Los Angeles Department of Water & Power

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California Energy Commission
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Attention: Docket No. 15-BSTD-01
Dockets Office
California Energy Commission
1516 Ninth Street, MS-4
Sacramento, CA 95814

Ladies and Gentlemen:

Subject: 2016 Building Energy Efficiency Standards, Section 141.0
Proposed Lighting Retrofit Requirements in the 2016 Title 24 Standards
Docket No. 15-BSTD-01

The Los Angeles Department of Water and Power (LADWP) appreciates this opportunity to file written comments regarding the 2016 Building Energy Efficiency Standards, Section 141.0, "Proposed Lighting Retrofit Requirements in the 2016 Title 24 Standards", Docket No. 15-BSTD-01.

The 2013 Building Energy Efficiency Standards, which went into effect on July 1, 2014, introduced requirements to retrofit advanced lighting controls and pin-based sockets for screw-in CFLs when forty or more lighting fixtures (luminaires) in a single space or facility are modified. These enhanced requirements were put in place to push the lighting retrofit industry towards deeper, more comprehensive energy efficiency savings, and the LADWP strongly supports this direction for the industry in general.

However, these requirements have had unintended effects on utility-administered Small Business Direct Install (SBDI) programs in California, which use ratepayer funds to provide audits, materials and labor/installation completely free of charge to eligible customers. The advanced lighting requirements introduced in the 2013 Standards cannot currently be met in a manner cost-effective for ratepayers under this model, and the LADWP has thus been truncating our SBDI projects at a maximum of 39 modified luminaires in order to avoid triggering the advanced controls and pin-based socket retrofit requirements.

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This has resulted in the loss of potential savings on average of about 15-20% for the LADWP's SBDI program, but it should be noted that the LADWP currently only offers SBDI to our small business customers up to 30 kW in size. Utility programs serving larger customers may be experiencing significantly higher losses of savings.

Since early 2015, CEC staff and various interested stakeholders have been working on the next generation of lighting retrofit requirements for the 2016 Title 24 Standards. Several stakeholders in the process have voiced concerns about the advanced controls requirements and their effect on the larger lighting retrofit industry in California. The LADWP understands these concerns and agrees that elements of the 2013 Standards pertaining to the advanced lighting controls requirements are ambiguous or unclear and will benefit from clarification in the 2016 Standards language. To that end, the LADWP has been closely following the 2016 Standards language development, including both the previous 45-day language and the 15-day language currently under consideration for adoption by the Commissioners.

The LADWP has become increasingly concerned that the original intent of the advanced controls requirements introduced with the 2013 Standards is being lost, as the 2016 Standards language has evolved quickly, and regarding the 15-day language especially, in a non-transparent manner. Specifically, the LADWP acknowledges the Pacific Gas & Electric Company's (PG&E) findings Docketed under 15-BSTD-01, TN No. 75493 dated March 19, 2015 and TN No. 75654 dated April 24, 2015, in which PG&E argued that the proposed language changes were being considered haphazardly and through a process not sufficiently informed by rigorous data and analysis. The LADWP shares these concerns.

The LADWP is further concerned that the 15-day language, as currently being considered for adoption:

- Has been rushed through major and substantive changes since the 45-day language with minimal opportunity for the potential consequences to be fully assessed and quantified
- Threatens to derail the 2013 T24 code's intent to transform the lighting retrofit industry through a focus on advanced controls
- Will be administratively difficult for building department staff to enforce
- Does not directly address the loss of savings currently being incurred by utility direct installation (DI) programs

The LADWP encourages the CEC Commissioners to reject the current 15-day language as too materially different from the 45-day language, and return the language to 45-day

status for further consideration by CEC staff, allowing for a full vetting of all proposed changes by all stakeholders.

At the same time that the LADWP strongly supports maintaining the intent of the 2013 Standards to transform the lighting retrofit industry toward deep and comprehensive energy savings through mandatory advanced controls upon retrofit, we also believe that 100% ratepayer-funded direct install programs should be exempt from such requirements for now. While we recognize that at some point in the future, technology-based products and solutions may have matured sufficiently to allow utility DI programs to cost-effectively comply with these requirements, at present the lack of such solutions is resulting in the artificial truncation of our DI projects at a level just below the triggering threshold for these requirements.

The LADWP therefore also seeks a blanket exemption for ratepayer-funded utility DI programs from the entire luminaire alteration requirements and the luminaire component modification requirements for the effective duration of the 2016 Code. Specifically, the LADWP requests the following language be inserted into the lighting alteration section of Title 24, Part 6:

> *For all lighting alterations and modifications where existing luminaires are either replaced with new luminaires or existing luminaires are modified, as part of a 100% ratepayer-funded public utility or investor owned utility direct installation program, the luminaire replacement or modification shall not trigger any requirements of Section 141.0 Subsections (b) 2I, or (b) 2J of this Code relating to lighting, and shall not trigger any requirement for pin-based sockets, that would otherwise apply.*

Thank you for your consideration.

Sincerely,

David Jacot, P.E.
Director of Efficiency Solutions