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CALIFORNIA ENERGY COMMISSION

In the Matter of:

2020 Energy Code) Docket No. 19-BSTD-03
Pre-Rulemaking)
_____)

STAFF WORKSHOP

2020 ENERGY CODE - ACCEPTANCE TEST

TECHNICAL CERTIFICATION PROVIDER

WARREN-ALQUIST STATE ENERGY BUILDING
ART ROSENFELD HEARING ROOM, FIRST FLOOR

1516 NINTH STREET
SACRAMENTO, CALIFORNIA

TUESDAY, MARCH 10, 2020

9:00 A.M.

Reported by:

Martha Nelson

APPEARANCES

STAFF

Joseph Loyer, Senior Mechanical Engineer

Lorraine White, Manager, Standards Compliance Office

Matthew Haro, Mechanical Engineer

PUBLIC COMMENT

Michael Scalzo, National Lighting Contractors Association

Michael Jouaneh (via WebEx), Lutron Electronics

Jim Hodgson, Cal Energy

AGENDA

	<u>Page</u>
1. Introduction	4
2. Background/history of acceptance test technician certification provider program	7
3. Recommended changes to the acceptance test technician certification provider program	10
a. Database requirement for all acceptance test technician certification providers	
b. Minor Editorial Recommendations for Title 24, Part 1, §10-103.1 and §10-103.2	
4. Recommended changes to the Lighting Controls Acceptance Testing Requirements	15
a. Shut-Off Lighting Controls Acceptance Tests	
b. Automatic Daylighting Controls Acceptance Test	
c. Demand Responsive Lighting Controls Acceptance Test	
d. Institutional Tuning Power Adjustment Factor Acceptance Test	
e. Outdoor Lighting Controls Acceptance Tests	
f. Minor Editorial Recommendations for Reference Appendices - Nonresidential Appendices, Appendix NA7	
5. Recommended changes to the Nonresidential Data Registry Requirements	55
6. Comments	71
7. Closing Remarks	80

P R O C E E D I N G S

9:03 A.M.

SACRAMENTO, CALIFORNIA, TUESDAY, MARCH 10, 2020

MR. LOYER: Hello everyone. My name is Joe Loyer from the California Energy Commission. I'm just going to adjust this mike a little bit.

This is the Staff recommendations for the 2022 Energy Code. Just a quick word of a couple of things here. This is for the Acceptance Test Technician Certification Provider Program. And we'll be discussing some recommendations that Staff has for modifications. The majority of these modifications will -- are likely to have no impact to current practices or additional costs. We will be discussing the nonresidential data registry and its relationship with the ATTCP program in the afternoon at 1:00. So we will go with the morning session and then wherever we -- when we finish up with that, we will stop and break for lunch, however long that is, and then we will go on to the afternoon session.

Let's see, and just so everybody knows, WebEx is acting up a little bit, so hopefully this will work out here. Yeah, here we go. There's the welcome.

1 Some housekeeping. This is the CEC WebEx
2 main page. That is a hyperlink text. That's the
3 meeting number.

4 Oral and written comments are going to be
5 accepted during this workshop. We ask that
6 people here at the Energy Commission do use the
7 microphone. Right now we only have a few people
8 here in the room, so we will not be using the
9 blue card or, in general, limiting people to
10 time.

11 If you would like to speak online, you're
12 going to need to raise your hand. And if you all
13 noticed, I have the participants window open
14 here, so I will periodically scan through that to
15 see if your hand is raised. We ask that you --
16 you have control over your mute but we ask that
17 you not un-mute yourself unless you're going
18 to -- unless you're called upon to speak. And I
19 will un-mute you as well. So you are encouraged
20 to comment at any time. Like I said, please use
21 the microphones.

22 We do have a Court Reporter, as well as a
23 recording on the WebEx. If you are in the room,
24 please use the microphone, and please do give the
25 Court Reporter your name or business card.

1 Comments are to be submitted by the -- to
2 the Docket Unit by 5:00 p.m. on March 20th. The
3 Docket number is 19-BSTD-03.

4 The rulemaking page is hyperlinked here.
5 The documents and presentations for this meeting
6 will be available on the rulemaking page as well.

7 Any comments may become part of the
8 public record for this proceeding, so do keep
9 that in mind when you are commenting.

10 And let's see here, oh, there it is.

11 And for people in this room, so if you're
12 not familiar with this building, the closest
13 restrooms are located across the aisle here. And
14 in the event of an emergency and the building is
15 evacuated, please follow yours truly out the
16 appropriate exit and into Roosevelt Park.

17 So the workshop agenda, we have an
18 introduction and background and ATTCP program
19 background. Before we get into the first
20 proposal, which is a database requirement for all
21 ATTCPs. We have recommended changes to the
22 Lighting Controls Acceptance Testing
23 Requirements. And we have the shut-off lighting
24 controls, automatic daylighting controls, demand
25 response lighting controls, and institutional

1 tuning adjustment facts -- power adjustment
2 factor, outdoor lighting controls, then lunch,
3 and then we're going to get into the recommended
4 changes of the nonresidential data registry
5 around one o'clock.

6 So moving into the introduction and
7 background, this is primarily -- and I'm just
8 going to roll this down a little bit so -- well,
9 I guess that's as good as I can make it there.
10 This is the history of the Energy Commission.
11 This is the Warren Alquist that established the
12 Energy Commission in 1974, giving it the
13 authority to develop and maintain the Building
14 Energy Efficiency Standards. The Standards
15 require new requirements to be cost effective,
16 which is unlike almost any other part of the
17 Building Code. The Energy Commission is required
18 to update these Standards periodically. We
19 typically do that on a three-year cycle.

20 So the policy drivers, there are
21 actually many, many policy drivers for the
22 Building Standards. These are the ones that are
23 the most recent and the most evocative into the
24 Standards.

25 The Energy Action Plan, that's ZNE, zero-

1 net energy for residential buildings by 2020. We
2 did accomplish that for the 2019 Energy
3 Standards, and the nonresidential buildings by
4 2030. SB 100, clean energy by 2045. B-55-18,
5 Governor Jerry Brown's Executive Order to achieve
6 carbon neutrality. And then the AB 3232. This
7 is, as it says on the screen here, this is to
8 assess the potential of the state to reduce the
9 greenhouse gas emissions in residential and
10 commercial building stock by at least 40 percent
11 below the 1990 levels. And they want to try and
12 get that assessment done -- or that target by
13 2030.

14 So the '22 Standards updates schedule, in
15 general, right now you see at the top here left,
16 March 10th, Staff Workshop, that's this workshop.
17 March 26th is the Staff Workshop on the Energy
18 Design Rating. And then we have the Commission-
19 sponsored workshops going on from August to
20 October. Express terms being developed in
21 September-November.

22 And then February '21, all the rest of
23 the dates are in 2021, except for the effective
24 date, February is the 45-day language, March is a
25 Lead Commission hearing, July the adoption, then

1 the final Statement of Reasons is September,
2 adoption of the CALGreen in July, approval of the
3 manuals in December, and a final rulemaking
4 package in October. The California Building
5 Standards Commission approval hearing is in
6 December '21. And the software, compliance
7 manuals and the electronic documents will be
8 January 2021. The effective date is still
9 scheduled for January 1, 2023.

10 This is the utility stakeholder meeting
11 schedule. You can see that this actually fits in
12 pretty well with the schedule for the Staff
13 workshop. All of these get completed prior to
14 the Staff workshop. And I you can see, the third
15 one down, "Nonresidential Envelope Part 1:, High
16 Performance Envelope," that is today. So we had
17 a little conflict there but -- that we couldn't
18 resolve, so we're going to have both meetings.

19 And let's do a quick check here on -- let
20 me see if I can get this. We do have quite a few
21 people online. Just a quick scan. I don't see
22 anybody's hand up. So I'm just going got check
23 to the chat box here and see if there's anything
24 there. Okay. Well, let me get into that. There
25 we go.

1 So a little background on the Acceptance
2 Test Technician Certification Provider Program,
3 or ATTCP Program. We established this program in
4 the 2013 Energy Code. The main purpose of this
5 program for the Energy Commission was to improve
6 compliance with the acceptance testing for
7 lighting controls and for mechanical. ATTCPs are
8 approved by the Energy Commission to provide the
9 training, certification and oversight for
10 Acceptance Test Technicians, or ATTs, and for
11 acceptance test employees that employ the ATTs.

12 As of July 1, 2014, acceptance testing is
13 required for -- acceptance testing for lighting
14 controls must be performed by a certified ATT.
15 This is not the case for the mechanical side yet
16 but we suspect that will be happening soon.

17 So if there are no questions for the
18 first part of this, we'll move right into the
19 database requirement.

20 And I'll just check here, just to make
21 sure. No, I'm not seeing any. And I'm going to
22 check the chat window as well. Normally, the
23 chat window, the participant window, are
24 invisible to people online. However, this is one
25 of the things in this -- when we practiced this

1 the other day, it went fine and today, eh, not so
2 much but it's okay.

3 So we're pretty good on time here.

4 So the database requirement for all
5 ATTCPs, so the Energy Commission has the
6 authority to evaluate the energy efficiency
7 programs for public benefit of public good,
8 compliance with the Energy Code, greater energy
9 savings, and cost effectiveness, and this is
10 after they have been established in code. So we
11 can and we don't -- it's not within -- it's
12 within our Warren Alquist Act to be able to do
13 this. It's not within the regulations
14 themselves. So our objective in doing this is to
15 make sure that the programs that we do initiate
16 in code maintain their effectiveness and are
17 worthy of going forward.

18 The CEC has access to the ATTCP Program-
19 related data is necessary to evaluate the program
20 performance. The current database functionality
21 is only defined for mechanical ATTCPs. And the
22 CEC staff has access to the information from
23 those particular databases on the mechanical
24 side, not so much on the lighting side, so -- and
25 we'll get into that a little bit more here.

