

# DRAFT

## Petition For Modification Issues

### 1. Clarify utility benchmarking requirements including:

- a. *The nature of benchmarking:* The Decision should be modified to recognize that:
  - Benchmarking is a customer-driven process (i.e., IOUs cannot unilaterally benchmark buildings), and as such, IOUs cannot be held responsible to benchmark all facilities touched by the Commercial Energy Efficiency Program, Savings by Design, and government buildings and facilities, as currently required in the Decision.
  - Benchmarking is a “whole building” activity under ENERGY STAR® Portfolio Manager (ESPM), meaning “carve outs” within buildings, or portions of buildings, by definition cannot be benchmarked under this system.
  - Active IOU promotion of benchmarking (as set forth in Attachment A) through training, marketing, and support to customers as well as support of Assembly Bill (AB) 1103 development, automated data transfer, and regular reporting on benchmarking progress constitutes IOU benchmarking compliance.
  
- b. *Alignment with the California Energy Commission:* the Decision should be modified to clarify that utility benchmarking requirements should be modified as needed throughout the 2010-2012 program cycle to align with the California Energy Commission’s (CEC) developing regulations, including exclusive use of the Energy Star Portfolio Manager tool currently required by AB 1103.

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*c. Targets:* The Decision should clarify that the stated numerical target of benchmarking 50,000 commercial and institutional buildings is an aspirational target.

*d. Data Confidentiality:* The Decision should clearly define data confidentiality requirements for all IOUs.

2. **Adopt a process that enables limited statewide program variations between IOUs to allow flexibility for appropriate regional and utility differences.**
3. **Clarify that sponsorships for energy efficiency events or activities that directly promote programs or partnerships (as opposed to solely providing company-specific recognition) are considered allowable costs.**
4. **Clarify that the \$1,000 performance bonus mandated by the Decision for the California Advanced Homes Program (CAHP) applies only to single family units or that a more proportional \$200 incentive be offered for multi-family units.**