

May 2, 2012

California Energy Commission  
Dockets Office, MS-4  
Re: Docket No. 12-AB 1103-01  
1516 Ninth Street  
Sacramento, CA 95814-5512  
docket@energy.state.ca.us

**DOCKET**

**12-AB1103-1**

DATE MAY 02 2012

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**Re: Comments of the California Energy Efficiency Industry Council on AB 1103 Proposed Regulations (Docket No. 12-AB 1103-01)**

To Whom It May Concern:

The California Energy Efficiency Industry Council (Efficiency Council) respectfully submits these comments in response to the Nonresidential Building Energy Use Disclosure Program (AB 1103) Proposed Regulations.

The Efficiency Council is a statewide trade association of non-utility companies that provide energy efficiency services and products in California.<sup>1</sup> Our member businesses, now numbering nearly 70, employ thousands of Californians throughout the state. They include energy service companies, engineering and architecture firms, contractors, implementation and evaluation experts, financing entities, workforce training entities, and manufacturers of energy efficiency products and equipment. The Efficiency Council's mission is to support appropriate energy efficiency policies, programs, and technologies that create sustainable jobs and foster long-term economic growth, stable and reasonably priced energy infrastructures, and environmental improvement.

The Efficiency Council continues to strongly support the Energy Commission's efforts to implement nonresidential building benchmarking, rating, and disclosure requirements that encourage energy efficiency. We believe that benchmarking, rating, and effective labeling are important in financial transactions, as required by AB 1103. Based on the experience of our members, who work with commercial building owners and tenants everyday to develop and implement energy efficiency actions, we know that the effort and cost required of building owners and managers to benchmark their buildings' energy use are minimal compared to the benefits from the information. This information often directly leads to actions that generate cost-effective energy savings and improved building value. In addition, these upgrades to the building stock improve local communities and they benefit the State with respect to meeting its energy and climate change mitigation goals.

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<sup>1</sup> More information about the Efficiency Council, including information about the organization's current membership, Board of Directors, and antitrust guidelines and code of ethics for its members, can be found at [www.energycouncil.org](http://www.energycouncil.org).

Also based on the experience of our members, we encourage the Energy Commission to view the AB 1103 regulations as a first step in helping to facilitate wider availability of benchmarking and rating information to building tenants, customers, visitors, and others in order to motivate further efficiency improvements and maximize the impact of the regulations on increasing energy savings.

The Efficiency Council urges the Energy Commission to continue to investigate how it can improve the rating and disclosure process by offering more comprehensive rating systems and more user-friendly disclosure formats that supplement the requirements in the regulation as allowed in Section 1684(b). A colorful, graphical, and intuitive rating report that covers more building types will facilitate more effective disclosure by building owners in financial transactions and create a widely recognizable format for owners who wish to communicate energy ratings to prospective renters and buyers.

The Efficiency Council also recommends that the Energy Commission consider guidance for a number of commercial building uses that are not well-represented in the ENERGY STAR Portfolio Manager and especially clarify how to treat mixed-use buildings where occupancy is non-residential as defined in Section 1682(k) as well as residential. Given many cities' existing mixed-use building stock and policy trends encouraging more mixed-use, lower-environmental impact development, benchmarking and disclosure of such buildings is important. Mixed-use buildings with multi-family occupancy are especially important to consider because the level of energy efficiency in these buildings directly affects many Californians for whom energy costs are a substantial portion of their family expenditures.

## **Conclusion**

The building energy disclosure requirements in AB 1103 provide great opportunities to encourage cost-effective energy efficiency improvements in California buildings. The Efficiency Council appreciates the opportunity to offer comments and encourages the Energy Commission to continue working towards inclusion of more building types and labeling efforts to increase the energy savings in California. We look forward to continuing to work with the Energy Commission and other stakeholders in the process going forward.

Respectfully submitted,



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