1 So the background, there are two lighting
2 controls ATTCPs, California Advanced Lighting
3 Controls Training Program and the National
4 Lighting Contractors Association of America.
5 There are four CEC-approved mechanicals, that's
6 the California State Pipe Trades Council, the
7 National Energy Management Institute Committee,
8 the National Environmental Balancing Bureau,
9 Refrigeration Service Engineers Society.

10 So each ATTCP has implemented a database
11 system to track proposed and completed acceptance
12 tests. The databases are voluntary. They're not
13 required under code, with one possible exception,
14 and they are primarily to support the quality
15 assurance program that each of these ATTCPs must
16 run. That's their main purpose for as far as the
17 Energy Commission is concerned anyway.

18 So what we have right now is -- what
19 we're talking about is an addition to Title 24,
20 Part 1, Sections 10-103.1 and .2. The ATTCP
21 database is not required under the Energy Code
22 with one exception, this is to make a mechanical
23 ATT equivalent to a HERS Rater for nonresidential
24 duct leakage testing. And this has already been
25 implemented, so the mechanical ATTCPs actually do

1 comply with this particular role. And the actual
2 language of the database requirement that we're
3 thinking of is going to follow those requirements
4 right now. And they're currently in NA1.9.

5 All mechanical ATTCPs comply with this
6 requirement, and lighting controls are not
7 subject to this requirement, so there is a sort
8 of disparity of how we treat mechanicals over
9 lighting. But the allowance to make an ATT
10 equivalent to a HERS Rater is voluntary for the
11 mechanicals. They don't have to do that. They
12 have all chosen to do that.

13 So the proposed change, we want to make
14 the database a separate requirement for all
15 ATTCPs, regardless of lighting controls or
16 mechanical. We want that database to be
17 similar -- that requirement to be similar to what
18 is in NA1.9. We it to support the quality
19 assurance program. We want it to provide printed
20 and e-copies of completed acceptance tests. We
21 want it to provide verification services to
22 authorities having jurisdiction. And we want it
23 to provide the Energy Commission with
24 administrative access. Now this particular
25 administrative access, we want this access to be

1 limited to viewing and reporting only. We do not
2 want the Energy Commission to have the authority
3 to change anything in this database.

4 So potential impacts, there's actually
5 every little in terms of impacts. All six ATTCPs
6 have a database of one kind of another. The
7 lighting controls may have to make some
8 modifications but it's just -- we don't think
9 it's going to be very much on their end.
10 Compliance and enforcement may improve the AHJ
11 enforcement of the Energy Code but it will not
12 add a burden to the existing compliance efforts
13 by the ATTCPs or the AHJs or, actually, industry
14 at all. If anything, it may improve it but it
15 probably will have no impact.

16 So this is the last slide on this
17 particular one: Comments. So in the future, if a
18 nonresidential data registry may be approved by
19 the Energy Commission, and we'll need to interact
20 with each ATTCP, should Staff consider an
21 exception for the database requirement if the
22 ATTCP relies exclusively on the Nonresidential
23 Data Registry?

24 This came up as just a normal interaction
25 between a perspective nonresidential data

1 registry and an ATTCP. They found that they can
2 work together and still maintain their quality
3 assurance program, which is the key element here
4 for us, so additional technical considerations,
5 making sure the ATTCP does support their quality
6 assurance program. Track proposed and completed
7 acceptance tests. Maintain a list of approved
8 ATTs and ATEs. Provide a means for the AHJ to
9 validate the acceptance tests. And provide CEC
10 with administrative review access.

11 So at this point, I'm going to do a quick
12 stop and let's see if anybody has any questions
13 from online. It does not appear. I don't see
14 any hands up there. And let's check the chat and
15 nothing in chat.

16 And any questions in the room? No?
17 Okay.

18 We're going to have a long lunch, I can
19 just feel it.

20 So the next item is the shut-off lighting
21 controls. So we're going to be covering two
22 topics in shut-off lighting controls, aligning
23 the occupancy sensing lighting controls
24 construction inspection with the Energy Code.
25 This is essentially no real change, it's just to

1 formally say, yeah, we want the construction
2 inspection portion of the acceptance test
3 actually, explicitly, line up with the Energy
4 Code. Right now the forms, themselves, actually
5 do this. We just want this to be consistent
6 within Code. Then include each type of occupancy
7 sensing control in Reference Appendix NA7.6.2.3.
8 And, by the way, that's how I actually read out
9 those sections. Instead of saying NA7.6.2.3., I
10 just say NA7623 [sic].

11 So the first one, occupancy sensing
12 control construction inspection, the construction
13 inspection requirements are not closely linked
14 with the Energy Code and we would like them to be
15 more. And they're supported by Energy Code. We
16 absolutely would not put out a form anymore that
17 is not directly linked to the Energy Code
18 requirement.

19 The background, so ATTCPs train the ATTs
20 to actually perform the lighting controls as they
21 are, construction inspection, functional testing,
22 and completing the forms.

23 The construction inspection portion, it
24 typically has a specific checklist that is based
25 on the documentation, the installation

1 requirements that are specified in the Energy
2 Code and in NA7.

3 The verification that the installation is
4 complete in preparation for the functional test,
5 that's one of the big goals of the construction
6 inspection, is to make sure that the actual
7 installation is ready for a functional test. Not
8 only that, but to make sure that at the
9 construction inspection level, that everything is
10 still compliant with code and still compliant
11 with design. That's one of the things that a lot
12 of people leave off when we're talking about
13 acceptance testing is that it is intended for
14 compliance with code and compliance with design.
15 That design is an approved design by the local
16 jurisdiction, by the AHJ, so it has to be
17 compliant with both.

18 There are over 2,000 certified ATTs for
19 lighting controls right now. They've performed
20 over 27,000 lighting control acceptance tests,
21 the bulk of which are in Los Angeles County.
22 However, I've got to say, I'm getting more and
23 more calls of -- from contractors of how do I
24 become or how do I get a hold of these forms that
25 the local jurisdiction is now requiring of me?

1 So it leads me to believe that we're having more
2 and more local jurisdictions realize that this
3 program is available to them and all they have to
4 do is enforce it. It is code. They are supposed
5 to enforce it. They are, generally, moving in
6 that direction very well. So we think that this
7 is going to be more the rule than the exception
8 going forward.

9 The current code requirements here, this
10 is the general requirements here. You can see
11 the paragraph. I'm not going to read all this
12 out but you can see it references 130.1(c). And
13 that's how when -- this is the actual acceptance
14 test for the construction inspection. And,
15 basically, this is how we actually construct the
16 form. We go back and we look at Section 130.1(c)
17 and we see what the actual requirements are. It
18 says here that, yeah, you have to be a control-
19 type -- you know, in compliance with 130.1(c).
20 So we actually go through the checklist. We
21 figure out what it is that we want the acceptance
22 test to look at, how it lines up with the Energy
23 Code, and then we reference that Energy Code in
24 that checkbox.

25 So -- and then you can see here on the

1 prior to functional testing verification document
2 the following. We have A, B, C, D and E. Only E
3 of this is actually referenced directly in
4 code. The rest are not directly in code.

5 Do I need to go back for you? No? We're
6 good? Okay.

7 So the proposed change, we want to
8 clarify the overall acceptance test requirements
9 for the occupancy sensing lighting controls and
10 verify the construction inspection requirements
11 are supported by the Energy Code.

12 So you can see the first bullet here,
13 minimizing false signals, at least four feet from
14 the HVAC diffuser, not detecting adjacent zones,
15 and being free of obstruction, they're not
16 explicitly in the code and we would like to make
17 -- we would like the code to actually support
18 them directly. So while these are not really
19 changes, these are things that we want to have in
20 either NA7 or in the Energy Code itself.

21 Ultrasonic occupancy sensor, that comes directly
22 from Section 110.9(b)6Bi -- ii, sorry.

23 Potential impact, there are no new tests
24 being required, no new requirements. The changes
25 are for clarity only. ATTCPs may update their

1 certification training materials or may not. No
2 additional burden to the AHJ has been identified.
3 And there should, actually, be no additional
4 burden to anyone. This is not going to be a
5 substantive change, only a change to the support
6 of the existing language. We would like to hear
7 from stakeholders I f they have any suggestions,
8 specific suggestions for how to improve the
9 construction inspection requirements.

10 And I believe that's the last slide for
11 this particular section, so I'm going to take a
12 quick look here. I do not see -- oh, I see a
13 comment here. Let's see what happened here.
14 Let's see the chat. Oh, okay. Oh, so I'm just
15 going to read the chat out here. Everybody
16 should be able to see this online but it's for
17 the people in the room.

18 "Is it the city zoning department that
19 approves an ATE application for a construction?

20 So I'm going to unpack that a little bit.
21 The ATT, Acceptance Test Technician, is typically
22 a technician or a contractor. They have to apply
23 to the ATTCP, the provider that's been approved
24 by the Energy Commission, and that person then
25 can perform the acceptance test for lighting

1 controls and submit the acceptance test to the
2 local building department, the AHJ or the city
3 zoning department. Each local jurisdiction runs
4 it a little bit differently, exactly how -- who
5 you're going to be submitting that to.

6 But the city zoning department, so is it
7 the city zoning department that approves the
8 acceptance test application for a construction?
9 So they accept the acceptance test and they will,
10 ultimately, approve it or disapprove it at that
11 point, but this is during the construction phase.

