

DOCKETED

Docket Number:	15-OIR-05
Project Title:	Building Energy Use Disclosure and Public Benchmarking Program Mandated under Assembly Bill 802
TN #:	207163
Document Title:	SoCalREN Comments on CEC AB 802 Benchmarking Scoping Workshop Nov-10-2016_final
Description:	N/A
Filer:	Marc Costa
Organization:	Southern California Regional Energy Network
Submitter Role:	Applicant Consultant
Submission Date:	12/31/2015 12:12:28 PM
Docketed Date:	12/31/2015

BEFORE THE CALIFORNIA ENERGY COMMISSION

Building Energy Use Disclosure and
Public Benchmarking Program
Mandated under Assembly Bill 802

Docket # 15-OIR-05

**COMMENTS OF THE COUNTY OF LOS ANGELES,
ON BEHALF OF THE SOUTHERN CALIFORNIA REGIONAL ENERGY
NETWORK ON CALIFORNIA ENERGY COMMISSION WORKSHOP ON
ASSEMBLY BILL 802**

Howard Choy, General Manager
County of Los Angeles Office of
Sustainability
1100 North Eastern Avenue
Los Angeles, CA 90063-3200
(323) 267-2006
HChoy@isd.lacounty.gov

For the Southern California Regional
Energy Network

December 31, 2015

I. Introduction

The County of Los Angeles, on behalf of the Southern California Regional Energy Network (SoCalREN), submits these comments on the California Energy Commission (Commission) workshop on November 10th, 2015 on Benchmarking and Public Disclosure of the California Assembly Bill 802 (AB 802).

The SoCalREN was authorized in 2012 by the California Public Utility Commission (CPUC) to harness the resources and unique capabilities of public agencies to deliver innovative and effective energy efficiency solutions¹. Programs that are underway have successfully aligned with the recommended local government actions detailed in the Updated 2011 California Long-Term Energy Efficiency Strategic Plan, and are on track to achieve deep energy savings. The SoCalREN is building the capacity and expertise essential for public agencies to meet California's energy goals. As a public agency program administrator, SoCalREN is uniquely suited to deliver deeper energy efficiency by retrofitting existing buildings. To date, our work in both the public and private sectors has positioned us to implement comprehensive energy efficiency programs that will continue transforming the existing building stock into high-energy performance buildings.

II. Responses to Rulemaking Scoping Questions

1. By when should all utilities be required to match buildings to meters?

Through the SoCalREN's experience with Energy Atlas, an energy data collection and benchmarking platform that was developed by the University of California, Los Angeles (UCLA), it is clear that Energy Atlas has successfully demonstrated the pairing of buildings, within Los Angeles County, to associated billing meters. Consequently,

¹ CPUC Decision 12-11-015, "Decision Approving 2013-2014 Energy Efficiency Programs and Budgets", November 8, 2012.

the SoCalREN urges the Commission to direct all utilities to pair buildings to associated billing meters in their service areas, beginning no later than January 1, 2017, per AB 802 mandates². The SoCalREN recommends that the Commission collaborate with UCLA to replicate the success and lessons learned from Energy Atlas to fulfill this requirement expeditiously. Similarly, the SoCalREN recommends the Commission to leverage lessons learned from other jurisdictions³ that are implementing energy data management and benchmarking systems. Lastly, SoCalREN requests that the Commission establish a clear definition of covered buildings to help align the efforts of the utilities, local governments, and market actors in supporting AB 802.

2. By when should utilities implement data exchange services with Portfolio Manager?

The SoCalREN strongly endorses a Commission decision requiring the utilities to implement data exchange services with Portfolio Manager beginning no later than January 1, 2017. The SoCalREN also recommends that the Commission consider using regional resource centers, such as the SoCalREN, to provide the technical assistance and other necessary support to assist small utilities (i.e. non-investor-owned utilities) that may not have sufficient resources to readily implement data exchange services with Portfolio Manager.

3. How should utilities confirm whether a data request is from a building owner?

The SoCalREN does not have a comment on this question.

