

Energy - Docket Optical System

From: Eric Premack [EPremack@chartercenter.org]
Sent: Friday, October 25, 2013 2:53 PM
To: Energy - Docket Optical System
Subject: Comments on Proposition 39

California Energy Commission

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13-CCEJA-01

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Regarding Docket number 13-CCEJA-1

Dear California Energy Commission and Staff:

Thank you for the opportunity to comment on the Commission's Draft Proposition 39: California Clean Energy Jobs Act Program Implementation Guidelines (CEC---400---2013---010---D---REV2). We also appreciate the efforts that the commission's staff have made to reach out to the public. We have participated in the webinars, meetings, listserv, and other opportunities to gain an understanding of the proposed guidelines and the larger program.

We offer the following suggestions to improve and clarify the guidelines and ensure that charter schools are able to participate and generate maximum benefits:

Revise the utility metering restrictions to enable broader participation by LEAs occupying leased facilities. The draft guidelines specify that an LEA in privately-owned, leased facilities must pay the utility bills and that a separate meter exist. We believe these restrictions are overly broad and not necessary. While the authorizing statutes (PRC 26240) does require recipients to authorize local utilities to provide 12 months of past and ongoing usage records, do not believe that this law either (1) requires that 12 months of past data be readily available, nor (2) that the account must be paid directly by the lessee. The current draft could needlessly preclude recently-established schools, schools that have moved into new facilities, etc. from participating in the program. In some cases, such records may provide information regarding project benefits, we believe that in many cases this data will be very crude and that other may render utility bill data useless in gauging benefits and that other methods (e.g., energy savings calculators, custom estimates, etc.) may be far more practical and accurate. Utility data may also be useless to estimate costs/benefits of projects to save energy from propane delivered via multiple providers and/or other sources that are not subject to metering by utilities. We encourage redrafting the guidelines to authorize applicants to use any reasonable method to quantify costs and savings, including, but not limited to monitoring changes in utilities usage over time. We also encourage the guidelines to require release of past data when available for the facility and when the baseline use data is used to estimate costs and benefits. We also encourage allowing participation even when the lessee doesn't directly pay the utility bills, but is capturing the benefits of the savings through rent/lease abatements, discounts, or other means.

Expand project identification and benefit estimation options. The draft guidelines offer three options for identifying energy projects, including (1) energy surveys, (2) ASHRAE Level 2 energy audits, and (3) data analytics. We believe all three examples are reasonable, but would suggest expanding Option 1 to allow for other reasonable methodologies, especially where the Commission is not offering a savings calculator. Especially for more modest projects, these might consist of an LEA-developed estimate based on common sense analytical methods.

Revise DSA project approval requirement. Charter schools generally are not subject to oversight by the Division of State Architect. As such, we suggest revising the references to DSA approval, noting that such approval is not required of charter schools unless the school opts to do so.

Retroactive funding. We suggest revising the guidelines to allow for retroactive funding to July 1, 2013, provided the projects otherwise qualify for the program.

Authorize pooled applications. We suggest allowing for smaller LEAs to join together to pool their applications. The guidelines suggest this as a cost-sharing approach for hiring an energy manager and where a charter school shares a

district-owned site. We suggest making these options more explicit and extending them option to the larger process whereby a group of LEAs could jointly apply. These joint applicants might include groups of independently-managed charter schools, multiple charter schools operating under a common charter school management organization, and/or school districts.

We appreciate the many efforts the Commission is making to streamline the process and minimize the related burden (e.g., simplified calculators, lists of typically cost-effective projects, etc.) and we strongly encourage continued emphasis on streamlining and simplification. Many of our hundreds of charter school members lack extensive staff and facilities expertise, yet occupy inefficient facilities and are positioned to maximize energy savings if the program is “user-friendly.”

We would be happy to discuss our suggestions and concerns with anyone concerned.

Sincerely,

-Eric Premack

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