12 And I think -- is there a comment to be
13 made?

14 MR. SCALZO: (Off mike.)
15 (Indiscernible.)

16 MR. LOYER: Okay. Yeah. Let me see if
17 there's any other -- I think there was only just
18 that one, so --

19 MR. SCALZO: Mike Scalzo for --

20 MR. LOYER: Oh, turn your mike on. There
21 you go.

22 MR. SCALZO: All right. When we're
23 talking about the construction inspection, when
24 you're talking about your proposed changes,
25 especially when we're speaking to areas, like

1 adjacent to and false triggers, we were just
2 going over this in the testing procedures, we
3 don't find those to be very helpful in the
4 construction version. It's more of a functional
5 test that you're going to do because you can't
6 physically see PRI waves traveling into adjacent
7 areas and you can't see false triggers from just
8 a conservation inspection. I think that should
9 almost be moved into a functional testing because
10 that's when we physically walk around, we walk in
11 the entry doors and we see if we're getting false
12 triggers or walk through an adjacent room to see
13 if we're getting triggered that way. So that
14 would be my recommendation, is look at those
15 particular to and movement to the functional
16 testing.

17 And then, maybe, if we're trying to get
18 in line with code, maybe adding the additional
19 functional testing or construction inspection
20 requirements of 130.1(c)(5) where we're looking
21 at the requirements for partial off and vacancy
22 versus what I started to call full-on now, what
23 the code calls occupancy sensor, we call full-on,
24 maybe we could get that included because I know
25 that gets overlooked tremendously in projects.

1 There's nothing in the testing procedures to
2 cover that.

3 And, I'm sorry, Michael Scalzo, NLCAA.

4 MR. LOYER: Thank you, Michael. Yeah,
5 we'll take those comments under consideration.

6 It almost looks like there is two
7 comments. Is it? No. No. No, that's just how
8 WebEx is working. Okay. Interesting. All
9 right.

10 Let me check the comment window again,
11 the chat window again, and see if there's
12 anything there. Okay. Okay. All right, so,
13 well, we'll move on here.

14 This is the second under the occupancy.
15 So each type of occupancy sensing control in
16 Appendix NA7.6.2.3, so it does not clearly
17 specify each type of occupancy control and there
18 are four controls: occupant, partial-on, partial-
19 off, and vacancy sensors. So the 2016 acceptance
20 test compliance document included separate
21 sections for each one of the floor. NA7.6.2.3
22 does not reflect the compliance options.
23 Industry enforcement are -- have been reported
24 to, as it says, being somewhat hampered by the
25 inadequate compliance document.

1 So occupancy sensors are only one type of
2 the occupancy sensing control. And we would like
3 to see all four specified in the Energy Code as
4 to their acceptance tests.

5 The current occupancy sensing controls
6 test procedures are in, again, NA7.6.2.3. They
7 are most specifically to the occupancy sensor and
8 do not address partial-on/partial-off occupancy
9 sensors. There is one step that addresses
10 vacancy sensors.

11 So we would just like to clarify the
12 occupancy sensor acceptance test to include the
13 requirements to test each type of occupancy
14 sensing control.

15 Again, you're going to see these four
16 bullets under the potential impacts quite a bit
17 in this particular section. No new tests, no new
18 requirements, no changes. The changes are only
19 for clarification. The ATTCP may update their
20 training materials. And there should be no
21 additional burdens to the AHJ.

22 We would like to hear from stakeholders
23 that, you know, are agreeing with Staff
24 recommendations or have other suggestions on how
25 to improve the acceptance test requirements in

1 NA7.6.2.3.

2 And we'll just check real quick. Wow, I
3 could use a little bit more length on this mouse
4 here. Let's see if that works a little better.
5 All right. Oh, I got a hand raise. Okay. Okay.

6 So, Michael, I'm going to un-mute you
7 here. All right, Michael, go ahead.

8 MR. JOUANEH: (Via WebEx) Yeah. Yeah.
9 This is Michael Jouaneh, Lutron Electronics.
10 Comments, or maybe it's a question. I hear an
11 echo.

12 But many -- in many cases, an occupancy
13 sensor, regular occ sensor is programed or set to
14 be a partial-on or partial-off or
15 (indiscernible). But -- so how would that be
16 accounted for? It's an occ sensor but it's set
17 up the right way for it to be compliant with the
18 Title 24 requirement.

19 MR. LOYER: So I'm not really clear on --
20 I don't think there's really a problem there.
21 The acceptance test procedure actually does kind
22 of cover this. So I think it's in the procedure
23 already. But an occupancy sensor can be set up
24 this way, at least in some cases.

25 I'm not sure exactly how better to

1 address the comment, Michael. I'm sorry.

2 MR. JOUANEH: It just, it sounded like
3 the acceptance tester has to say, is this is a
4 vacancy sensor or a occ sensor or a partial-on or
5 partial-off. In most cases, it's the
6 (indiscernible).

7 MR. LOYER: So in --

8 MR. JOUANEH: Maybe I missed it in the
9 slides.

10 MR. LOYER: So are you saying that in
11 your experience, in most cases, the occupancy
12 sensor doesn't fall into one of those four
13 categories?

14 MR. JOUANEH: I mean it would be set up
15 to one of those four categories but it's always
16 an occ sensor.

17 MR. LOYER: I see what you're saying.
18 Yeah, I understand.

19 So, yeah, however the occupancy sensor,
20 in that particular situation, would be set up
21 would be the way that we would go forward with
22 that particular acceptance test. So you would
23 choose it as to be an occupancy sensor. And you
24 would also then indicate it's actual setup as to
25 be partial-on/partial-off or -- and I've

1 forgotten the other option.

2 But, yeah, the way we envision it, it
3 won't change significantly from what the forms
4 are now but it will be a little bit more clear as
5 to how it's supported in code and how it can be
6 done more efficiently.

7 MR. JOUANEH: Okay. Thank you.

8 MR. LOYER: Um-hmm. Thank you.

9 And, oh, and, Michael, go ahead and click
10 on your raised hand and lower it. And I am not
11 seeing anybody else raising their hand, so I am
12 going to go ahead and move on.

13 So the next subject is the demand
14 responsive lighting controls acceptance test.
15 This is NA7.6.3. The procedures currently
16 include steps that are not able to be verified
17 through visual inspection prior to functional
18 testing and a reference to requirements in the
19 Energy Code without specific directions. So what
20 we want to do here, obviously, is align the
21 inspection with the Energy Code and the intended
22 purpose of the construction inspections.

23 So background, the requirements for
24 testing procedures are based on the Energy Code.
25 The demand response requirements were expanded in

1 the 2019 Code, however, NA7.6.3.1 requirements
2 were not updated accordingly.

3 The ATTs and ATTCs have to -- ended up
4 having to interpret these requirements in the
5 field. And the Staff provided interpretation
6 that we feel should be added to the Energy Code
7 for clarification. The current requirements are
8 difficult to enforce for AHJs this way, the way
9 they are right now.

10 So the Staff revised the compliance
11 document. And the compliance documents have a,
12 really, kind of complex set of codes here. NRCA,
13 that's nonresidential certificate of acceptance.
14 LTI is lighting, indoor. And 04 is the fourth
15 one. NA is for the contractor, or acceptance
16 tester in this case. So this is LTI-04. And
17 we're always going to be talking about the NRCAs,
18 the acceptance test forms, so we want to have
19 those specific requirements included from
20 110.12(a), we think, will actually help to solve
21 this problem.

22 The prior functional testing verification
23 requirements, these are the two requirements.
24 You can see that they're very general in this way
25 so we did have to reach back into code when we

1 produced the forms, and that we did. So our
2 proposed change is to replace the current
3 construction inspection with relevant items from
4 110.12 that could be verified through visual
5 inspection prior to functional testing. And that
6 is, essentially, the way the form is set up now.

7 So what we want to do is just have an
8 explicit into our acceptance test that these are
9 going to be the checkboxes that we actually do
10 use.

11 Again, our big four here. Is there any
12 additional relevant information Staff should
13 consider related to this recommendation?

14 And I just want to -- you know, it may be
15 a little bit difficult to participate online.
16 And I just want to remind everybody, you can
17 submit comments to our docket and we will respond
18 to them.

19 And, let's see, it doesn't look like I
20 have anybody with a comment window up or a hand
21 up. I'm going to check the chat boxes. Okay.
22 All right. Let's see here.

23 Okay, so I have -- is this still from
24 Victor? Yeah. Okay. So I'm going to go back
25 up.

1 Victor, I'm sorry, I did not see this
2 comment earlier, so, "Does the city have to do
3 post inspections once construction is complete?"

4 Absolutely. There is no impact on the
5 cities' inspection routines. This is just
6 acceptance testing via these forms and via the
7 ATTCP program. It's just a simple add to the
8 tools that the inspector has.

9 Let's see. And my mouse went away there
10 for a minute there. Okay.

11 Again, from Victor. "Not sure if an
12 appropriate question for everyone but is there a
13 guideline on how much ATTCP services can
14 change -- can charge?"

15 From the Energy Commission -- sorry about
16 that -- from the Energy Commission perspective,
17 no. The Energy Commission does not dictate
18 monetary exchanges between contracted parties.
19 So we set up the program and we do our best to
20 make sure that there is enough of a competitive
21 market that people have a choice.

22 And does somebody want to comment in the
23 room?

24 MR. SCALZO: Yeah. Really quickly, Joe.
25 Thank you. Michael Scalzo, NLCAA.

1 Agree with this proposal. That
2 clarification would be extremely helpful for the
3 ATTs for sure. And I don't know what else you
4 have.

5 I'm sorry, I don't have a list of all the
6 agenda items for daylighting. One thing I just
7 wanted to ask about is since LEDs are more
8 prevalent on our construction projects, that's
9 all we're seeing now, is there any chance of us
10 removing that default chart that we use for
11 daylighting? Because when we're looking at that
12 LED line, the default chart, the power-to-
13 ratio --

14 MR. LOYER: Um-hmm.

15 MR. SCALZO: -- conversion chart, it's
16 almost a one-for-one. Could we use it like an
17 acceptable proxy, like we do for outdoor
18 lighting, where we don't actually use that chart,
19 we just use an acceptable proxy using RI? Maybe
20 the CEC might consider that since we're only
21 using LED now and we don't have those great gaps?

