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**California's Climate Goals Demand a 2022 Energy Code with an All-Electric Mandate for New Construction**

*Additional submitted attachment is included below.*



350 Contra Costa  
350 East Bay  
350 San Francisco  
350 Marin  
350 Sonoma  
Napa Climate NOW!

October 20, 2020

California Energy Commission  
Dockets Office, MS-4 19-BSTD-03  
1516 Ninth Street  
Sacramento, CA 95814-5512

**Re: October 6, 2020 Staff Workshop — 2022 Energy Code Pre-Rulemaking — Solar Photovoltaic and Electrification**

Thank you for the opportunity to provide comment on the 2022 Energy Code Pre-Rulemaking workshop on electrification. 350 Bay Area is a regional climate justice organization composed of more than 19,000 Bay Area residents who are deeply concerned about climate chaos, toxic air, and environmental injustice. Our volunteers and advocates work to put in place the policies necessary to engender the clean, reliable, affordable, and safe energy system California needs and deserves, and which our state regulators have failed for too long to provide and secure on our behalf. We are among the ratepayers paying for IOU mismanagement, malfeasance, and manslaughter. And we are among the taxpayers bearing the burden of the costs of our increasingly climate-challenged water supply, fire regimes, and energy grid—problems largely unaddressed despite a surfeit of warning.

The Energy Code Must Support, Not Hold Back, California's Climate Goals

Bill Pennington, Advisor to Commissioner McAllister and the senior technical and program advisor to the 2022 Building Energy Efficiency Standards team, said at the October 6 staff workshop that decarbonization was the top goal of the CEC. If that is true, and if the Energy Code is meant to comport with the state's aggressive climate goals rather than retard them, then you must make clear in the 2022 Energy Code that California is drawing a line on new natural gas hookups. Anything less than an all-electric mandate for new construction is simply digging us deeper into the hole that the state has recognized we're in, and out of which we are trying to climb.

Meanwhile, staff's proposal for the 2022 Energy Code is merely to establish a voluntary offset program for electric appliances: That is, if developers voluntarily install electric appliances, they can avoid making other needed improvements to building energy use. This proposal is

woefully inadequate, unnecessarily solicitous of developers, wildly incommensurate with the scope and scale of the greenhouse gas problem, and appears not to have undergone any kind of comprehensive scenario analysis. For example, new construction can easily last 40 years, which means you are proposing either that natural gas will still be used in buildings in 2065 or that we the people of California should throw money away on the front end on natural gas connections that we will then need to pay extra to retrofit on the back end.

**Continuing to allow new natural gas connections at this stage of understanding of the climate emergency—and when we are feeling the first taste of the impacts to come, with the most horrific wildfire season on record for the country and immeasurable loss to California communities—is grotesquely irresponsible, particularly with feasible alternatives available that are eminently cost-effective at the time of new construction.**

At the workshop, well-framed comments by others that drew the obvious connection between this rulemaking and pressing state climate goals—all too rare over the course of the day—received only a throwaway statement from staff that they were “aware of the urgency.” Through their proposal, staff has made demonstrably clear that, whether aware or not, they are not acting based on that urgency.

We have heard the comments from builders, companies that make their living on selling gas-fueled products, and the natural gas industry themselves, saying essentially that, “All this automobile stuff is complicated and unnecessary, why don’t we just enjoy our horse-and-buggies?” The people of California, however, expect science to prevail in our state bodies, and we recognize the huge cost to us all from the pace and scale of disasters that are and will be coming at us. Staff’s amplification of concerns by parties who still want to use natural gas belies a competent understanding of how far out of attainment we are with a safe concentration of GHGs.

### Cost-Benefit Analyses Must Include Benefits

When you examine the cost-effectiveness of electrification, what socioeconomic costs of indoor natural gas use—e.g., monetized health impacts, life safety contingencies, etc.—are you including, and what economic models of predicted climate disasters are you employing? It appeared from the workshop that the answer was none. Examining installation costs without including a full portfolio of benefits is of course a radically incomplete assessment of socioeconomic impact.

Indeed, while the costs talked about in this workshop were the costs to builders, their customers, or perceived costs to ratepayers—even with just those costs included, the all-electric pathway is cheaper. If special interests get their way to have built-in freedom to pollute, then you are shifting those narrowed costs to the rest of us, on top of those related to the effects of the increasing disasters, *and* the healthcare costs that they externalize onto our

private household budgets. How can the Commission allow that, when the agency already knows the science? The slow “market transition” that you seem to be wanting to help the gas industry move through ignores the most basic climate benchmarking of the IPCC. Making non-scientific options available, like the option not to wear a mask or socially distance during the COVID-19 pandemic, has not tended to work out well for the rest of us that are not in denial of the science.

#### Move from Reach Codes to Lag Codes

The Commission must move to requiring all-electric appliances in new construction in its 2022 Energy Code update. Tom Kabat’s comment during the workshop on “lag codes” illustrated a feasible, reasonable, and appropriate way to effect this necessary progress while allowing for flexibility in cases where feasibility or financing remains a substantial issue. Instead of putting the burden of taking individual action, passing a reach code, and jumping through hoops to get it approved onto communities who actually want to do what’s necessary to meet the state’s climate targets, the burden should be put on communities who are unable or unwilling to take the steps on building energy that are needed to protect community health and climate. Jurisdictions who still want to allow natural gas use can present a lag code that will explain their plan to come into compliance and their reasons for needing to lag the state Code, and can pursue getting that approved by the Commission.

#### Conclusion

The agency needs to create a market signal commensurate with the plentiful state proclamations, legislation, and executive orders on climate, as well as the stated will of the voters: a real jolt to the market, not the milquetoast tap of the staff’s proposed “encouragement.” We simply cannot go into the later part of the 2020s with new construction regularly containing gas infrastructure.

Many other stakeholders’ comments are wholly aligned with their profit-making drive. They want you to grant them the license to keep doing what they’ve been doing, perpetuating the status quo that has literally put the international community into a civilizational emergency. We, on the other hand, do not have any financial incentive to try to convince you of one thing or the other. Our comments are based on data, science, and facts, and driven by a desire to preserve a bit of everything that everyone loves instead of letting policymakers fritter every iota of it away while putting forth the minimum effort to address clear problems with robust solutions. When you say we have to allow more time for fossil fuel interests to accept the need to change their old ways, we urge you to consider the scientific reality of what life will be like on the planet in a very short time.

Sincere regards,

Jed Holtzman, Senior Policy Analyst & Ken Jones, Clean Energy Lead