

CLIMATE RESOLVE

California Energy Commission

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To Whom It May Concern

Below you will find comments from Climate Resolve regarding the recently released Prop 39 Draft Guidelines. Climate Resolve is a non-profit environmental group, our mission is to make Southern California more livable and prosperous today and for generations to come by inspiring people at home, at work and in government to reduce greenhouse gas pollution and prepare for climate impacts. Please let us know if you have any questions. Thank you for your time.

Comments:

- **Leveraging:** these dollars should be utilized in a responsible way to maximize potential gains in efficiency.
 - Dollars should be leveraged to utilize ESCO's that have experience in modernizing buildings through energy efficiency upgrades.
 - We would like to see language in the guidelines that explicitly states \$ can be debt serviced.
- **Energy Expenditure Plan:** In the Draft Guidelines LEA's have the option of submitting a "Five-year complete award energy expenditure plan" however the appropriations attached to SB 73 only allocate funds for this coming fiscal year.
 - If all five years of spending are submitted and planned for now then the CEC is violating the intent of SB 73 and discounting the possibility that other public buildings may qualify for funds later which was the original intent of Prop 39.
- **Unexpended \$:** We would like clarification as to where unexpended dollars go and how they will be later utilized.
 - The Draft Guidelines should be very explicit about how unused dollars will be later utilized. Questions remain about where those funds will go. Will they be cycled back in to the general fund to be used the following fiscal year? Will they be available for larger projects within an LEA during that fiscal year?
- **Non-Energy Benefit Projects:** Non-energy benefit calculation should explicitly call-out "climate resiliency" as this is a major project of both CEC and the Brown Administration.
 - One example is a cool roof, which uses highly reflective materials to deflect rather than absorb solar radiant energy. Cool roofs lower the temperature inside a building and reduce the need for a/c while helping mitigate the urban heat island effect.
 - Another example of this is a cool playground, one that is comprised of highly reflective materials instead of dark asphalt absorbs about half as much heat meaning the ambient air temperature is lower making it more comfortable and healthier for kids to play on while slowing the formation of smog and reducing the urban heat island effect. Since cool pavements lower the

CLIMATE RESOLVE

surrounding air temperature they cool adjacent buildings requiring less energy from a/c units and fans.

- Enforcement: CEC should be explicit about repercussions for misuse of funds and/or delayed projects.
 - If an LEA misuses funds how will CEC penalize them and if a project is delayed into the following fiscal year will that LEA be ineligible for funds until the previous project has begun/ been finished? LEA's need to know the answers to these questions up front so expectations are set from the outset.
- Sole Source Contracting: The draft guidelines do *not* currently permit the design and construction phases of a project to be carried out by the same contractor.
 - Under Govt. Code Section 42.17, the same contractor can perform the design and construction phases of a renewable energy or energy conservation project-- we need clarity on this from CEC, does Govt. Code Section 42.17 apply to Prop 39? If not than why?

Some smaller points of note:

- p. 17 – the examples given imply to LEAs that funds should be best used to replace lighting and HVAC systems. We believe there should be other representative examples placed in this section, including cool roofs.
 - p. 18 - on data analytics, we suggest CEC mention a few of the vendors that provide this kind of web-based service, such as First Fuel.
 - p. 20 - if we read this correctly, an LEA cannot submit more than four (4) expenditure plans per year. For large districts, this means a massive amount of coordination, blending multiple projects at multiple schools. This might be unwieldy for large districts. We suggest allowing more than four expenditure plans per year.
 - p. 25 - does CEC envision publishing aggregated data based on the reports? And then using the filed reports to create summaries for counties, utility service areas and statewide?
 - p. 31 - do cool roofs qualify for ECCA loans? If so, it should be stated.
 - p. 36 - we appreciate the ranking of potential projects yet the list disadvantages some projects and advantages others. To avoid rancor, we suggest CEC state its methodology in how the ranking was determined.
 - p. 41 – Why were cool playgrounds and cool parking lots excluded? And why were deciduous trees ranked so low?
- ❖ p. ## refers to the page # in the CEC Draft Guidelines document

Sincerely,

David Fink

Director of Campaigns

Climate Resolve