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November 24, 2014

*Via Email*

California Energy Commission  
Dockets Office, MS-4  
Re: Docket No. 14-BSTD-01  
1516 Ninth Street  
Sacramento, CA 95814-5512  
[docket@energy.ca.gov](mailto:docket@energy.ca.gov)



Re: Docket # 2014-BSTD-01 -- CALCTP Comments on proposed 2016 amendments to Title 24, Part I Acceptance Test Technician Provider Regulations

Dear Docket Office:

I am writing on behalf of the California Advanced Lighting Control Training Program ("CALCTP") to comment on the 2016 amendments to the California Energy Commission's Part 1 administrative regulations governing the approval of Acceptance Test Technician Certification Providers ("ATTCPs") that were proposed by Commission staff as part of its November 3, 2014 workshop.

Certification for Lighting Control Acceptance Test Technicians was enacted by the Commission in response to testimony that training, certification and quality control of acceptance test technicians were needed to make the Commission's acceptance test requirements meaningful, reliable and cost-effective. CALCTP thus urges the Commission to update these regulations in a manner that better ensures the effectiveness and reliability of the certification programs. In particular, it is important to CALCTP that all providers be held to the same high standards. Without further clarity in the regulations, providers that fail to follow basic national and international model standards and practices for certification bodies are able to be approved as ATTCPs. While CALCTP supports most of staff's proposed amendments, the amendments as a whole do not go far enough to ensure high standards are applied to all ATTCP applicants. Moreover, a few of the

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proposals would inadvertently have the opposite effect. As written, they weaken ATTCP standards and reduce the Commission's ability to ensure that ATTCP programs will be effective and reliable.

CALCTP's position on each of the proposed changes is set forth below.

**I. AMENDMENTS PROPOSED BY CEC STAFF  
(Cal. Code Regs, tit. 24, Part 1, Section 10-103-A)**

**Change to Section 10-103-A (c)(1)**, editorial only (no substantive change).

*CALCTP Response:* Support.

**Change to Section (c)(2)**, editorial only (no substantive change).

*CALCTP Response:* Support with further amendment. CALCTP supports proposed editorial amendments. CALCTP recommends further amending this section to provide more clarity and meaning to the requirements for acceptance test technician employers.

**Change to Section (c)(3)**, editorial only (no substantive change).

*CALCTP Response:* Support.

**Change to Section (c)(3)(A).**

**A. Training Scope.** ~~The scope of the training shall include B~~both hands-on experience and theoretical training to certify competency in the technologies and skills necessary to perform the acceptance tests. ~~such that Acceptance Test Technicians demonstrate their ability to apply the Building Energy Efficiency Standards acceptance testing and documentation requirements to a comprehensive variety of lighting control systems and networks that are reflective of the range of systems currently encountered in the field. The objective of the hands on training is to practice and certify competency in the technologies and skills necessary to perform the acceptance tests.~~

*CALCTP Response:* **Oppose.** Original language should be kept in place. This amendment deletes the requirement that training ensures technicians will have the

ability to apply acceptance testing “to a comprehensive variety of lighting control systems and networks that are reflective of the range of systems currently encountered in the field.” Intent of original language was to ensure that technicians are not just trained on one system and are able to apply their training to the comprehensive variety of systems he or she may encounter in the field. This is a critical requirement to ensure the success of the acceptance test technician certification program. It is unclear why this change is being made.

**Change to Section (c)(3)(B)(iii).**

**(iii) Prequalification.** Participation in the technician certification program shall be limited to persons who have at least three years of verifiable professional experience and expertise in lighting controls and electrical systems as determined by the Lighting Control ATTCPs, ~~to demonstrate their ability to understand and apply the Lighting Controls Acceptance Test Technician certification training. The criteria and review processes used by the ATTCP to determine the relevance of technician professional experience shall be described in the ATTCP application to the Energy Commission.~~

*CALCTP Response:* **Oppose.** The original language should be kept in place. An applicant’s professional experience in lighting controls and systems should be verified and should relate to ability to understand and apply the acceptance test training. Furthermore, the criteria and review process used by an ATTCP should have to be disclosed by the ATTCP applicant so that the staff and the public can assess its adequacy.

**Change to Section (c)(3)(B)(iv),** editorial only (no substantive change).

*CALCTP Response:* Support.

**Change to Section (c)(3)(B)(v),** editorial only (no substantive change).

*CALCTP Response:* Support.