22 MR. LOYER: So I think that's a great
23 idea, Michael. What I'm going to ask you to do
24 is actually submit that in writing to the docket
25 and be as specific as possible.

1 And that's one thing I do request for
2 most everybody, be as specific as possible when
3 you do submit your comments. Give us code
4 references, if you can, but we will take any
5 comment. But from Michael, yeah, we make him
6 code reference.

7 MR. SCALZO: Okay. Thank you very much,
8 sir.

9 MR. LOYER: And we have a hand up from
10 Michael here.

11 So, Michael, I'm going to un-mute you
12 here. All right. Go ahead.

13 MR. JOUANEH: Yeah. Michael Jouaneh,
14 Lutron Electronics.

15 For demand responsive testing, one of the
16 problem areas has been the steps in the
17 acceptance testing that says something like
18 lighting can't be set to lighting to normal
19 (indiscernible) in a simulated demand response
20 situation. And then lighting can't go lower than
21 the 50 percent level, which is not in
22 (indiscernible).

23 So I would like that to be harmonized so
24 there's not additional requirements in the
25 acceptance testing procedure that aren't in the

1 (indiscernible), meaning don't have that step
2 that says, you know, lighting can't drop below
3 the 50 percent level.

4 I'm just taking some notes there,
5 Michael. Sorry about that.

6 So that, actually, would be, I believe, a
7 change in code requirement. So this particular
8 proposal right now isn't requiring a code change.
9 Now that said, I would absolutely like you to
10 submit that comment in writing if possible. If
11 not, we will pull it from these proceedings and
12 we will pass it on to the Building Standards
13 Office and, you know, Staff interior to the
14 Building to discuss it. That's about as good a
15 promise as I can make as a response at this
16 particular point.

17 We will consider it but we would prefer
18 that you do submit that comment in writing if
19 possible. Is that going to be possible for you
20 to do, Michael?

21 MR. JOUANEH: Yes.

22 MR. LOYER: Excellent. Okay. Good.
23 Okay. Okay, I'm going to check the chat window
24 one more time here. Okay, some from Sophie
25 (phonetic) Davenport -- or Davonberry (phonetic),

1 I'm sorry. "So please repeat what is being said
2 over audio because the echo makes it hard to
3 understand."

4 Yeah, I admit the echo sometimes gets a
5 little bit rough, in particular for when we have
6 people participating from WebEx. We will have a
7 recording of this available, actually, I think
8 it's within 24 hours. So in -- but in future,
9 I'll try to paraphrase what the speaker is
10 saying. But it actually was cutting out for us
11 too.

12 So automatic daylighting controls for
13 acceptance tests, we have three items under this
14 one: aligning the construction inspection with
15 the testing procedures, adding daylight dimming
16 plus off power adjustment factor check to the
17 stepped switching/dimming functional testing --
18 not that we're getting into the weeds at all --
19 and specify that acceptance testing is required
20 for automatic daylighting controls in secondary -
21 - and I'm always going to stumble over these
22 words -- sidelit daylight zones complying with
23 section 140.6(d).

24 So the first one, automatic daylighting
25 controls construction inspection consists of a

1 general language that the controls comply with
2 130.1(d) without providing any further details.
3 The language in NA7.6.1.1 consists of general
4 statements that refer to 130.1(d). The
5 compliance documents follow the requirements and
6 exceptions in section 130.1(d). And we've kind
7 of discussed this already a little bit. Industry
8 and enforcement can easily track the compliance
9 document to the regulations. That was the whole
10 intent when we redid the forms this year for
11 2019.

12 So construction inspection, this is the
13 construction inspection here, and you can see
14 that it is very general. It references directly
15 to 130.1(d). So we just want to replace that
16 with a list, a checklist, from section 130.1(d).
17 And there will be no impacts from this because
18 we're not actually making any changes. We're
19 just making the NA7 section consistent with the
20 Energy Code.

21 But if you -- we would like to hear from
22 stakeholders if you have any specific suggestions
23 for additional improvements in the construction
24 inspection requirements.

25 And, so, yeah, you know what? The chat

1 window actually has a little marker on it to tell
2 me if somebody's added something, so I don't have
3 to completely open it. We will take a look here.
4 All good.

5 Oh, so we have a comment in the room?

6 MR. SCALZO: That's all right. I try and
7 make mine really short. Michael Scalzo, NLCAA.

8 MR. LOYER: We're going to start limiting
9 you.

10 MR. SCALZO: I got my notes out of order
11 on that default chart. Sorry.

12 One thing I did notice is that some of
13 the requirements, if you go back where we're
14 supposed -- the ATT is supposed to -- one more,
15 where we're talking about the requirements and
16 the exceptions --

17 MR. LOYER: Um-hmm.

18 MR. SCALZO: -- that the ATT is supposed
19 to document the exceptions when daylighting is
20 not used, there is no place on the forms, I know
21 on our software we have a location, but --

22 MR. LOYER: Yeah.

23 MR. SCALZO: -- there's no place on the
24 forms to document exceptions that weren't noted,
25 maybe by the designer. So that might be

1 something we could add to the NRCA forms.

2 MR. LOYER: Yeah. And we can actually
3 fix the forms mid-code cycle. So if there are
4 deficiencies in the forms that people out there
5 notice, yeah, drop us -- make -- give us a
6 comment. Let us know that there's a problem.
7 We'll consider and it and we'll definitely
8 consider that.

9 MR. SCALZO: Thank you.

10 MR. LOYER: Um-hmm. And let's just
11 double check. No comments there. No hands
12 raised.

13 Well, so this is the power adjustment
14 factor. So add daylighting dimming plus off
15 power adjustment factor check to the stepped
16 switched/dimming functional testing requirements.
17 That's a lot of words, a lot of explanation.
18 Honestly, this is just as minor as the rest of
19 the changes that we're discussing here. The
20 functional testing procedures for the stepped
21 switching/dimming control system are missing a
22 check for daylighting dimming plus off power
23 adjustment factor and we propose to just add
24 that.

25 The background. The automatic

1 daylighting controls acceptance test
2 requirements, the continuous dimming controls and
3 stepped dimming controls, switch controls. Staff
4 confirmed the intent of the regulations to
5 include the PAF check and both sets of functional
6 testing procedures. Staff consulted with the
7 ATTCPs on the potential impacts. We revised the
8 compliance document, LTI-03, to include the
9 missing step. No code change was required.

10 The current code requirements, this is a
11 functional test system for system that have more
12 than ten levels of controls. So it identifies
13 the minimum lighting location -- daylighting
14 location in a controlled zone by one of the two
15 methods here, the illuminance or distance method.
16 It requires ATTs to perform the no-daylight,
17 full-daylight, and partial-daylight tests. And
18 there is no explicit consideration given for the
19 PFA currently within the acceptance test
20 procedure.

21 So our proposed changes is to use NA7-
22 6.1.2.2, the continuous dimming control system,
23 as the guide, maintain the functional key --
24 functional test requirements, and have both sets
25 of functional testing procedures requiring the

1 PAF is the PAF is claimed.

2 Again, our favorite four statements here.

3 Is there any additional relevant information

4 Staff should consider related to this

5 recommendation?

6 And I don't see any hands raised. And

7 we'll check the chat. So there's nothing in the

8 chat. All right.

9 So automatic daylighting controls and

10 secondary sidelit daylight zones. I am going to

11 stumble over that every time. So NA7.6 does not

12 explicitly state that the -- that acceptance

13 testing is required for automatic daylighting

14 controls and secondary sidelit daylight zones

15 complying with the prescriptive requirements in

16 section 140.6(d).

17 So the background here, and this is going

18 to be -- I like to refer to this as the daisy

19 chain. So the requirements for the secondary

20 daylight zones -- secondary sidelit daylight -- I

21 knew it -- sidelit daylight zones are in section

22 140.6(d). The enforcement of section 140.6(d) is

23 provided through its reference to section

24 130.1(d), so we are harking back to 130.1(d).

25 Section 1301.(d) is enforced through the

1 acceptance test NA7.6.1. The ATTCPs have trained
2 the ATTs to perform these acceptance tests for
3 both the primary and secondary sidelit daylight
4 zones. The AHJs have been relying on the ATTs,
5 trained ATTs, ATTCPs' trained ATTs.

6 And we've been -- they've been enforcing
7 the secondary sidelit daylight zones using NA7.6.1
8 without direct reference but in compliance with
9 CEC direction. So we actually had a meeting
10 within the Energy Commission to verify that that
11 was the intent and that the forms, actually, and
12 the actions out in the field followed the intent
13 and requirements of the Standards.

14 And this is the current requirement here.
15 We've kind of been through this a little bit
16 already. We did confirm it, that it is a
17 requirement. So our proposal here is to simply
18 add a reference to section 140.6(d) and NA7.6.
19 So we also are recommending adding a language in
20 section 130.4(a)(3) of the Energy Code. And
21 130.4(a) is the requirements for the acceptance
22 testing of all lighting controls. And when you
23 make changes there, that is a direct change that
24 is made to all ATTCP training and certification
25 programs.

1 So, again, our favorite four statements
2 here. Do stakeholders agree that this
3 clarification is necessary and will have no
4 significant impact?

5 And if -- we will check for comments
6 here.

7 Oh, and, Michael, I got your hand raise,
8 so I'm going to go ahead and un-mute you.

9 MR. JOUANEH: Yeah. Michael Jouaneh,
10 Lutron.

11 One of the areas that has some confusion,
12 the secondary daylit zone, there's been cases
13 where acceptance testers thought that you needed
14 a separate daylighting sensor to control lighting
15 in a secondary daylit zone, and that's not
16 necessarily the case. So we'd want to make sure
17 that that was clear, that while you test for
18 acceptance testing of the secondary zone, it
19 doesn't necessarily require a separate physical
20 daylight sensor.

