EE Policy Manual Version 5.0
Appendices

~~D.05-09-043~~ D.09-09-047

TABLE ~~8~~: ADOPTED FUND SHIFTING RULES, as modified by D.09-09-047, D.05-09-043, D.06-12-013 and D.07-10-032

2010-2012 Fundshifting Rules

Category	Shifts Among Budget Categories, Within Program	Shifts Among Programs, Within Category	Shifts Among Categories
~~**Resource / Non-resource**~~ **Statewide, Local, Partnership** ~~**Programs (Includes multiple program categories - see definitions below)**~~	- Yes, no formal Commission review/approval triggered	- Yes, no formal Commission review/approval triggered. ~~However, 15 day PRG notification and comment required if shifts exceed 25% on an annual basis or 50% on a cumulative basis.~~ Yes, up to 15% of the authorized three year program budget. Advice letter required for larger shifts. - Beginning 7/1/10 (and every 90 days thereafter, the Energy Division shall be informed of any fundshifts away from any budgets shown in the approved compliance advice letters required by D.09-09-047. - No program or sub-program shall be eliminated except through the Advice letter process. - Advice letter required if allocation to third-party implementers is expected to fall below 20%.	- Yes, up to 15% ~~25%~~ of the authorized three year program budget ~~on an annual basis or 50% on a cumulative basis~~. Advice letter required for larger shifts. - Beginning 7/1/10 and every 90 days thereafter, the Energy Division shall be informed of any fundshifts away from any budgets shown in the approved compliance advice letters required by D.09-09-047.. - No program or sub-program shall be eliminated except through the Advice letter process. Advice letter required if allocation to third-party implementers is expected to fall below 20%.
C&S / ET / Statewide ME&O	Yes, same as above	Advice letter required for shifts that would reduce any of these programs by more than 1% of budgeted levels.	Advice letter required for shifts that would reduce any of these programs by more than 1% of budgeted levels.
Residential lighting Incentive Program for basic CFLs (sub program under Statewide Residential Energy Efficiency Program)	Yes, same as above	Funds cannot be shifted into the program however, funds can be shifted out of the program. - Yes, up to 15% of the authorized three year program budget. Advice letter required for larger shifts.	Funds cannot be shifted into the program however, funds can be shifted out of the program. - Yes, up to 15% of the authorized three year program budget. Advice letter required for larger shifts.
EM&V	Yes, within utility portion. Fund shifting between the utility and ED portions only with Assigned Commissioner or ALJ approval, in consultation with Joint Staff.	Not Applicable - Single Program	Assigned ALJ or Commissioner ruling required to shift funds OUT of EM&V by any amount.

~~For purpose of these fund-shifting rules, the Resource/Non-Resource program categories are as follows:~~
~~• Resource / Non-Resource Program categories for **SCE, SDG&E**, and **SoCalGas** are: (1) Residential; (2) Nonresidential; (3) Crosscutting (except C&S, ET, SW Marketing and Outreach, EM&V).~~
~~• Resource / Non-Resource Program categories for **PG&E** are: (1) Mass Market (residential/small commercial cross-cutting); (2) Residential targeted market sectors within Targeted Markets and (3) Non-Residential targeted market sectors within Targeted Markets.~~
~~Utility program administrators may carryover/carryback funding during the 2006-2008 program cycle without triggering a review/approval process. Authorization for utilizing 2006 funding in 2005 for specific purposes is described in D.05-09-043. Per D.06-12-013 (OP 2), utility program administrators may file an advice letter to seek authorization to shift existing, unspent uncommitted energy efficiency funds from previous program cycles to the 2006-2008 portfolio budgets to fund new energy efficiency programs or incremental energy efficiency activities as part of existing authorized programs. Utilities should consult with the PRG prior to submitting this type of advice letter. Per D.07-~~

~~10-032, carryover/carryback funding is permitted during the 2006-2008 budget cycle so long as the 2009-2011 portfolio has been approved. CPUC approval is not necessary for up to 15% of the "current" program cycle. See Rules II.12 and II.13.~~

~~Changes to incentive levels or modifications to program design (such as changes to customer eligibility requirements) will not trigger Energy Division or formal Commission review, except as indicated below. We expect that the results of EM&V studies, statewide coordination efforts and ongoing consultation with advisory groups will enable utility program administrators to identify the best practices and program designs for portfolio implementation.~~

