

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

Application of Pacific Gas and Electric Company for Approval of the 2009-2011 Low Income Energy Efficiency and California Alternative Rates for Energy and Programs and Budget (U 39 M).	Application 08-05-022 (Filed May 15)
Application of San Diego Gas & Electric Company (U 902 M) for Approval of Low-Income Assistance Programs for Program Years 2009-2011.	Application 08-05-024 (Filed May 15)
Application of Southern California Gas Company (U 904 G) for Approval of Low-Income Assistance Programs and Budgets for Program Years 2009-2011.	Application 08-05-025 (Filed May 15)
Application of Southern California Edison Company (U 388-E) for Approval of Low-Income Assistance Programs and Budgets for Program Years 2009, 2010, and 2011.	Application 08-05-026 (Filed May 15)

**NOTICE OF *EX PARTE* COMMUNICATION**

Pursuant to Rules 8.3 and 8.5 of the Commission's Rules of Practice and Procedure, The Association of California Community and Energy Services (ACCES), the East Los Angeles Community Union (TELACU), and the Maravilla Foundation (Joint Parties), hereby give notice of the following *ex parte* communication. The communication was verbal and took place on Thursday, August 12, 2010 from approximately 3:30 p.m. to 4:15 p.m. at the offices of California Public Utilities Commission. The meeting was requested by Michael Lizarraga of TELACU.

Present at the meeting were:

Advisor to Commissioner Grueneich, Kelly Hymes  
Advisor to Commissioner Simon, Paul Phillips  
Advisor to Commissioner Peevey, Andrew Schwartz  
Rick Hobbs, Sempra Utilities  
Pedro Villegas, Sempra Utilities

James Hodges, Joint Parties  
Michael Lizarraga, TELACU  
Richard Villasenor, ACCES

In the meeting the Joint Parties and Sempra representatives expressed their thoughts about how to make the Low Income Energy Efficiency (LIEE) program quarterly meetings required by D06-12-038 more efficient and effective. These ideas are summarized in the attached handouts.

Copies of this Notice may be obtained by contacting James Hodges @ (916) 451-7011 or [hodgesjl@surewest.net](mailto:hodgesjl@surewest.net).

Respectfully submitted,

August 16, 2010



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**Goal:**

To improve the process of identifying LIEE technical issues and proposing and implementing solutions.

**Means:**

1. Use the successful model of the disbanded Weatherization Installation Standards Team (WIZ Team)
2. Operate within the meeting framework ordered in Commissioner Grueneich's D06-12-038.\*

**I. Tasks**

There are three LIEE task areas

1. **LIEE Policy and Procedures Manual:** Identify needed revisions and develop recommendations for revisions/updates
2. **Installations Standards Manual:** Identify needed revisions and develop recommendations for revisions/updates
3. **Identifying, quantifying, and finding solutions** for LIEE problems found in the field.

**II. Who:**

1. A LIEE Working Group comprising representatives of the Joint Utilities, the Energy Division, the Division of Ratepayer Advocates, LIEE contractors, and any interested party.

The Working Group would be based on the Commission approved "Standardization Project Team," (whose name was changed to the "Weatherization Installation Standards Project Team" [WIZ Team]), which operated from 1999 to 2006.

2. As was done with the WIZ Team, the Working Group meetings would be moderated/facilitated by utility consultants. (In the past this was Fred Siebold of iTron and Jim Obannon of Richard Heath and Associates [RHA].)

**III. When:**

1. Meet as needed between quarterly meetings, consistent with Commissioner Grueneich's Decision 06-12-038.
2. Get public input on work product at quarterly meetings.

**IV. Decisionmaking:**

1. Within the Working Group: Consensus (the absence of strong objection).
2. Present recommendations for public comment (at quarterly meetings?)\*
3. Consider public comment, then make final recommendations.
4. Determine which recommendations require specific Commission approval and which require only Commission notification (Advice Letter or Letter of Notification).

- V. Cost:** Operate within existing utility LIEE budgets.

We believe this plan would achieve efficiency, continuity, and transparency. It builds on what worked in the past, eliminates that which did not work, and operates within the framework of previous Commission decisions.

\* D06-12-038, Conclusions of Law

"7. The Commission should direct the utilities to meet regularly with interested parties to confer on LIEE program protocols, procedures and operations between LIEE budget cycles, as set forth herein."

"8. Pub. Util. Code Section 382.1 provides that the LIOB, not this Commission, has the authority to create a more formal committee if it is an entity of the LIOB. The utilities should convene informal meetings to facilitate improvements to the LIEE and CARE programs."

"9. The utilities should use quarterly meetings to collaborate with members of the interested public before modifying any program procedure, rule or operation. They should confer with the Energy Division staff before making any changes for which there exists or may exist controversy by affected communities or individuals other than LIEE contractors."

\*\* By ruling dated December 29, 1999, the Assigned Commissioner directed that the PY 2001 planning process include specific proposals for standardizing elements of the low-income assistance program, consistent with the direction Decision (D.) 99-03-056. Specifically, the Assigned Commissioner directed the utilities "to work jointly with any interested participants to develop a joint proposal for standardizing the selection criteria and installation manuals for the utilities' low-income weatherization programs." To that end, the utilities were expected "to conduct workshops and/or other forums to solicit input from interested participants prior to serving the joint proposal."