21 MR. LOYER: So, as requested, I'm going
22 to try and paraphrase that, but I think I got
23 most of it. You are cutting in and out a little
24 bit, Michael, that's the difficulty we're having.

25 But, you know, be that as it may, so

1 you're just trying -- you just want to make clear
2 that they may have -- the code, in your view,
3 does not require there to be only one daylighting
4 sensor that controls both primary and secondary
5 daylit -- sidelit daylit zones but that the
6 secondary sidelit daylit zones can be controlled
7 by a separate sensor; is that correct?

8 MR. JOUANEH: Well, no, the reverse of
9 that.

10 MR. LOYER: The reverse of that? That
11 was it, yeah.

12 MR. JOUANEH: Basically, that one
13 physical daylighting sensor can control lighting
14 in the secondary zone and the primary zone.
15 There's not a requirement for a separate sensor
16 in the secondary zone.

17 MR. LOYER: Okay. And in the room?

18 MR. JOUANEH: The acceptance testing in
19 the past, some of the language has applied and
20 has caused confusion. I just want to make sure
21 that we fix that.

22 MR. LOYER: Okay. We're going to have a
23 comment in the room here real quick.

24 MR. SCALZO: This is Michael with NLCAA
25 and I agree with Michael, if I'm understanding

1 him correctly, and I'm going to try and
2 reiterate.

3 MR. LOYER: Um-hmm.

4 MR. SCALZO: What Michael is speaking to
5 is there's multiple daylighting devices out there
6 by manufacturers that can control multiple zones.
7 And so you have one device controlling, let's
8 say, the primary and the secondary zones, so
9 multiple zones, only one sensor.

10 Some of the problems that acceptance
11 testers have when they're out there is that when
12 they are doing their functional testing the
13 testing forms ask you for placement of the
14 sensor. Is it in the control zone? Is it near
15 the zone? So it's asking you, do you have a
16 device for that particular zone? And in the case
17 of a secondary zone, you may be using the device
18 that is in the primary zone, so it wouldn't have
19 its own device.

20 So it would be nice if the code, or maybe
21 the testing procedures, state that, do you have a
22 device dedicated to controlling the zone as
23 opposed to having a device dedicated in the zone.

24 Is that correct, Michael?

25 MR. LOYER: Oh, and want to --

1 MR. SCALZO: Oh.

2 MR. JOUANEH: That's good. Thanks
3 Michael.

4 MR. SCALZO: You're welcome. Yeah, you
5 were breaking up pretty bad. And I agree, I
6 totally agree with Michael, it's just not clear.
7 It would be great if we could get that cleared
8 someday, somehow.

9 MR. LOYER: Okay. Do we think that
10 that's going to -- because I don't have this one
11 nailed down as good as I should. Do we think
12 that that will mean a code change?

13 MR. SCALZO: No. It would just --

14 MR. LOYER: Okay.

15 MR. SCALZO: -- possibly be a form
16 change, just a question on the form.

17 MR. LOYER: Okay.

18 MR. SCALZO: And maybe even in testing
19 procedures, just to identify a device controlling
20 the zone versus a device in a zone.

21 MR. LOYER: All right. Great. Thank
22 you.

23 Seeing no further hands raised, and there
24 is something in the chat here, oh, so Victor is
25 suggesting for you, Michael, online, "Maybe

1 Michael might have both phone and computer mike
2 on and that may be causing the echo?"

3 So consider that, Michael, and see if you
4 can help us out with that.

5 Okay, so institutional tuning power
6 adjustment factor acceptance test, so the topics
7 here are two. Institutional tuning in located in
8 NA7.7. That seems like an incomplete thought.
9 It's just something that we're going to discuss
10 fairly quickly. And then simplifying the
11 requirements for functional testing.

12 So most of the acceptance tests for
13 lighting controls are in section NA7.6. This one
14 happens to be in NA7.7. That ATTCPs already
15 train, despite its location in 7.7, so that's
16 really not an issue. The current code in 7.7
17 actually describes the requirements for lighting
18 controls installation with the exception of
19 NA7.7.5.2. That describes the actual acceptance
20 testing for institutional tuning, which is the
21 construction inspection, functional testing,
22 observation of tuning, or verification of tuning.

23 So what we are proposing to do for this
24 issue is just to clarify the description and
25 contents of NA7.7 better and not move it to

1 NA7.6. We were originally considering moving it
2 to NA7.6 but, at this point, we're going to just
3 clarify the descriptions in NA7.7. This is,
4 obviously, not going to cause any new issues.

5 Is there any additional relevant
6 information that Staff should be considering
7 related to this recommendation?

8 I don't think so but we will see here.
9 Nothing in chat and no hands raised.

10 So simplifying the tuning power
11 requirement, the functional testing procedures
12 currently state that if the ATT is observing the
13 tuning of a system the party responsible for the
14 tuning must certify that the remainder of the
15 system is tuned in a similar manner. There is no
16 mechanism for someone other than the ATT to
17 actually certify results. The option to observe
18 systems during tests and to have someone else
19 certify the others are correct is delegating ATT
20 authority to a non-certified technician. And
21 this is the issue, I think.

22 So the background here, there are two
23 methods for the ATT to verify the installation:
24 observe that it's -- observe the tuning as it's
25 performed or verify the tuning afterward. The

1 ATT can choose to work with the person performing
2 the tuning. The CEC has provided no specific
3 procedure for someone other than an ATT to
4 certify tuning results. The ATTCPs have trained
5 ATTs to perform the institutional tuning
6 acceptance tests. And these procedures can
7 create situations where the ATT must fail the
8 system if the person tuning is unavailable, which
9 is the wrong reason to actually fail a program or
10 fail a system.

11 So the current acceptance test procedures
12 are in NA7.7.5.2.3 and they do not provide
13 adequate compliance options with feedback from
14 the ATTCPs. So the ATTCPs, ATTs, ATEs are
15 hampered by an inadequate acceptance test
16 procedure and compliance documentation.

17 We have heard directly from the ATTCPs
18 that the current procedures are not practical to
19 implement because the CEC has not provided a
20 place for this on the LTI-05 form or any other
21 compliance document.

22 So the proposed change. We think these
23 are going to be minor changes to be consistent
24 with the Energy Code and ensure the procedures
25 are implementable. We don't think -- there are

1 no new tests here. There are no changes. The
2 changes are only for clarification.

3 So are there any specific clarifications
4 stakeholders suggest for these test procedures?
5 No? No? No? No, I don't think. We will check
6 the hand raise. Seeing none there. And the
7 chat, seeing none there.

8 Outdoor lighting controls. So we have
9 two for outdoor lighting controls. Staff
10 recommends these two -- to consolidate the motion
11 sensor procedures into one acceptance test and
12 combine astronomical time switch and automatic
13 scheduling controls test.

14 So there's a separate acceptance test for
15 motion sensors, automatic schedule controls, and
16 automatic scheduling controls installed in
17 conjunction with motion sensors. So if you
18 didn't catch it, there are three. There are
19 three there. So the motion sensors are only
20 permitted to be installed with automatic
21 scheduling controls and this is -- you're going
22 to see this. This is actually kind of fun.

23 The 2019 Energy Code for the CEC changed
24 the outdoor lighting controls in section
25 130.2(c). So we have automatic scheduling

1 controls that would always be required. Motion
2 sensors are only required in specific
3 applications and that's the key concept to get
4 here. Automatic scheduling controls are
5 required. Motion sensors are optional.
6 Therefore, motion sensors will not be installed
7 without automatic scheduling controls.

8 So, again the training for the ATTs
9 that's out there is already being performed.
10 These instances do, in the field -- there are
11 instances in the field where the ATT and the AHJ
12 are confused about how the compliance documents
13 are to be completed.

14 So we have three: we have motion sensor
15 alone, automatic scheduling controls alone, and
16 automatic scheduling controls with motion
17 sensors. Our proposal is to drop automatic
18 scheduling controls with motion sensors -- it
19 sounds a little counterintuitive -- in
20 conjunction with maintaining automatic scheduling
21 controls alone and modifying the motion sensors
22 to require automatic scheduled controls be tested
23 first. That's our proposed change.

24 So this actually does, again, result in
25 no new tests, no new requirements, clarity only,

1 no additional burdens.

2 Is there any additional relevant
3 information Staff should consider related to this
4 recommendation? No? Yeah?

5 MR. SCALZO: (Off mike.) We're going
6 to --

7 MR. LOYER: Oh. Okay.

8 MR. SCALZO: -- submit.

9 MR. LOYER: So Michael is going to --
10 indicating he is going to submit comments.

11 I see no hands raised. And I do have a
12 chat. Okay, from Victor, "For indoor lighting
13 control requirements does an existing lighting
14 group have to be split if only a portion of the
15 fixtures in the group fall in the control zone?"

16 I think this was for like -- Mike, would
17 you want to --

18 MR. SCALZO: Yeah. Can you repeat that
19 one more time?

20 MR. LOYER: Yeah. So, "For indoor
21 lighting control requirements does an existing
22 lighting group have to be split if only a portion
23 of the fixtures in the group fall in the control
24 zone?"

25 MR. SCALZO: We're talking about

1 daylighting?

2 MR. LOYER: I think so, yeah. I'm pretty
3 sure.

4 MR. SCALZO: So, yeah, it would have to
5 be separately zoned. If it's primary zone versus
6 the other general lighting, they would have to be
7 separately zoned and separately controlled.

8 MR. LOYER: Yeah.

9 MR. SCALZO: Does that --

10 MR. LOYER: That sounds right.

11 MR. SCALZO: -- sound correct?

12 MR. LOYER: Thank you. So combining the
13 astronomical time switch and the automatic
14 schedule control tests, the astronomical time
15 switch control acceptance test is redundant to
16 the automatic schedule control acceptance test,
17 so these are NA7.8.5 and NA7.8.6. The 2019
18 compliance document does not include a separate
19 section for each. We actually do it in one
20 section. And, basically, what we're going to ask
21 is that the code actually just reflect what we're
22 already doing in the forms.

