



HESCHONG MAHONE GROUP, INC.

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AB 1103 Working Group – Meeting Notes

Friday, May 1, 2009 – 1:00-3:00 pm

Attending:

California Association of Realtors: Elizabeth Gavric

California Energy Commission: Martha Brook, Robin Meyer

California Public Utilities Commission: Jordan Cammarata

Environmental Protection Agency: Tracy Narel

Heschong Mahone Group: Doug Mahone, Amy Barr

Lawrence Berkeley National Laboratory: Paul Mathew

Pacific Gas & Electric: Peter Turnbull

Sempra: John Cullum

Southern California Edison: Jim Navarrete, Matt Evans, Bob Levine, Steve Galanter, Charles Kim

State of California: Andrew Zingale (Assembly Member Saldana's Office)

1. AB531

- a. Removed 'or secure electronic authorization' from AB531
 - i. Trying to put language back in but need to figure out how to do so while still satisfying committee's need to add their fingerprint
- b. Language suggested by PG&E to reference utilities specifically
- c. Language suggested by PG&E ensuring all tenant accounts are included in requirements for benchmarking building
 - i. Change language so says 'shall upload the energy consumption data for all of the accounts within a building, including tenant accounts ...'
- d. Legislative council had recommended that we strike 'in a manner that preserves the confidentiality of the customer'
- e. Logistics
 - i. Bill goes to appropriations committee
 - ii. If is suspense candidate, won't get out until late May
 1. At that time, everyone should contact appropriations committee to make sure they'll let it out
 - iii. If it is not suspense candidate, there are no problems
 - iv. Trade organizations wrote letter and appeared in court to provide support
 1. Expect to do the same if goes to appropriations

- v. PG&E going through process of working on language
- vi. Utilities can write letters that say 'support if amended'
- vii. Joint letter from all IOUs sufficient, but not necessarily better
- viii. Elizabeth Gavric to talk with chair of appropriations committee

2. Enforcement

- a. Energy Commission would have to hear about violator and have attorney general catch accused violator
- b. Nothing else specified as penalty (fines, etc) except threat of lawsuit

3. IOU advice letter

- a. PG&E had internal groups that wanted to hear what are saying
 - i. Not a burning issue so taking more time to get through
 - ii. Nondisclosure agreement: will mask account # of customer
 - iii. Need to file tariff as procedural piece; no effect on rates or fees
 - iv. Wants to go through with advice filing because seems to be enough uncertainty with legislature
 - 1. Want to start doing electronic authorization ASAP
 - 2. Should be far enough in advance (~6 months) of AB531 that would make a difference in terms of when can start
- b. SCE anticipates early next week to know if will be able to participate
 - i. Getting positive feedback
- c. Next step: jointly do advice letter saying that will have slightly different ways of implementing because of billing systems
- d. IOUs to schedule time next week to meet as group

4. Draft requirements

- a. Phases
 - i. Jan 2010, Jan 2011, Jan 2012
 - ii. No cut off for 5,000 square foot/make smaller cut-off
 - iii. Pragmatic issue for buildings < 5,000: can't receive 1-100 score
 - iv. Lease and sales first, refinance after
- b. Purpose
 - i. Chance to be lofty; say what want it to do & what goals are
 - ii. Legislative intent was to do this and that, but not actually law
- c. Scope
 - i. Says what is and what is not included in regulations
 - ii. Figure out exceptions: these regulations apply to x y and z and not to a b and c.
- d. Definitions
 - i. ENERGY STAR®
 - ii. Energy use intensity

- iii. Weather normalized EUI
- iv. Rating
- v. Site energy use
- vi. Source energy use
- vii. Building
- viii. Building types (and multi use)
- ix. Building owner
- x. Building agent
- xi. Building tenant
- xii. Utility companies
- xiii. Real estate licensee
- xiv. Financial institutions
- xv. Whole/entire building
- xvi. Electronic data exchange
- xvii. Format compatible for uploading
- e. Responsibilities of parties
 - i. Real estate licensee: Elizabeth to get from AB758 language
 - ii. Tenant: no responsibilities
 - iii. Utilities: supplying data upon requested by owner; need safe harbor on ability to identify accounts associate with building
 - iv. Building owner: must provide energy consumption data as specified by energy commission
 - v. Financial institutions: ?
- f. California specific disclosure form
 - i. Set implementation schedule based on when can be done
 - 1. Can include phasing of disclosure in rulemaking
 - 2. Form of disclosure can change; not part of regulation
 - 3. Critical to set in writing now: rulemaking can take 9-12 months
 - ii. User interface remains same entire time, but report generated may evolve
 - 1. National and state rating
 - 2. Simple and clear and consistent
 - 3. Disclosure form for Energy Commission
 - iii. Possibility that EPA would have button allowing for California-specific report