4. How should “utility account” be defined when multiple fuel types are under the same account?

² AB 802 Section 5 regarding 25402.10

https://leginfo.legislature.ca.gov/faces/billCompareClient.xhtml?bill_id=201520160AB802

³ <http://energy.gov/eere/buildings/seed-platform-collaborative>

When multiple fuel types are under the same account, the SoCalREN recommends the “utility account” be defined in the same manner and with the same parameters that utilities currently use when providing multiple fuels to a customer account. The objective is to acknowledge: (1) an account may be served with multiple fuel types, and (2) preserving the delineation of fuel types in data inputs and reporting is paramount to accurate building benchmarking and public disclosure regulations. Each utility account has specific identifiers for tracking energy service deliveries through one or more meters at a customer premise, and those energy services may be of one or more fuel types that have distinct energy costs, rates, and or tariffs distinguishing the delivered energy services.

5. How can tenant participation in the rulemaking process be encouraged?

The underlying motivation for tenant participation is a transparent and efficient process; one that empowers the tenant to make an informed decision about the energy performance, comfort, safety and operating costs of a building. Additionally, some tenants may be motivated to participate in this rulemaking as a way to demonstrate and reinforce their organization's commitment to energy efficiency. The SoCalREN suggests a stakeholder outreach process to enlist tenants, as a unique audience, and facilitate their participation. The Commission can ensure that the processes for public disclosure of building energy performance and benchmarking remain transparent, efficient and effective for tenants.

***6. How do building owners obtain operational characteristics from tenants?
How can this process be improved?***

The SoCalREN believes that tenants might hesitate in disclosing their building operational characteristics, as this information might be considered proprietary to their business operation and their competitive status. The SoCalREN recommends the rulemaking begin with simpler and more practical data reporting requirements, such as

the building annual energy demands by fuel type by month, as well as the building's baseline size and occupancy type of the tenant spaces. As the Commission gathers more data on the market responses and lessons learned from this rulemaking implementation, it can move forward to with updating the rulemaking and expanding the data reporting requirements as appropriate.

7. What should be the Energy Commission's role in helping building owners obtain tenant information for benchmarking?

The SoCalREN envisions the Commission's role in helping building owners obtain tenant information for benchmarking to be:

- ***Focus the policy design and rule-making on the tenant's underlying motivation*** in making an informed decision on leasing a building that has reliable high-energy performance, high levels of comfort, is resilient and cost competitive;
- ***Protect tenant privacy and proprietary business information.*** Start implementing the rulemaking with a simple reporting process for building energy performance; i.e. energy demand by fuel type by month and the baseline size and occupancy type of the tenant spaces;
- ***Revise the required data reporting as appropriate*** as the Commission acquires lessons learned and feedback on how the markets are responding.

8. When a tenant chooses to provide data, what should the public disclosure obligation be for the building owner?

The SoCalREN does not have a comment on this question.

9. When a tenant chooses not to provide data, what should the public

disclosure obligation be for the building owner?

The SoCalREN does not have a comment on this question.

10. What is the easiest way for a building owner to get the benefits of benchmarking?

One of easiest ways for a building owner to get the benefits of benchmarking is having the energy performance of their buildings publicly published on a building benchmarking portal that is popular within the real estate industry, such as the Multiple Listing Service (MLS). The public listing of a building's energy performance facilitates an efficient real estate market with transparent information on a building's valuation either for lease or purchase. Building owners who invest in their building's energy efficiency would benefit from a market that evaluates and values their building appropriately. Additionally, the benchmarking information will help local governments as well as utilities to identify poor-performing buildings and thereby direct energy efficiency retrofit programs more effectively.

11. Is annual disclosure to the Energy Commission appropriate?

Annual disclosure of a building's energy performance (i.e. energy demand by fuel type by month and other baseline information for the covered building) to the Energy Commission is appropriate.