23 So they're a type -- the astronomical
24 time switch is a type of automatic scheduling.
25 NA7.8 currently contains an acceptance test for

1 both. The procedures are identical using the
2 current compliance document. The ATTCPs have
3 been training on this already. The AHJs have
4 been using the ATTs group program to effectively
5 enforce these requirements. The current code
6 requirements has requirements for both. They are
7 already included in both acceptance tests on one
8 form. Combining the two onto one form,
9 basically, this is a very simple change.
10 Obviously, no new tests, no new requirements,
11 clarity only.

12 Is there any additional relevant
13 information for Staff to consider related to this
14 recommendation?

15 And I see no hands raised. And no
16 comment in chat.

17 The last section here, before we break
18 for a really early lunch, is minor editorial
19 recommendations. These are non substantive,
20 noncontroversial editorial changes that can be
21 made to the Energy Code that we would suggest
22 were made to the Energy Code. So correcting them
23 is intended to clarify existing requirements,
24 improve grammar, punctuation and structure,
25 consistency, wording -- and wording of

1 procedures. There are minor recommendations for
2 Title 24, Part 1, sections 10-103.1 and .2, the
3 referenced Appendix sections NA, and there's the
4 entire list right there, basically, NA7.6, 7.7,
5 and 7.8.

6 We welcome comments on the proposed
7 language which will be included in a Staff report
8 to be published at a later date. They are truly
9 minor.

10 And seeing no comments here, or chat, so
11 comment from the room?

12 MR. SCALZO: Michael, NLCAA again.

13 So in addition to the comments for the
14 proposed changes to this docket, can we also
15 propose other changes to the ATTCP Program? As
16 an example, when we're looking at 10-103.1, the
17 curriculum, of altering the curriculum to be more
18 in line of what an ATTCP is, would that be the
19 appropriate docket?

20 MR. LOYER: Absolutely.

21 MR. SCALZO: Thank you.

22 (Off mike colloquy between Staff.)

23 MR. LOYER: Yeah, so we are at the break
24 point here. We aren't going to start the
25 afternoon until 1:00. Excuse me.

1 So if anybody has any recommendations
2 that were not -- that are not on our agenda
3 explicitly or are, you know, maybe not even in
4 the realm of ATTCP, if you have any comments or
5 suggestions to make in regards to what we should
6 be doing, changing in the Standards for the 2022
7 Code, do submit those comments to our docket
8 system. In particular, the comments that are
9 submitted regarding the ATTCP Program will be
10 directed towards me and I will be able to review
11 and edit them or review and consider them.

12 So with that, let's see if we have any
13 hands raised. I do not. And the chat window is
14 empty.

15 If nobody has any further comments to
16 make, we will go ahead and break for lunch. I
17 can't start the afternoon session until one
18 o'clock. That's when we have noticed it for, so
19 we will leave the system open and recording, so
20 do be careful about anything that you happen to
21 say. If you are un-muted, it will be recorded
22 and made part of the record.

23 So with that, if nobody has any further
24 comments, we will break for a really long lunch.

25 Thank you.

1 (Off the record at 10:10 a.m.)

2 (On the record at 1:00 p.m.)

3 MR. LOYER: All right, I'd like to
4 welcome everybody back to the afternoon session.
5 One moment. Now we're good? Okay.

6 All right, yeah, I'd like to welcome
7 everybody back to the afternoon session. We're
8 going to retrace a few minor things. We have a
9 few extra people in the room, almost double the
10 crowd we had this morning, so it's great.

11 So since there's a few more people here,
12 if you're here, let's see, for those who are not
13 familiar with the building the closest restrooms
14 are across the hall here. And in the event of an
15 emergency, please follow me to the park. So
16 that's about the extent of it. I'll go out the
17 right door. Just try to keep up.

18 So this afternoon, we will be discussing
19 the changes, our recommended changes to the
20 nonresidential data registry as they -- as we
21 think they can work with the ATTCPs.

22 So in terms of the WebEx, the WebEx
23 decided to work differently than it did in our
24 dry run yesterday. So if you notice, on the
25 screens in the room and online, you'll notice

1 that the participant window is open. In the dry
2 run yesterday the participant window didn't show
3 and it was perfect. I could see it but nobody
4 else could. It was going to work great and now
5 it works like this. So, you know, that's the way
6 it goes and we just deal with it.

7 If you have a comment to make, please use
8 the raise-your-hand function. I will scan this
9 every now and again for a raise-your-hand and
10 then I will un-mute you and you can participate
11 in that way. You can also use the chat.

12 And so here's somebody who's put a chat
13 up here, Joe Willoughby (phonetic), "An update on
14 the certification mechanical ATT count in the
15 near future?"

16 The short answer to that is, yes, but not
17 today. We have one more mechanical ATTCP update
18 to approve. We have -- pipe trades is going to
19 be on the April agenda for approval. But NMEC
20 has not submitted their final updates to us, so
21 we're still waiting on that.

22 So beyond that, I can't make any
23 predictions, and even after that. I've decided
24 I'm not going to be making predictions anymore.
25 It just seems to be bad luck.

1 Let's see, I think with that, the only
2 other thing I want to make sure everybody knows
3 is we have a new engineer in charge of lighting
4 controls taking over for Veronica, who has moved
5 onto greener pastures. This is Matthew -- what's
6 your last name? I forgot it -- Haro, there it
7 is, sorry. This is Matthew Haro. It's really my
8 bad because he's unrelated to a former manager
9 who was, also, last name Haro, so there's no
10 reason for me to forget.

11 Would you like to say anything in your
12 defense, Matt?

13 MR. HARO: No, that's all right. Go
14 ahead. Press forward.

15 MR. LOYER: All right, we will. We will
16 press forward then.

17 So the other thing I was asked to
18 reiterate is that we are taking comments on the
19 materials that we'll be covering today,
20 especially this afternoon. You can submit your
21 comments to our docket or you can, let's see, you
22 can submit your comments here in person. We
23 have -- you can submit your comments based on the
24 material that we're covering today or any
25 material that you fell is relevant to the ATTCP

1 Program or to the 2022 updates that are coming,
2 and they go to the same docket. The ATTCP-
3 related coms will eventually come to me.

4 And here we are at the break.

5 Okay, so with that, we're going to get
6 into the nonresidential data registry ATTCP
7 requirements. I say requirements and this
8 particular title, it's a little bit incorrect.
9 There currently are no regulations governing the
10 relationship between a nonresidential data
11 registry and the ATTCP. We have several issues
12 though, so let's get this up out of the way.

13 So if the CEC approves a nonresidential
14 data registry, or NDR, the nonresidential
15 certificate of acceptance, the NRCAs, compliance
16 documents are only valid if they're registered
17 through or with an NDR. Lighting controls, and
18 soon mechanical, NRCA compliance documents can
19 only be completed by a certified ATT, so lighting
20 controls right now, mechanicals soon in the
21 future.

22 Despite there being requirements for
23 both, nonresidential data registries and ATTCPs
24 related to the NRCA compliance documents, the
25 Energy Code does not currently set requirements

1 for how an NDR should interact with an ATTCP.

2 So a little bit of background.

3 The 2008 Code actually introduced the
4 HERS form. This is the Home Energy Rating System
5 form of a data registry. The HERS provider
6 registries were mean to improve enforceability of
7 the Energy Code and facilitate secure
8 transmittal, retention, and retrieval of
9 compliance, installations, and HERS verification
10 certification forms.

11 The 2013 Code introduced two things, the
12 requirements for nonresidential compliance
13 documents to be registered with a nonresidential
14 data registry, if one is approved, and the ATTCP
15 Program itself. Each ATTCP must enforce a
16 quality assurance program as part of their
17 program. And each one, each ATTCP, has
18 implemented a database system for this purpose,
19 essentially used to track and monetize, in some
20 cases, the activities of each ATT performing an
21 acceptance test.

22 There are several parties interested in
23 submitting an NDR application to the Energy
24 Commission for approval. No applications have
25 been submitted at this time.

1 Technical considerations. The quality
2 assurance program employed by the lighting
3 controls ATTCs is subtly different from that of
4 the mechanicals. The lighting controls are --
5 basically, what happens is the lighting controls
6 are more able to work with an NDR than the
7 mechanicals will be. This is primarily due to
8 the quality assurance program itself. The
9 lighting ATTCs can go in after the fact, after
10 everything is done, walk back into the building
11 and do a QA on the installation. The mechanicals
12 cannot do that. It's just not practical with the
13 timing of everything that goes on and what you
14 have to do for an acceptance test. It doesn't
15 work.

16 So for the mechanicals, they are allowed
17 to do what's called shadow auditing. They show
18 up unannounced. They walk in. They identify
19 themselves, walk into the acceptance test
20 process, and verify that the technician is
21 actually performing the acceptance test that they
22 should be performing and is doing it correctly.

23 So with that, it makes it very difficult
24 for a mechanical to actually work with an NDR in
25 that kind of context. I'm not saying it can't be

1 done, it's just difficult.

2 Currently, the ATTCPs databases are not
3 defined or approved as data registries, so the
4 Energy Commission did not review them as data
5 registries and is not enforcing any of the data
6 registry rules upon them. This is most
7 noticeable in their extendable markup language,
8 XML, schemas that are required for NDRs that the
9 ATTCP databases do not have to comply with at
10 this time.

11 Some topics of consideration. When we
12 consider how we want the NDRs and the ATTCPs to
13 work together, some major bullets come up for us,
14 and these right here, these four.

15 Avoiding double charging of consumers.
16 So the ATTCP will generally charge for each form
17 used, each acceptance test used. Then, if we
18 have an NDR, they may charge for each form
19 submitted to them, thereby double charging the
20 consumer for, essentially, the same product. We
21 want to see -- we want to avoid that.

