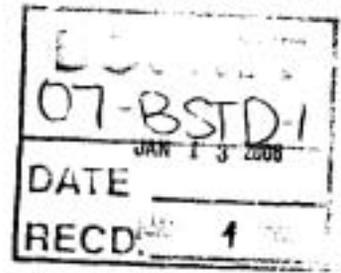


From: <chairman@tcrepublicans.com>  
 To: <Docket@energy.state.ca.us>  
 CC: <Chuck DeVore@aol.com>  
 Date: 11/13/2008 6:28 AM  
 Subject: Docket No. 07-BTSD-1



To the California Energy Commission:

RE: 2008 Building Energy Efficiency Standards – 45-Day Language  
<http://www.energy.ca.gov/2007publications/CEC-400-2007-017/CEC-400-2007-017-45DAY.PDF>  
 Docket No. 07-BTSD-1

Title24 changes for 2008. CEC threatens privacy and freedom.

The following is what one CEC document says, however the scope of the problem much bigger.

**SECTION 112 – MANDATORY REQUIREMENTS FOR SPACE-CONDITIONING EQUIPMENT**

(c) **Thermostats**6. All unitary heating and/or cooling systems including heat pumps that are not controlled by a central energy management control system (EMCS) shall have a Programmable Communicating Thermostat (PCT) that is certified by the manufacturer to the Energy Commission to meet the requirements of Subsections 112(c)(1) and 112(c)(2) below:

1. **Setback Capabilities.** All PCTs shall have a clock mechanism that allows the building occupant to program the temperature set points for at least four periods within 24 hours. Thermostats for heat pumps shall meet the requirements of Section 112(b).

2. **Communicating Capabilities.** All PCTs shall be distributed with a non-removable Radio Data System (RDS) communications device that is compatible with the default statewide DR [Demand Response] communications system , which can be used by utilities to send price and emergency signals. PCTs shall be capable of receiving and responding to the signals indicating price and emergency events as follows.

A. **Price Events.** The PCT shall be shipped with default price-event offsets of +4°F for cooling and -4°F for heating enabled; however, customers shall be able to change the offsets and thermostat settings at any time during price events. Upon receiving a price-event signal, the PCT shall adjust the thermostat setpoint by the number of degrees indicated in the offset for the duration specified in the signal of the price event. The PCT shall also be equipped with the capability to allow customers to define setpoints for heating and cooling in response to price signals as an alternative to temperature-offsetting response, as described in Reference Joint Appendix JA5.

B. **Emergency Events.** Upon receiving an emergency signal, the PCT shall respond to commands contained in the emergency signal, including changing the setpoint by any number of degrees or to a specific temperature setpoint. The PCT shall not allow customer changes to thermostat settings during emergency events.

Using definition from

<http://www.energy.ca.gov/2005publications/CEC-400-2005-005/CEC-400-2005-005-CMF.PDF>, page 1-9, "This manual is concerned with the energy standards that apply to all new **lowrise** residential buildings, which includes all single-family dwellings and multifamily buildings with three or fewer habitable stories in the entire building." There is no change in the definition of 'low-rise residential' in the current document. In fact the current document obfuscates the potential impact of Title24 changes on private residences and the individuals living therein.

## SECTION 150 – MANDATORY FEATURES AND DEVICES

Any new construction in a low-rise residential building shall meet the requirements of this Section.

(i) Setback Thermostats – Heating systems shall be equipped with thermostats that meet the Programmable Communicating Thermostat (PCT) requirements of Section 112(c).

## SECTION 151 – PERFORMANCE AND PRESCRIPTIVE COMPLIANCE APPROACHES

(a) Basic Requirements. New low-rise residential buildings shall meet all of the following:

1. The requirements of Sections 111 through 119(d) applicable to new residential buildings.
9. Thermostats. Heating systems shall be equipped with thermostats that meet the Programmable Communicating Thermostat (PCT) requirements of Section 112(c).

