



HESCHONG MAHONE GROUP, INC.

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AB 1103 Working Group – Meeting Notes

Thursday, November 12, 2009 – 10:00am -12:00pm

Attending:

California Association of Realtors: Elizabeth Gavric

California Business Properties Association: Matthew Hargrove

California Energy Commission: Martha Brook, Robin Mayer

California Public Utilities Commission: Jordana Cammarata

Energy Coalition: Laurel Faulkner

Environmental Protection Agency: Tracy Narel, Peter Flippen

Heschong Mahone Group: Amy Barr

Lawrence Berkeley National Laboratory: Paul Mathew

Pacific Gas and Electric Company: Peter Turnbull

Southern California Edison: Bob Levine

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

The Irvine Company: Rich Bluth

1. EPA discussion on disclosure options

- a. Statement of Energy Performance – overall goal is single version for use throughout country
 - i. Would consider adding limited amount of data to support people's understanding of what went into rating
- b. Implementation issues – not everything can be fixed with modifications to PM
- c. Phase 2 of reporting module – ability to define data/reporting template to customize data set that average PM user could load data into and share with 3rd party
 - i. NYC planning on using for disclosure
- d. CEC can be ESP, but doesn't need to be
- e. Options for CEC in pursuing data exchange: ESP or receive 3rd party report from phase 2 of reporting template

2. Draft regulations – changes since last draft
 - a. Trying to get formal rulemaking going by end 2009
 - b. Added aggregate data option for utilities to aid in confidentiality
 - i. SCE needs something from CPUC saying ok for IOUs to disclose without specific authorization (bypass 15-15 rule)
 - c. Simplified schedule by removing building types
 - i. Start January 2011
 - ii. Rolling out by size with big buildings 1st
 - iii. Everyone on board by end 2012
 - d. Rating change
 - i. Enter data into PM; if can't get PM rating, must get CA rating for building (only time would be required to have CA rating)
 - e. Single tenant problem
 - i. If can't get tenant's consent, get rating without that tenant's space included
 - ii. Concerns over how useful rating will actually be without all space included, but really only affects whole building tenants where utilities aggregating data
 1. Suggestion: if have uncooperative tenant or vacant/bankrupt, not required to rate building
 2. Solution: use 'partial building' designation (would not allow for rating, but energy data still provided)
 - f. Specific suggestions
 - i. CBPA issues:
 1. California rating
 2. PM access for every transaction
 - ii. Change (b) in schedule on regulations to read 10,000 and above
 - iii. Should be boilerplate in regulations that acknowledges buildings that won't receive accurate benchmarking data (extreme examples – i.e. heavy manufacturing) and allow exemption from benchmarking so they can move on quickly and not get tied up in compliance
 - iv. Replace notary requirement with form that building owner signs attesting to accuracy of data

- v. Still concern over California rating
 - vi. Call out hospitals as exception because rated as campus
 - vii. Regardless of how data disclosed and what rating's like, building owner needs to authorize CEC to receive data
 - viii. Need to include option for customers that use manual entry, or some way of entering data that bypasses utility
 - ix. Should add lower limit to square footage
 - 1. Look into CEUS data on coverage based on number buildings and energy usage for 1,000 and 2,000 square foot buildings
 - 2. EPA only covers down to 5,000 square feet for most buildings (1,000 for bank branches)
3. Next meeting in 4 weeks: December 10th