22 Promoting market stability and
23 transparency. Basically, market stability to us
24 means competition. If there's legitimate
25 competition out in the market, you have some

1 market stability.

2 Promote a fair and level playing field
3 for NDRs and ATTCPs. Essentially, every NDR and
4 every ATTCP should be able to work with each
5 other. So if we have two NDRs and six ATTCPs,
6 any of the six should be able to work with any of
7 the two.

8 No relationship between an NDR and an
9 ATTCP should obstruct either the ATTCP's existing
10 training, certification, and oversight programs,
11 and, in particular, their quality assurance
12 program, and should to the least extent possible
13 obstruct any kind of workflow on a project site.
14 This should be very smooth for the actual project
15 site.

16 So here we go, three options.

17 Oh, and I should mention that this
18 presentation is currently online. We finally got
19 this approved and set online over lunch, so that
20 was one benefit of a long lunch. We were able to
21 get this up online.

22 So option one, define the ATTCPs as an
23 authorized user of the NDR in a Reference Joint
24 Appendix JA7.4.2. Essentially, this makes them
25 an authorized user. An authorized user is,

1 basically, anybody who has the authority or the
2 permission by the data registry to use their data
3 registry system. So they would be a recognized
4 authorized user. And there are several different
5 categories of authorized users that are available
6 in JA7.4.2.

7 To do this, obviously, we'd work pretty
8 closely with the ATTCPs to determine the level of
9 access that is necessary. This doesn't answer
10 all the questions, so we are going to go through
11 a pros and cons of each one of these.

12 So moving on to option two, the external
13 digital data source, EDDS, services, they're very
14 new. They're for 2019; is it not? Yeah, 2019.
15 Yeah, it's new for 2019. They're option data
16 entry systems used by data registry.
17 Essentially, data registry is limited to keyed-in
18 data, except when they have what is now called an
19 EDDS, external digital data source. That means
20 that that data can be transferred into the data
21 registry electronically. The ATTCPs could fit
22 into that definition.

23 The requirements in option three is the
24 requirements can be added to a new section in JA7
25 to describe the authorized data exchanges between

1 an ATTCP and a nonresidential data registry. And
2 this is, essentially, if these other two options,
3 or any other options for that matter, don't
4 really fit or are -- you know, there are too many
5 pros -- or too many cons to them, we can go and
6 craft exactly what we want in a new section.

7 So this is option one. It's a little
8 covered up here, so I'll try moving that down
9 here. Option one, this is, if I flip back here
10 real quick -- oh. Yeah, I got to click back into
11 this area. It's been like this all morning.
12 This is the make them an authorized user. So the
13 pros: this would likely allow the lighting
14 controls ATTCPs to satisfy their oversight
15 requirements. This would be the simplest
16 solution in terms of changes to the Energy Code
17 and JA7, really simple. The cons: this level of
18 access is probably not sufficient for mechanical
19 ATTCPs to satisfy their oversight requirements.

20 Lighting controls: ATTCPs may not be able
21 to continue using their existing software for
22 completion of the NRCAs by their ATTs. So it's
23 likely that the lighting controls ATTCPs would
24 have to surrender their database or use of their
25 database or severely augment or severely hamper

1 it in some way. But it's pretty clear that
2 they'd have to change their database system at
3 the very least, if not abandon it.

4 So option two, and this is the EDDS
5 option, the ATTCP could use its designation to
6 interact with nonresidential data registry. The
7 registration provider must submit an application
8 to the Energy Commission, the CEC, to use an EDDS
9 system service. This would allow the NDR and the
10 ATTCP to coexist and regulate a framework that
11 could enable both to proceed.

12 So what does this really mean?

13 The nonresidential data registry, the
14 NDR, would have to be the lead in this case.
15 They have to submit to the Energy Commission an
16 amendment or an application that would allow the
17 ATTCP to be their EDDS. So they are in the lead
18 position in that in terms of an application
19 submission and this has several problems.

20 But the pros, the database system from
21 the ATTCP is primarily used to support the
22 training and quality assurance used to implement
23 it. They could still operate that database in
24 that world. This option would cause little
25 impact to their training, certification, quality

1 assurance, and allow both the NDR and the ATTCP
2 to coexist.

3 The con, first con, there's a second
4 page, the option would require that the ATTCP
5 database be compliant with the requirements in
6 JA7. So that means that the database for the
7 ATTCP would have to comply with the XML schema
8 amongst many other things. But the JA7
9 compliance is probably the biggest hurdle for the
10 ATTCP database. The database is not currently
11 required to be compliant and that's why this is
12 such a big hurdle. They exist now. It's going
13 to be difficult to move into compliance with JA7
14 from a position of noncompliance.

15 So, oh, there we go. Let's see, where's
16 a good place?

17 This is still option two. These are the
18 cons continued.

19 So compliance with JA7 can be a
20 significant undertaking. The CEC cannot approve
21 an EDDS as a standalone application. So it's
22 good -- you know, like I hate to keep hammering
23 on that but the ATTCP cannot be approved as a
24 standalone EDDS. That's not how it works within
25 our application process.

1 This could have a conflict with the way
2 that -- let's see, is that the second bullet
3 here, application, putting this -- yeah, it puts
4 -- that basic concept puts this idea into a
5 conflict with the existing ATTCP regulations
6 which require the ATTCP to send the Energy
7 Commission an application as an ATTCP, not
8 necessarily to approve their database system,
9 although that it currently part of the process,
10 but they have to give us their own application.
11 And then, at some point, we'd have to augment
12 that with an application from an NDR for them to
13 be an EDDS. You can see how this gets a little
14 complicated.

15 The requirement that the NDR submit the
16 necessary application may give them an unfair
17 advantage over the ATTCP. It's definitely a
18 concern for us. Mostly, that would be a concern
19 for the ATTCPs. This also would, essentially,
20 give the NDR the ability to favor or even
21 eliminate competitors to its chosen ATTCP.
22 Definitely something we would take into
23 consideration when -- in terms of the marketplace
24 and a fair and level playing field.

25 So, you know, let's just take a quick

1 minute here to see if there's -- oh, there is a
2 comment here in the chat here. So the QA program
3 guidelines, the quality assessment program
4 guidelines for the ATTCP are actually a part of
5 their application on our Energy Commission
6 website. You can find the full application --
7 it's not the full application, it's the Staff
8 writeup of their application because most of the
9 ATTCP applications are confidential. So we do a
10 writeup of their applications to evaluate it and
11 make it plain to anybody that wants to know more
12 about it, exactly how the application is used
13 or -- and that includes the quality assurance
14 program. So that is on our website under the
15 ATTCP Program.

16 And let's just get a quick check, see if
17 anybody's hand is raised. Seeing none. Okay.

18 So option three, this is where we
19 actually design and develop our own new section
20 to JA7, basically, to describe the authorized
21 data exchanges between the ATTCP and the NDR. So
22 we would, obviously, collaborate. Staff would
23 collaborate with the ATTCPs and other
24 stakeholders, primarily those interested in
25 submitting an NDR application, but also anybody

1 else who is interested in regular industry who
2 has something that they would like to contribute
3 or concerns they would like raised.

4 We would engage in workshop procedures
5 with this new section to JA7 within the timeframe
6 allotted by the 2022 Energy Code rulemaking. And
7 that is a serious time constraint.

8 So the procedures: this option, in our
9 minds, has the best chance of addressing all the
10 concerns raised by Staff than any of the other
11 options that we came up with. This option will
12 enable the ATTCPs and other stakeholders to
13 discuss all issues in an open forum and
14 potentially seek reasonable resolutions.

15 The cons: this process will be difficult
16 within the constraints of the 2022 Energy Code
17 rulemaking process. It may have looked --
18 earlier on we had a schedule of the actual
19 process and it looks like, oh, we have until 2021
20 to get things done, we really don't. We have a
21 few months.

22 So potential impacts. Any potential
23 associated costs are currently unknown and may be
24 dependent on what approach is taken. This
25 proposal may impact any future NDR provider,

1 existing and future ATTCPs, and the ATTs
2 certified by those ATTCPs but to what degree, we
3 don't really know.

4 All other stakeholders of the
5 construction process, such as builders and
6 contractors may not have any additional
7 requirements imposed upon them. But it is
8 absolute that they will bear any additional
9 costs.

10 So comments, Staff is seeking input from
11 stakeholders on these topics of potential costs
12 associated with any of these three options
13 presented, even if they're just your opinion,
14 we'd absolutely want to hear about that, scope of
15 impacts on the market, market players,
16 stakeholders, and to the public for any of the
17 three options presented, and potential
18 alternatives to the three options presented.

19 And I think that is probably it. Yeah,
20 that's the last slide in the whole deck. So we
21 went through that pretty quickly.

22 I'll check online one more time here.
23 Nobody in the comment window. And I see nobody's
24 hand raised.

25 Essentially, if you have comments, if you

1 have considerations for us, we absolutely want to
2 hear them. We will be researching these
3 regardless, if we go forward with this potential
4 amendment.

5 So if you would like to make any comments
6 now or would like to submit your comments later
7 to the docket, we'll keep the docket open until
8 March 20th, even afterwards. We may not -- might
9 not be able to respond exactly to that comment
10 but we will keep your comments -- we won't close
11 the comment window, essentially. We will just
12 use that point in time to take those comments and
13 redevelop them into our Staff report. That will
14 be a result of this particular workshop. So at
15 the end of this workshop, we will have a Staff
16 report that we will be publishing. We would like
17 your input into that Staff report on this subject
18 and any subjects that we have covered today.

19 So with that, we can take comments from
20 the room or online.

21 (Off mike colloquy.)

22 MR. HODGSON: Jim Hodgson from Cal
23 Energy.

24 Joe, on the three options that you
25 mentioned, would you mind going back to those,

1 the overview? And I apologize if I -- because I
2 wasn't here in the morning session, you may have
3 covered this, but these are the three options
4 that I think is how you're proposing folks on the
5 ATTCP side will interact with an NDR.