## Need to Update Weatherization Installation Standards

The 2006 LIEE Weatherization Installation Standards (WIS) need to be updated and expanded to reflect changes in the model codes, Title 24 energy efficiency standards, and building industry best practices. Sections for newly-adopted measures must be added and each section reviewed for outdated code references, outmoded text, and typographic and formatting errors.

All sections:

- a. Remove and replace outdated code references.
- b. Simplify language, and correct text and formatting errors.
- c. Remove how-to information that is not a material or installation standard, and move that criteria to Preface Pages, as applicable.
- d. Update lead-safe weatherization criteria, and add a related appendix.
- e. Integrate criteria applicable only to Mobile Homes—to do away with the separate Mobile Home manual, and reduce printing cost and physical bulk by eliminating repetition of criteria applicable to all housing types.
- f. Update Nonfeasibility Criteria in most sections.
- g. Add sections for newly-adopted measures.

### 1. Window Replacement

- a. Update efficiency requirements in harmony with Title 24 2008 Building Energy Efficiency Standards (Residential Manual)
- b. Update (relax) egress parameters to reflect UBC change.
- c. Provide ASTM-approved criteria for installing flush fin (retrofit) and box frame replacement windows.

### 2. Natural Gas Appliance Testing (NGAT)

- a. Update vent terminal criteria to reflect CMC changes, and to add illustrated criteria for specific situations/locations.
- b. Add new CVA provisions from the 2007 CMC.
- c. Add prohibition of FAU in a sleeping room.
- d. Add criteria addressing outdoor vent termination for Water Heater in outdoor enclosure attached to building.
- e. Add criteria to address Tankless Water Heater location and vent terminal evaluation, and CO and Draft testing.
- f. Modify criteria for testing cooking appliances in “worst case” environment.
- g. Modify criteria regarding location-specific Clothes Dryer moisture exhaust termination.

- h. Modify visual inspection criteria for burner performance and flame characteristics (e.g., yellow flame).
  - i. Reevaluate CO maximums for flue gas testing,
  - j. Re-examine criteria that prohibits infiltration-reduction measures, based on type and severity of nonconforming condition.
3. Central Forced Air Furnaces
- a. Update efficiency references to reflect current Title 24 standards.
  - b. Remove criteria related to air conditioning (addressed in the AC section).
  - c. Update warranty requirements.
  - d. Update or add appliance safety criteria in accordance with the 2007 CMC and NGAT standards (Section 24).
  - e. Modify Air Filter criteria and eliminate washable “hog hair” filters.
  - f. Update Thermostat criteria in accordance with Title 24 requirement for Programmable Thermostats.
4. Central Air Conditioners
- a. Update Title 24 references and efficiency standards.
  - b. Expand Refrigerant System Charging safety criteria in harmony with federal EPA requirements.
  - c. Update electrical items in harmony with 2007 CEC, including requirements for Service Receptacle and Service Disconnect.
  - d. Update Thermostat criteria in accordance with Title 24 requirement for Programmable Thermostats.
5. Wall and Floor Furnaces
- a. Update installation requirements in harmony with the 2007 CMC.
  - b. Add gas pressure evaluation for Gas Control Valve.
  - c. Update thermostat criteria.
6. Duct Sealing
- a. Update to include specific section references and criteria changes in Title 24.
  - b. Condense and simplify language pertaining to Duct Support and Duct Closure Systems, in harmony with the 2007 CMC.
7. Hard-Wired CFLs
- a. Update and modify fixture grounding criteria in harmony with industry best practices and the 2007 CEC.
8. High Efficiency Window Wall Air Conditioners
- a. Update (relax) egress parameters to reflect UBC change.
  - b. Modify Air Filter criteria and eliminate washable “hog hair” filters.

- c. Modify location-specific installation criteria by window type.
  - d. Update/modify exterior clearance requirements.
  - e. Expand Cleanup and Disposal requirements.
9. Natural Gas Water Heaters
- a. Update efficiency criteria.
  - b. Update/expand criteria for units in attics and bedrooms.
  - c. Add requirement for house line pressure testing.
  - d. Update criteria for CVA and Vent Termination in harmony with the 2007 CMC.
  - e. Add reference to Flammable Vapor Ignition Resistant (FVIR) units, now required by state law.
  - f. Add criteria for Tankless Water Heaters.

These are examples of the types of modifications that are needed in a few sections of the 2006 LIEE WIS. Similar updates are needed in the other existing sections, and additional sections for new measures must be added.

CERTIFICATE OF SERVICE

I hereby certify, pursuant to the Commission's Rules of Practice and Procedure, that I have this day served a true copy of the "Notice of *Ex Parte* Communication" of The Association of California Community and Energy Services, The East Los Angeles Community Union, and the Maravilla Foundation

[X] By first class U.S. mail, postage prepaid, to the Administrative Law Judge assigned to this proceeding, to the Assigned Commissioner, and to all parties listed with no e-mail address on the official service list referred to below.

AND

[X] By Electronic Mail – serving the enclosed via e-mail transmission to each person the application lists as being authorized to receive service and to those on the consolidated service list of A08-05-022, A08-05-024, A08-05-025, and A08-05-026.

Dated at Sacramento, California this 16<sup>th</sup> day of August, 2010.



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California Public  
Utilities Commission

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## CALIFORNIA PUBLIC UTILITIES COMMISSION Service Lists

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**PROCEEDING: A0805022 - PG&E - FOR APPROVAL**  
**FILER: PACIFIC GAS AND ELECTRIC COMPANY**  
**LIST NAME: LIST**  
**LAST CHANGED: AUGUST 12, 2010**

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