tarpenning  
Assistant Chief Counsel**

**For: DEBRA M. CORNEZ  
Director**

**Original: Robert P. Oglesby  
Copy: Galen Lemei**

## NOTICE PUBLICATION/REGULATIONS SUBMISSION

CERT

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER <b>Z-2015-0203-07</b>	REGULATORY ACTION NUMBER <b>2015-0514-01C</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

**ENDORSED - FILED**  
In the office of the Secretary of State  
of the State of California

**JUN -9 2015**  
**2:04 PM**

AGENCY WITH RULEMAKING AUTHORITY  
California Energy Commission

AGENCY FILE NUMBER (if any)  
15-OIR-03

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn		NOTICE REGISTER NUMBER <b>2015, 72</b>	PUBLICATION DATE <b>2/13/2015</b>

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Compliance Schedule for Nonresidential Energy Use Disclosure Program		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) 2015-0226 EE; 2014-0821-05 E	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT	
		AMEND	
TITLE(S) 20		1682	
		REPEAL	
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))			
<input checked="" type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)			
<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____			
<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only			
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____			
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal			
<input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Galen Lemei		TELEPHONE NUMBER (916) 654-3951	FAX NUMBER (Optional) (916) 654-3843
		E-MAIL ADDRESS (Optional) Galen.Lemei@energy.ca.gov	

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE

DATE

TYPED NAME AND TITLE OF SIGNATORY

Robert P. Oglesby, Executive Director

per agency request

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUN 09 2015

Office of Administrative Law

# **Nonresidential Building Energy Use Disclosure Program**

## **California Code of Regulations Title 20. Public Utilities and Energy Division 2. State Energy Resources Conservation and Development Commission Chapter 4. Energy Conservation Article 9. Nonresidential Building Benchmarking and Disclosure Sections 1682**

### **Section 1682. Schedule of Implementation**

A building owner shall comply with this article according to the following schedule:

- (a) On and after July 1, 2013, for a building with total gross floor area measuring more than 50,000 square feet.
- (b) On and after January 1, 2014, for a building with a total gross floor area measuring more than 10,000 square feet and up to 50,000 square feet.
- (c) On and after ~~July 1, 2014~~ July 1, 2016, for a building with a total gross floor area measuring at least 5,000 square feet and up to 10,000 square feet.

Note: Authority cited: Sections 25213, 25218(e), 25402.10, Public Resources Code. Reference: Section 25402.10, Public Resources Code.