

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company for Approval (U338E) of its 2009-2011 Energy Efficiency Program Plans and Associated Public Goods Charge (PGC) and Procurement Funding Requests And Related Matters	Application 08-07-021 Application 08-07-022 Application 08-07-023 Application 08-07-031
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OPOWER NOTICE OF EX PARTE COMMUNICATION

Pursuant to Rule 8.3(a) of the California Public Utilities Commission (“Commission”) Rules of Practice and Procedure, OPOWER, Inc. (“OPOWER”) hereby gives notice that on Wednesday, February 10, 2010, at approximately 4-4:45 pm, Michael Sachse, Sr. Director of Government Affairs and General Counsel of POWER and Delaney Hunter of Dewey Square met and communicated with Andy Campbell, advisor to Commissioner Ryan, and Andy Schwartz and Matt Deal, advisors to President Peevey.

The meeting took place at the Commission office building at 505 Van Ness Avenue in San Francisco. The meeting was initiated by OPOWER. The meeting lasted approximately 45 minutes. The representatives for OPOWER discussed why behavior-based savings should be an energy efficiency resource. Describing OPOWER’s success in driving energy savings, Mr. Sachse explained that California is at a critical juncture for mass market efficiency. OPOWER discussed potential measurement and verification procedures for OPOWER’s program and the recent acceptance of behavior-based savings in Minnesota and Massachusetts, and answered questions regarding issues raised by ALJ Gamson’s November ruling. OPOWER provided a one page written outline of its position, which is attached to this Notice.

Copies of the Notice may be obtained by contacting Karen Mitchell at 916-447-2166 or kam@eslawfirm.com.

Dated: February 16, 2010

Respectfully submitted,

By: _____ /s/
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and General Counsel
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WHY BEHAVIOR-BASED SAVINGS SHOULD BE AN EFFICIENCY RESOURCE

A proven model:

- Tested for nearly two years in California and across the country.
- Currently implemented by 15 utilities nationwide, with 10 more scheduled to deploy.
- Each deployment has reduced energy consumption by 1.5% to 3.5%
- Behavior-based savings is cost-effective: \$0.03/kWh to \$0.05/kWh in each deployment.

Rigorously measured:

- Experimental design allows for an “enhanced” level of rigor.
- All double-counting concerns can be addressed through careful program design.

Independently verified:

- Leading EM&V firm Summit Blue has verified OPOWER’s results with SMUD.
- Yale Professor Ian Ayers has verified results with SMUD and Puget Sound Energy.
- MIT Professor Hunt Alcott has verified results from Connexus (MN).

Accepted as an efficiency resource in other states:

- Massachusetts
 - Electric: 147,000 MWh over three years (24% of statewide efficiency portfolio)
 - Gas: 5.5 million therms (20% of statewide efficiency portfolio)
- Minnesota
 - Centerpoint Energy: 139,000 Mcf of gas over three years.
 - MERC: 85,000 Mcf of gas over three years.
- ACEEE is incorporating behavior-based programs into model efficiency programs

California’s IOUs are ready to move beyond pilots:

- Each IOU supported OPOWER’s filing, calling for *ex post* measurement.
- PG&E has issued an rfp for a large-scale behavior-based program; full funding is contingent upon CPUC approval.

Now is the time for the CPUC to act:

- *Ex post* measurement reduces risk for CPUC.
 - Savings are not attributed until they are achieved.
 - Progress easily verified with statistical analysis software.
- California needs new sources of efficiency as CFL savings end.
 - Behavior-based savings are proven to work in all populations, year after year.
- *This is the next frontier in efficiency – California cannot remain the leader in energy efficiency without embracing new, proven measures.*

For more information, contact:
Michael Sachse
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PROOF OF SERVICE

I declare that:

I am employed in the County of Sacramento, State of California. I am over the age of eighteen years and am not a party to the within action. My business address is ELLISON, SCHNEIDER & HARRIS; 2600 Capitol Avenue, Suite 400; Sacramento, California 95816; telephone (916) 447-2166.

On February 16, 2010, I served the attached *OPOWER NOTICE OF EX PARTE COMMUNICATION* by electronic mail or, if no e-mail address was provided, by United States mail at Sacramento, California, addressed to each person shown on the attached service list.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on February 16, 2010, at Sacramento, California.

/s/
Karen A. Mitchell

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