6 Is the -- is an option -- or why would an
7 ATT not directly interact with an NDR?

8 For example, if there's an NDR that has a
9 registry or there is a registry that is an NDR,
10 and then an ATT that is certified by one of the
11 ATTCPs has specific credentials from one of those
12 ATTCPs and interacts directly with the NDR, is
13 that something that has been discussed and are
14 there pros and cons that you guys have talked
15 about?

16 MR. LOYER: So I can answer that question
17 directly. I mean, when we're talking about an
18 ATTCP versus an NDR, we're mostly talking about
19 those as two distinct elements. If we were to,
20 say, combine those things, an NDR that is also an
21 ATTCP, that is -- it's a simply process to go
22 through. They would -- simple. You would be
23 approved as an NDR. We have a process for that
24 or we shortly will. And we have a process for
25 approving you as an ATTCP. You would,

1 essentially, get both. And you would be in
2 charge of making sure both of those happened
3 within your structure.

4 If you have a separate ATTCP and a
5 separate NDR, it could be that you decide to work
6 with this particular ATTCP in more the external
7 data digital source kind of realm as they are
8 intimately involved with your NDR and they cannot
9 stand alone without your NDR. That would be the
10 component. So we would approve them and we would
11 approve that relationship as it pertained to the
12 quality assurance program that we insist much be
13 supported.

14 So in those terms, yeah, we can open the
15 door to those particular. That, actually,
16 doesn't take much or any, I would say almost -- I
17 would be pretty comfortable in saying that
18 doesn't take -- I don't think that takes any kind
19 of a rule change to do that. We can use the
20 existing approval processes.

21 MR. HODGSON: Okay. Yeah, I think I'm
22 thinking about it in an even more simplified
23 scenario where any user that is -- and when I say
24 user is a potential user in the NDR, if --

25 MR. LOYER: Um-hmm.

1 MR. HODGSON: -- I'm thinking of it much
2 like the HERS industry right now, is no matter
3 what company you work for as a HERS Rating -- or
4 HERS Rater that works for many different HERS
5 Rating companies --

6 MR. LOYER: Right.

7 MR. HODGSON: -- you can go to the HERS
8 registries, come in and sign off on or do your
9 testing and then eventually fill out 3Rs and have
10 them registered.

11 MR. LOYER: Okay.

12 MR. HODGSON: In the case of an NDR, why
13 wouldn't an ATT, which I kind of see as the
14 commercial version, in many analogous ways as the
15 commercial version of a HERS Rater, I mean,
16 obviously, there's a lot of differences, but just
17 for arguments sake right now --

18 MR. LOYER: Sure.

19 MR. HODGSON: -- why wouldn't that ATT,
20 or at least a simple way to do a lot of what I
21 think option one, two and three are doing is that
22 ATT would come to -- excuse me -- and NDR --

23 MR. LOYER: Yeah.

24 MR. HODGSON: -- and log in and fill out
25 their CA -- or their NRCA forms for -- I'm sorry,

1 not -- yeah, acceptance --

2 MR. LOYER: Yeah.

3 MR. HODGSON: -- their CA forms for
4 whatever project they would be -- that they're
5 working on.

6 Now there would have to be coordination
7 between the NDR and the existing ATTCPs because
8 some of them have their own NRCA forms.

9 But I'm trying to understand why there
10 needs to be this complicated relationship between
11 the database of an ATTCP and a potential NDR when
12 the user or an ATT can go directly to the NDR?

13 MR. LOYER: So that's a really good
14 point. So when it comes down to it, when you
15 look at it from the perspective of the ATT, they
16 may work for a separate company. They may hang
17 out their own shingle. They may be their own
18 ATE. There's a lot of different, you know,
19 flavors, shall we say, of the ATT. But when the
20 ATT goes to use this situation of an NDR, when
21 they have to actually get their CAs registered
22 for -- with an NDR, it could be, the way option
23 one is laid out, that they are more the
24 authorized user. So that's very possible to do
25 it that way.

1 At the same time the ATTCP is responsible
2 for that technician's quality assurance. The NDR
3 is not. And so that quality assurance is what we
4 are most concerned with.

5 So if the ATT uses the NDR the ATTCP will
6 also have to have record of that use --

7 MR. LOYER: Um-hmm.

8 MR. HODGSON: -- and be able to perform
9 the quality assurance. Now to do that in terms
10 of a no-fee situation for the ATTCP is,
11 basically, not going to work for the ATTCP.

12 MR. LOYER: Sure.

13 MR. HODGSON: So there has to be -- there
14 has to be some sort of way that it is something
15 like an authorized user but also some sort of
16 means of making sure that a non-ATT, non-
17 certified technician actually doesn't have access
18 to the forms that they need that are required and
19 that the ATT is -- ATTCP is still able to carry
20 out their quality assurance requirements.

21 So it is difficult. The relationship is
22 never, in my mind, going to be simple unless it
23 is -- they are -- an NDR is an ATTCP. That seems
24 very simple to me. Yeah. Yeah.

25 And I'll just check here.

1 MR. SCALZO: Michael from NLCAA.

2 So, Jim, while you were -- as you were
3 speaking about it, when we were talking about
4 oversight, that is a concern because before the -
5 - us, as an ATTCP for lighting, before we can
6 submit our NRCA forms back to the technician
7 after the test has been done, it's got to go
8 through -- just those forms themselves have to go
9 through an oversight review that we have to
10 review for compliance before they go back to the
11 ATT. Then, at that point, yes, then they could
12 go to an NDR, if that's how the program is going
13 to work. But it wouldn't be it goes to one and
14 us at the same time.

15 So there has to be some kind of quality
16 assurance, in addition to oversight above and
17 beyond that through various different audits and
18 field inspections that would also have to do.
19 And we want -- we need to ensure that those
20 approved NRCA forms are code compliant. So if
21 they got submitted at the same time they were
22 submitted to us, we wouldn't have any way of
23 going back, possibly, or it might be a challenge
24 to get something correct or get something
25 removed, so that's something great for

1 discussion.

2 I did have one question. So if we have
3 various ATTCPs, mechanical and lighting, and we
4 may have various NDRs, is it going to be a
5 requirement that all ATTCPs and NDRs work with
6 each other or are we going to be picking teams or
7 how is -- is the state putting anything to this?

8 MR. LOYER: So, obviously, at the moment
9 there is no requirements along those lines either
10 way. If we pick several of these different
11 options, or even these ideas that we're throwing
12 back and forth here right now, you can see that
13 the relationship can be a one-to-one or, you
14 know, one NDR, maybe several ATTCPs, one ATTCP,
15 several NDRs. It can go several different ways.
16 If we use the EDDS the NDR must select an ATTCP.
17 They can select multiples. These other NDR, if
18 there are, you know, NDR one, two and three, can
19 do the same, can pick the same ATTCPs. It's a
20 little bit more difficult to get it all done but
21 it can be done.

22 The authorized user, that is a very
23 simple up-front process that would, essentially,
24 allow any -- may even go down to the ATT, it
25 depends how we put it together. The ATT can have

1 a totally separate system from the ATTCP and just
2 say, yeah, I just want to work with this one NDR
3 or I might want to get authorizations for
4 multiple NDRs, just so I have flexibility. It
5 really depends. So it's really open. The whole
6 field is really open as to exactly how we would
7 want to see this work.

8 We do have some ideas. I think our best
9 option -- I don't think the authorized user in
10 and of itself covers everything that we want or
11 everything that can happen. And I don't think
12 the EDDS is -- I think that is a little over-
13 restrictive and also doesn't cover everything we
14 want. I think we are probably going to a new
15 section in JA7.

16 But there is also the big question that
17 we sometimes forget to ask. Is this something
18 that the Energy Commission should regulate? And
19 I think that's the question. I think the answer
20 is, yes, in this case. But I can also be, you
21 know, talked to and convinced otherwise about it.

22 (Off mike colloquy.)

23 MR. LOYER: My boss is reminding me that
24 that's not my decision to make, obviously. The
25 regulations are actually approved by the Energy

1 Commission. And even the proposal of new
2 regulations goes through a long process of not
3 only open workshops, but also approval internally
4 to the Energy Commission. But, yeah, they do, to
5 a certain extent, depend on Staff opinion.

6 So the floor is open. I have the chat
7 window open, as everybody online can see. And I
8 have the windows open for seeing if anybody has a
9 hand raised.

10 If nobody has any further comments? No?
11 No? Wow, 35 minutes. So I guess we can all go
12 home early.

13 I want to thank everybody for coming out
14 to this and being part of the workshop. We
15 almost certainly will have further workshops on
16 this.

17 And if you have any ideas, comments that
18 you would like to submit, please do submit them.
19 The links at the very top, I'm just going to
20 scroll up to the top, so avert your eyes for a
21 moment, these links in the housekeeping page,
22 that third slide, all do work. You can use this
23 to link right to the comment page and submit your
24 comments right through that process, right
25 through our e-process, e-filing process.

1 So with that, I'd like to, again, thank
2 everybody for participating and goodbye.

3 (The workshop adjourned at 1:35 p.m.)

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CERTIFICATE OF REPORTER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were reported by me, a certified electronic court reporter and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of March, 2020.



MARTHA L. NELSON, CERT**367

CERTIFICATE OF TRANSCRIBER

I do hereby certify that the testimony in the foregoing hearing was taken at the time and place therein stated; that the testimony of said witnesses were transcribed by me, a certified transcriber and a disinterested person, and was under my supervision thereafter transcribed into typewriting.

And I further certify that I am not of counsel or attorney for either or any of the parties to said hearing nor in any way interested in the outcome of the cause named in said caption.

I certify that the foregoing is a correct transcript, to the best of my ability, from the electronic sound recording of the proceedings in the above-entitled matter.



March 18, 2020

MARTHA L. NELSON, CERT**367