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October 21, 2015

California Energy Commission  
Attn: Docket 15-BSTD-01  
Dockets Office, MS-4  
1516 Ninth Street  
Sacramento, CA 95814  
[Docket@energy.ca.gov](mailto:Docket@energy.ca.gov)

Re: Docket 15-BSTD-01; Inconsistency of Proposed Lighting Alteration Language with SB 350 RPS and ADR Goals

I recently reviewed two documents, SB 350 and the pending 2016 proposal for lighting alteration requirements in title 24 and want to alert the Commission to an inherent conflict between these documents. As the immediate past Chair of the Federal Energy Regulatory Commission and current co-chair of the Stoel Rives energy law team, I was pleased to see SB 350 not only raise the Renewable Portfolio Standard target percentage to 50%, but also recognize the importance of increasing automated demand response capabilities in buildings in order to provide California the tools necessary to ensure that meeting this target does not come at the cost of energy grid reliability. This forward thinking legislation is to be commended.

Unfortunately, the California Energy Commission is, at the same time, proposing amendments to Title 24 that would essentially eliminate the installation of advanced lighting controls in existing buildings. The pending 15 Day Language for lighting alterations would: (1) eliminate existing multi-level and daylighting control requirements for all luminaire modifications; (2) eliminate multi-level and demand response control requirements for all lighting wiring alterations (and provide new exceptions from daylighting control requirements); and (3) create broad new exceptions to existing multi-level and daylighting control requirements for lighting system alterations. None of these new exemptions are limited by project size or building size.

This creates a major conflict with the SB 350 goals. Because renewable wind and solar energy sources can be variable and grid flexibility will become increasingly valuable, a number of measures will need to be taken to ensure grid flexibility, reliability, and resilience when meeting the 50% RPS goal. Chief among those measures is to substantially increase California's



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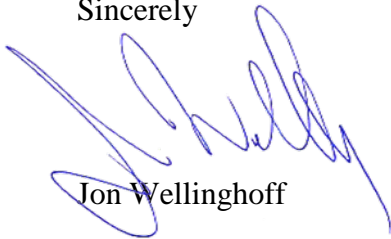
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automated demand response capabilities. This will require more than just requiring automated demand response capability in new construction. It is essential that existing buildings also be made automated demand response capable. Automated demand response capabilities rely on the installation of not just automated demand response controls, but also advanced lighting controls such as multi-level lighting controls and daylighting controls. Without the installation of these advanced lighting controls, there is no way for the automated demand response control to reduce the lighting load demand of a building.

In adopting the existing 2013 Title 24 requirements, the California Energy Commission determined that requiring existing buildings that alter or modify their lighting systems to also install advanced lighting controls was cost-effective and would result in significant energy savings. Advanced lighting control costs have continued to decline since the adoption of the title 24 requirements. Accordingly, there is no cost justification for suddenly reversing course on these requirements. Buildings owners that install these controls will save money in the long run. But most won't make the investment in these future savings if the regulations allow them to cherry-pick less efficient lighting solutions that have cheaper up-front costs.

Given its conflict with the newly adopted Renewable Portfolio Standard and automated demand response goals in SB 350, I urge the Commission to reject the proposal to rollback existing advanced lighting control requirements for alterations and modifications.

Sincerely



Jon Wellinghoff

cc: Commissioner Robert B. Weisenmiller, Chair  
Commissioner Andrew McAllister  
Commissioner David Hochschild  
Governor Edmund G. Brown Jr.  
Senator Kevin de León