~~• If the proposed incentive level change impacts as statewide offering, e.g., is included in the deemed and calculated measure list presented in the statewide PAG meeting on August 2-3, 2005, and is less than 50% of the original incentive level on a cumulative basis over the three-year program cycle, the utility administrator will need to inform and solicit comment from the joint PRGs prior to the change taking place.~~

~~• If the proposed incentive level change impacts a statewide program offering and is more than 50% of the original incentive level on a cumulative basis, the utility administrator will follow the advice letter process described in these rules.~~

~~• The program administrator will notify the PRG of all incentive level changes that take place.~~

~~For all significant shifts in funding or modifications to program design, the utilities should seek informal review with their PRG members as part of the ongoing exchange of information during program implementation. Where an advice letter is required under these rules, absent a protest or written data request by Energy Division for additional information by the end of the 20-day protest period, the request will become effective on the twentieth day after filing. If Energy Division staff issues a data request before the end of the protest period, the response time requirements and other procedures applicable to our normal advice letter procedures, as updated by D.05-01-032, will take effect. All advice letters required for fund shifting shall be served on the service list in A.05-06-004 and R.01-08-028, or its successor rulemaking, unless otherwise specified by the assigned ALJ. The assigned ALJ, in consultation with the Assigned Commissioner, may provide further clarification on implementing these fundshifting rules, or consider modifications to these rules during the 2006-2008 program cycle, as appropriate.~~

Proposed revision to fundshifting guidelines.

For purpose of these fund-shifting rules, the ~~Resource/Non-Resource~~ program categories are as follows:

- ~~Resource / Non-Resource~~ Program categories ~~for **SCE, SDG&E**, and **SoCalGas**~~ are: (1) ~~Residential~~ Statewide (except C&S, ET, SW Marketing Education and Outreach, and Residential Basic CFL Lighting Program); (2) ~~Nonresidential~~ Local; (3) ~~Crosscutting~~ Partnership (4) EM&V.
- ~~Resource / Non-Resource Program categories for **PG&E** are: (1) Mass Market (residential/small commercial cross-cutting); (2) Residential targeted market sectors within Targeted Markets and (3) Non-Residential targeted market sectors within Targeted Markets.~~
- Utility program administrators may carryover/carryback funding during the ~~2006-2008~~ 2010-2012 program cycle without triggering a review/approval process. ~~Authorization for utilizing 2006 funding in 2005 for specific purposes is described in this decision.~~
- Changes to incentive levels or modifications to program design (such as changes to customer eligibility requirements) will not trigger Energy Division or formal Commission review, except as indicated below. We expect that the results of EM&V studies~~,~~ and statewide coordination efforts ~~and ongoing consultation with advisory groups~~ will enable utility program administrators to identify the best practices and program designs for portfolio implementation.
- If the proposed incentive level change impacts a~~s~~ statewide offering~~, *e.g.*, is included in the deemed and calculated measure list presented in the statewide PAG meeting on August 2-3, 2005,~~ and is less than 50% of the original incentive level on a cumulative basis over the three-year program cycle, the utility administrator will need to inform and solicit comment from the Energy Division prior to the change taking place.
- ~~If the proposed incentive level change impacts a statewide program offering and is more than 50% of the original incentive level on a cumulative basis, the utility administrator will follow the advice letter process described in these rules.~~
- The program administrator will notify the ~~PAG~~ Commission through the quarterly reporting process of all incentive level changes that take place.
- Where an advice letter is required under these rules, absent a protest or written data request by Energy Division for additional information by the end of the 20-day protest period, the request will become effective on the twentieth day after filing. If Energy Division staff issues a data request before the end of the protest period, the response time requirements and other procedures applicable to our normal advice letter procedures~~, as updated by D.05-01-032,~~ will take effect. All advice letters required for fund shifting shall be served on the energy efficiency service list ~~in A.05-06-004 and R.01-08-028, or its successor rulemaking,~~ unless otherwise specified by the assigned ALJ. The assigned ALJ, in consultation with the Assigned Commissioner, may provide further clarification on implementing these fundshifting rules, or consider modifications to these rules during the ~~2006-2008~~ 2010-2012 program cycle, as appropriate.