**Change to Section (c)(3)(B)(vi),** editorial and clarifies that recertification requirements only apply to those specific elements that are new or modified in future updates to the Building Energy Efficiency Standards.

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*CALCTP Response:* Support. These changes are consistent with intent of original language.

**Change to Section (c)(3)(F)** to require random compliance form audits for no less than 1% of each Technician's completed acceptance tests and random on-site audits for no less than 1% of each Technician's completed acceptance tests.

**F. Quality Assurance and Accountability.** The ATTCP shall describe in their application to the Energy Commission how their certification business practices include quality assurance, ~~independent oversight~~ and accountability measures, ~~such as,~~ including but not limited to independent oversight of the certification processes and procedures, visits to building sites where certified technicians are completing acceptance tests, certification process evaluations, building department surveys to determine acceptance testing effectiveness, and expert review of the training curricula developed for Building Energy Efficiency Standards, Section 130.4. The ATTCP shall review a random sample of no less than 1% of each Technician's completed compliance forms, and shall perform randomly selected on-site audits of no less than 1% of each Technician's completed acceptance tests. Independent oversight may be demonstrated by accreditation under the ISO/IEC 17024 standard.

*CALCTP Response:* Support *with amendment.* CALCTP supports setting a standard minimum rate for quality assurance audits. However, a substantially higher audit rate should be set for the first three to five years of any new ATTCP program.

**Change to Section (d),** editorial only (no substantive change).

*CALCTP Response:* Support.

**Deletion of Section (e),** eliminates entire interim approval section.

*CALCTP Response:* Support with amendment. The interim approval provisions will expire by the effective date of the 2016 code. Accordingly, CALCTP agrees that the expired language should be deleted. However, this section also contains requirements pertaining to employer training requirements that should be retained and moved to another section.

**Change to Section (f)**, renumbered to Section (e) and changes Commission action from determining if ATTCP applicants “are approved to provide acceptance test certification services” to determining if ATTCP applicants “meet the specified requirements for providing acceptance testing certification services.”

**(fe) Application Review and Determination.** The Energy Commission shall review Acceptance Test Technician Certification Provider applications according to the criteria and procedures in Section 10-103-A(c) to determine if such providers ~~are approved to meet the specified requirements for~~ providing acceptance testing certification services.

1. Energy Commission staff will review and validate all information received on Acceptance Test Technician Certification Provider applications, and determine ~~that~~ whether the application is complete and contains sufficient information to be approved.

2. The Executive Director may require that the applicant provide additional information as required by staff to fully evaluate the Provider application.

3. The Executive Director shall provide a copy of ~~its~~ staff's evaluation to interested persons and provide a reasonable opportunity for public comment.

~~34.~~ The Executive Director shall issue a written recommendation that the Energy Commission designate the applicant as an authorized Lighting Control Acceptance Test Technician Certification Provider or deny the Provider application.

~~45.~~ The Energy Commission shall make a final decision on the application at a publicly noticed hearing.

*CALCTP Response: **Oppose.*** This narrows the discretion of the Commission and would prevent them from refusing to approve an ATTCP applicant for reasons other than failure to provide the specified information in an application. Under this change, Commission would not have discretion to assess the merits of the application or the rigor or effectiveness of the proposed certification program. Commission should retain full discretion to deny approval where denial is merited.

**Addition of new Section (f)** to add process for amending an ATTCP program.

*CALCTP Response:* Support.

## II. CALCTP PROPOSED CHANGES TO ATTCP REGULATIONS

CALCTP supports amending the ATTCP regulations beyond what has been proposed in order to strengthen the certification program and to provide additional clarity to provider applicants. CALCTP is still in the process of discussing specific amendments with its stakeholders and will submit an addendum to these comments once that process is completed.

## III. CONCLUSION

CALCTP thanks the Commission for the opportunity to comment on these issues. Properly installed and functioning advanced lighting controls are an essential component to meeting California's energy efficiency goals. Lighting accounts for almost 40% of a commercial building's electrical use. This is double the energy used for cooling. Meaningful and reliable certification and oversight requirements of lighting control acceptance test technicians will help ensure that advanced lighting controls are installed and operating correctly so they can achieve their desired energy saving potential. Please let us know if you have any specific questions regarding this response.

Sincerely,

A handwritten signature in blue ink that reads "Thomas A. Enslow". The signature is written in a cursive style with a long horizontal line extending to the right.

Thomas A. Enslow

TAE:ljl