## SECTION 152 – ENERGY EFFICIENCY STANDARDS FOR ADDITIONS AND ALTERATIONS IN EXISTING BUILDINGS THAT WILL BE LOW-RISE RESIDENTIAL OCCUPANCIES

(a) Additions. Additions to existing residential buildings shall meet the requirements of Sections 111 through 118, Section 119(d), and Section 150, and either Section 152(a)1 or 2.

F. When a space-conditioning system is altered by the installation or replacement of the air handler, outdoor condensing unit of a split system air conditioner or heat pump, cooling or heating coil, or the furnace heat exchanger, the following requirements shall be met:

- i. Install a ~~b~~ communicating ~~t~~ (PCT)

The problem is bigger.

While the language in Title24, 2008 may appear to be of limited impact, we see the CEC has additional plans that are not strictly limited by the current language, or may be imposed in future iterations of Title24. "Demand Response" is a high priority of the CEC to limit peak demand. To further this goal, the CEC produced a document available on the CEC website, [http://www.energy.ca.gov/2007\\_energypolicy/documents/2007-06-05\\_workshop/presentations/07.06.05%20EPR%20load%20management%20workshop%20-%20RH%20final.pdf](http://www.energy.ca.gov/2007_energypolicy/documents/2007-06-05_workshop/presentations/07.06.05%20EPR%20load%20management%20workshop%20-%20RH%20final.pdf) containing the following slides:

It seems clear that the intent of the CEC is to develop a control network to restrict the use of electrical appliances, including televisions, computers, and others without limit in private single-family homes.

Obviously, there is no limit. The CEC contemplates controlling even children's radios.

I am truly shocked, troubled, and angered by the CEC's arrogant disregard for individual privacy. The Commissioners are undeserving of the trust of the people of California. This is an unwarranted invasion of our homes. Even more unnecessary, since clean and cheap energy solutions do exist.

Is the CEC stacking the deck?

The CEC recently removed the following information from the official website, originally located at [http://www.energy.ca.gov/electricity/comparative\\_costs.html](http://www.energy.ca.gov/electricity/comparative_costs.html).

Nuclear power cost Californians between 1.4 and 1.9 cents/kWh in 2003. Now the CEC shows "levelized-costs" in a new document found at [http://www.energy.ca.gov/electricity/levelized\\_costs.html](http://www.energy.ca.gov/electricity/levelized_costs.html), where suddenly "Advanced Nuclear" costs 9 to 12 cents per kWh. It seems that a grossly inflated cost of decommissioning nuclear power plants in California and shorter operating life-times were included in the calculation to produce a much higher "levelized cost". Others come up with a different figure for the true cost of nuclear power.

"Even when expenses for taxes, decommissioning and yearly capital additions are added to production costs to yield a total electricity cost, nuclear-generated electricity typically clears the market for less than 2.5 cents/kwh. By comparison, production costs alone for natural gas-fired power plants averaged 7.5 cents/kwh in 2005, according to Global Energy Decisions data", <http://www.nei.org/newsandevents/recordlowcosts/>.

The combined cost for operations, maintenance, and fuel nationwide was 1.72 cents/kWh last year, <http://www.nei.org/newsandevents/newsreleases/operatingat/>. According to the US Department of Energy, the average cost of electricity for residential use in California has risen rapidly over the last few years and reached 14.6 to 15.0 cents per kWh in 2007. See the latest figures at [http://www.eia.doe.gov/cneaf/electricity/epm/table5\\_6\\_b.html](http://www.eia.doe.gov/cneaf/electricity/epm/table5_6_b.html). Even the CEC's own figures indicate nuclear power is a bargain by comparison, especially given the expected increases in natural gas prices, and strongly negative environmental impact of fossil fuels, particularly coal. Most energy alternatives cannot deliver in practice on the required scale or at a price low enough to have any significant positive impact on our energy problems.

There is no doubt California will need to increase its power generation capacity in the next decades as our population swells to 50 million people. Californians do not need an ill-conceived invasion of our privacy in a doomed attempt to conserve our way out of an energy shortage.

Joseph Day  
Chairman,  
Tuolumne County Republican Party