12. When should a building's benchmark first be publicly disclosed?

The SoCalREN recommends that building benchmarking for covered buildings be privately disclosed to the Commission in year-one (2017), and then publicly disclosed in the second reporting year onward. This approach provides ample time for building owners to retrofit their buildings if they are not satisfied with their building's energy performance.

13. Is monthly weather-adjusted energy use intensity appropriate for public disclosure?

Monthly weather-adjusted energy use intensity is appropriate for public disclosure. The SoCalREN recommends the Commission collaborate with the DOE and the EPA to embed the California Climate Zones as well as the 'actual meteorological year' instead of 'typical meteorological year' weather-normalization function into EPA's ENERGY STAR Portfolio Manager. This design integration would ensure a consistent weather-adjusted energy use intensity methodology and enable more effective building evaluations.

14. What unique program elements would lead to higher rates of energy efficiency improvements and program compliance?

The SoCalREN views the following as unique program elements that would lead to higher rates of building energy efficiency and program compliance:

- ***Public disclosure of building energy performance data.*** One of the target outcomes of this rulemaking should be the attainment of an efficient market that provides transparent information on building energy performance, comfort, productivity and operational competitiveness. Such a market would facilitate appropriate valuation of high performing buildings for building owners and potential purchasers in addition to assisting tenants in making informed decisions. As such, transparency of building performance data is a critical element to an efficient real estate market for high-energy performance buildings.
- ***Simple data requirements with a high-level of automation*** for linking utility billing data and Portfolio Manager. The data requirements should be simple so that the market can participate without barriers. The SoCalREN urges the Commission to collaborate with the Department of Energy (DOE) and other

stakeholders to establish an automated data exchange service between Portfolio Manager and the utility data portals. Automating data exchange services would mitigate errors and delays from manual data entry processes.

- ***Technical resources to assist the market in data exchanges and reporting requirements.*** The SoCalREN views the technical support during the early implementation phase of this rulemaking (i.e. the first two years of implementation) to be critical in assisting small utilities, building owners/operators and tenants that may not have the technical expertise to readily comply with the rule-making mandates. The SoCalREN recommends the Commission to establish regional resource centers (e.g. Northern California, Central Valley, Los Angeles and San Diego regions) to provide the necessary support. Additionally, these regional resources could provide assistance on how utilities, building owners/operators and tenants could make use of building performance data. For example, how a potential building purchaser or tenant can calculate building operating costs under various scenarios. Similarly, the regional resource centers could play a key role in identifying a portfolio of energy inefficient buildings and then target more effective energy efficiency investments, including full consideration of locational benefits for the grid.

15. How should public disclosure of building benchmarks be used to drive real estate demand for energy efficient buildings?

As mentioned above, one of the target outcomes of this rulemaking should be the attainment of an informed and efficient real estate market that provides transparent information on building energy performance, comfort, productivity and operational competitiveness. For that reason, building owners should publicly disclose their building's benchmarking on the Commission designated portal. The portal should also include the list of buildings with poor energy performance or that fail to comply with

public disclosure requirements.

III. Conclusion

The SoCalREN supports the Commission's comprehensive Existing Buildings Energy Efficiency Action Plan (Action Plan) to mobilize market forces to support AB 802's pending regulations and transform California's existing building stock. The SoCalREN believe the Action Plan is an effective pathway to achieve Governor Brown's goal of doubling the efficiency of existing buildings by 2030. We applaud the Commission on leveraging the efforts and initiatives by key stakeholders, such as local governments, that are already active in engaging private market actors and institutions to play critical enabling roles. We look forward to collaborating with the Commission and other stakeholders in the effective and expeditious implementation of the Action Plan in support of AB 802.

December 31, 2015

Respectfully Submitted,
COUNTY OF LOS ANGELES AND
SOUTHERN CALIFORNIA REGIONAL
ENERGY NETWORK



Howard Choy, General Manager
County of Los Angeles Office of
Sustainability
1100 North Eastern Avenue
Los Angeles, CA 90063-3200
Tel (323) 267-2006
HChoy@isd.lacounty.gov

For the Southern California Regional Energy
Network