

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



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Application of Southern California Edison
Company (U338E) for Approval of its 2009- 2011
Energy Efficiency Program Plans and Associated
Public Goods Charge (PGC) and Procurement
Funding Requests.

Application 08-07-021
(Filed July 21, 2008)

And Related Matters.

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Application 08-07-031

**REPLY COMMENTS OF ROCKY BACCHUS REGARDING ALJ
GAMSON RULING ON EM&V ISSUES, FILED NOVEMBER 20, 2009**

Rocky Bacchus
6501 Tarascas Street
El Paso, Texas 79912

December 18, 2009

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OF THE STATE OF CALIFORNIA**

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I. Introduction & Background

Rocky Bacchus (hereafter “Bacchus”) is an energy consultant specializing in utility air conditioning programs in the Southwest USA and is working in cooperation with Beutler Corporation (the USA's largest residential A/C installer), Enalaysys Corporation, certain air conditioning manufacturers and other clients. Beutler is headquartered in Sacramento Ca. with installation operations focused in California’s hot central valley (installations from Bakersfield to North of Sacramento). Beutler is 63 years old and typically installs over 10% of the entire State of California’s new home air conditioning each year, which is up to 25,000 air conditioning units per year. Enalaysys Corporation is the largest verifier of Quality Air Conditioning installation measures in the state of California.

The IOU program managers and Energy Division HVAC representatives have universally expressed a desire to have successful HVAC programs in accordance with the Big Bold Strategy. In November 2009 the Western HVAC Performance Alliance (WHPA), Charter was adopted by the IOUs and a wealth of industry participants. We have participated in WHPA and Rocky Bacchus Chairs the WHPA committee on Quality HVAC Maintenance (QM). Only a statement issued by WHPA’s Steering Committee can speak for WHPA, and so while we may advocate for

action by WHPA, and describe activities of WHPA, we do not speak for WHPA in these comments. With the above background information we herein file Reply Comments on ALJ Gamson's Ruling and Questions on EM&V.

II. Reply Comments

In their Opening Comments, DRA, TURN, NRDC, SCE, PG&E, SCG, SDG&E and others have a great deal of agreement. In simple terms it seems that the issues are:

1. Who should have control over the EM&V budget?
2. Should some portion (more than 15%) be allocated to the exclusive control of the IOUs?
3. How should dispute resolution be handled?
4. Should Behavior based programs be allowed soon or studied a lot longer?

We highly recommend the statement of SCE,

"...looks forward to continuing to work cooperatively with the Energy Division and others on this important matter." (Page 2 SCE Opening)

I want to share a short example that I believe is the key to making this program work well. I am using names because I want to congratulate them all! On 12/15/2009 there was a Residential Retrofit EM&V results Webinar moderated by Mikhail Haramati (of Energy Division). During the meeting there were questions on NTG and Shahana Samiullah (of SCE) was somehow dropped from the line and had trouble getting back on. After Shahana got back on the line and explained the problem, Mikhail volunteered to schedule an additional Webinar for the following Monday (to review NTG) and followed through to let people weigh in on acceptable times for the webinar. The added Webinar is now scheduled for Monday (4 days later). I want to give kudos to both Shahana for treating Mikhail with great respect and courtesy and kudos to Mikhail for taking action to overcome a problem and provide for good communications.

With the above story, I want to say if Energy Division will show this kind of leadership and the IOUs show this kind of respect and cooperation, most of the work will progress much more

productively, with more accurate results and lower costs! Based on what I am seeing and in response to the opening comments, I suggest the following:

- 1) Energy Division should have this opportunity to lead in EM&V and have the overall control. If Energy Division uses this authority well, there will be greater overall satisfaction with the EM&V. Clear authority in Energy Divisions hands will avoid lots of potential conflict.
- 2) Assign some fixed amount to the IOUs to have independent control over. They shouldn't have to run to Energy Division for every matter. A lot of contention will be avoided if a fixed amount is assigned and 15% is probably too low. Even if there is some lack of coordination, and some duplication occurs, overall productivity will be higher and overall cost will be lower.
- 3) Disputes should have a formal, clear resolution process, and recognizing #1 above, Energy Division should be in charge until a dispute ultimately goes up to the Commission.
- 4) We can study things forever and not find out as much as launching some limited programs. Given the need for the Efficiency Savings, Behavior based programs should be allowed to start immediately and be closely monitored?

It is also important to allow the input of the industry. Alliances like the WHPA can contribute enormously and both cut costs by participating, and there are already industry offers to cost share on EM&V. With collaborative cooperation, I believe we can get better EM&V with the new 4% budget cap than was previously done with nearly twice the cost. One closing request is that more time be given for industry input. For reports to come out (without advance notice of release dates) and expect comments in just a few days is not ideal for industry participation. I hope that Energy Division can figure out how to allow more notice time on reports, and/ or allow industry more time to respond.

Conclusion

I thank the Commission and ALJ Gamson for the opportunity to comment. I very much

appreciate the opportunity for collaboration with full transparency.

We request consideration of our two issues with the program relating to EM&V:

- 1)** The HVAC EM&V budget should be closer to \$11.4M and not just \$4.6M.
- 2)** The existing HVAC QI/QM measures should continue without a gap in operation while the EM&V evaluations are going forward throughout 2010.

We request consideration of our comments and look forward to further discussions as the programs move forward.

Respectfully submitted,

Rocky Bacchus

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December 18, 2009

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of this **REPLY COMMENTS OF ROCKY BACCHUS REGARDING ALJ GAMSON RULING ON EM&V ISSUES, FILED NOVEMBER 20, 2009** on all parties of record in proceeding **A.08-07-021** by serving an electronic copy on their email addresses of record and by mailing a properly addressed copy by first-class mail with postage prepaid to each party for whom an email address is not available.

Executed on December 18, 2009.

Rocky Bacchus

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