

## DOCKETED

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*Comment Received From: Rubio Rubio*

*Submitted On: 3/14/2016*

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**Comments on 2016 Lighting Alteration Chapters in the Nonresidential Compliance Manual**

*Additional submitted attachment is included below.*



03-14-2016  
California Energy Commission  
Dockets Office, MS-4  
Re: Docket No. 16-BSTD-02  
1516 Ninth Street Sacramento,  
CA 95814-5512  
[docket@energy.ca.gov](mailto:docket@energy.ca.gov)

**Comments on Nonresidential Lighting Alteration Enforcement Workshop**

**My name is Rubio Rubio and my company is On Target Electric.**

**These comments are filed in response to the proposed Lighting Alteration Chapters in the 2016 Nonresidential Compliance Manual.**

**As stated in my comments below, we are strongly opposed to the proposed compliance requirements for the 2016 Title 24, Part 6 advanced lighting control exemption for lighting alterations that reduce power consumption by 50% or 35%. Those proposed compliance requirements do not provide any way to verify if a contractor is telling the truth about the amount of energy consumption that will be saved.**

**The current proposal will generate widespread abuse and fraud because it will be essentially impossible to catch those property owners and contractors who are lying because the original lighting will be gone before any inspection occurs.**

**This will undermine the high code compliance of all the good contractors because they will not be able to do the lighting work. They will lose the lighting jobs to low bid contractors who misrepresent the original lighting, and California will lose a tremendous amount of energy savings.**

**Thank you for taking my comments into consideration.**

**Sincerely,  
Rubio Rubio (CEO)**



--Original Letter Dated February 16, 2016--

California Energy Commission  
Dockets Office, MS-4  
Re: Docket No. 16-BSTD-02  
1516 Ninth Street Sacramento, CA 95814-5512 docket@energy.ca.gov

Comments on Nonresidential Lighting Alteration Enforcement Workshop

My name is Rubio Rubio and my company is On Target Electric.

I am writing to comment on enforcement of the 2016 Title 24 lighting alteration and modification requirements. I have been an electrical contractor for over 7 years, and thus am well aware of the importance of enforcement and verification of title 24 requirements. In my business, we have to compete every day with contractors who cheat the system by doing work for customers at lower prices by evading code requirements. As a contractor, I depend on inspection and acceptance test requirements to allow me to make competitive bids while complying with the code. Without verification, we can't compete against cheaters.

Currently, compliance with nonresidential lighting alteration and modification requirements is enforced through a combination of local building inspection requirements and acceptance test requirements. These inspection and acceptance test requirements work and are cost effective to those of us who do quality work. Acceptance tests are particularly effective at ensuring compliance with title 24 energy efficiency requirements. In my experience, most building inspectors focus only on safety issues and do little to nothing to verify compliance with energy code requirements. Acceptance test is changing that by allowing inspectors to simply verify that the acceptance test has been signed by a certified acceptance tester.

Unfortunately, the new title 24 advanced lighting control exemption for lighting alterations that reduce power consumption by 30% or 50% (depending on occupancy) is not enforceable under current local building inspection requirements and is not subject to any acceptance test requirements. Local building inspectors only inspect after the job is done. At that point the original lighting components are already gone, making it impossible to confirm that the new system actually reduced the lighting power consumption by 30% or 50%.



Without verification of the existing systems power consumption baseline, low-bid contractors will have a tremendous incentive to overestimate the amount of energy savings from an alteration in order to save his customer from the up-front costs of advanced lighting controls and win the contract. While we all know that advanced lighting controls save customers money over the long run, we also know that most nonresidential customers don't look beyond a two or three year window when it comes to those savings. For most nonresidential customers, current up-front costs are all they look at when deciding whether to pick a contractor.

If the Commission is going to adopt standards that are based on existing conditions, it needs to require that either the local building inspector or an acceptance tester verifies the power consumption of the original system before it is replaced or modified. Without verification of the existing conditions, I strongly believe that there will be widespread misrepresentation of the power consumption of existing systems in order to meet the 30% or 50% thresholds.

Thank you for taking my comments into consideration.

Sincerely,

Ruben Ruben  
CEO