

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking to Examine the Commission's post-2005 Energy Efficiency Policies, Programs, Evaluation, Measurement and Verification, and Related Issues.

Rulemaking 06-04-010
(Filed April 13, 2006)

**ADMINISTRATIVE LAW JUDGE'S RULING
APPROVING EVALUATION, MEASUREMENT, AND VERIFICATION
CONTRACTORS FOR THE 2004-2005 STATEWIDE INDUSTRIAL ENERGY
USE SURVEY, SAVINGS BY DESIGN PROGRAM, AND BEST PRACTICES
STUDY; THE EVALUATION CONTRACTOR AND EVALUATION STUDY
PLAN FOR THE 2004-2005 STATEWIDE HOME ENERGY EFFICIENCY
SURVEY; AND THE EVALUATION STUDY PLAN FOR THE 2004-2005
STATEWIDE EMERGING TECHNOLOGIES PROGRAM**

Summary

This ruling approves the joint selection of Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company (collectively referred to as "the utilities") for the evaluation, measurement, and verification (EM&V) contractors of the 2004-2005 Statewide Industrial Energy Use Survey, Savings By Design Program, and Best Practices Study; the evaluation contractor and the detailed study plan for evaluation of the 2004-2005 Statewide Home Energy Efficiency Survey; and the detailed study plan for evaluation of the 2004-2005 Statewide Emerging Technologies Program.

Background

On September 23, 2003, the utilities submitted to this Commission's Energy Division their joint plans for 2004-2005 statewide programs and other

overarching studies. By Decision (D.) 03-12-060, the Commission found that these plans were not complete, and directed the utilities to submit to Energy Division staff more detailed EM&V plans for these programs. The Commission delegated to the assigned Administrative Law Judge (ALJ) the authority to approve final evaluation plans and selected contractors, or direct changes to them. In particular, Ordering Paragraph 13 of D.03-12-060, as modified by D.04-02-059, states:

“Utilities shall jointly develop, file, and serve, within 60 days of the effective date of this order, in consultation with the Energy Division and through available informal mechanisms, a plan for the conduct of evaluation activities related to their statewide programs and overarching studies. The utilities should make demonstrable efforts to expand and vary the entities with which they contract to perform these duties. We delegate authority to the assigned ALJ, in consultation with the Energy Division and the Assigned Commissioner, to review and approve the plans for the statewide evaluation studies, overarching studies, and the selected contractors for these studies.”

On March 18, 2004, in response to this direction, the utilities submitted more detailed EM&V plans for the 2004-2005 statewide programs. Energy Division staff responded on May 11, 2004, by email informing the utilities that the next deliverable to the Energy Division should be their recommended evaluation contractors for these studies, followed by the detailed final evaluation plans developed with the approved contractors.

In response, on April 12, 2006 Southern California Edison Company submitted for approval on behalf of the utilities the evaluation contractors for the Statewide Industrial Energy Use Survey, Savings By Design Program and Best Practices Study, and the evaluation contractor and the detailed study plan for the 2004-2005 Statewide Home Energy Efficiency Survey. On April 17, 2006

ECONorthwest, the approved evaluation contractor, submitted for approval on behalf of the utilities the final evaluation study plan for the Statewide Emerging Technologies Program.

Energy Division has no objections to the selections of KEMA Consulting with subcontractors ASW Consulting and ADM Associates as evaluation contractor for the Industrial Energy Use Survey, RLW Analytics with subcontractor Architectural Energy Corporation as evaluation contractor for the Savings By Design Program, Itron as evaluation contractor for the Best Practices Study, and Opinion Dynamics as the evaluation contractor for the Home Energy Efficiency Survey. Energy Division's Master Evaluation Contractor Team reviewed and provided comments on the Home Energy Efficiency Survey evaluation study and the Emerging Technologies evaluation study plan. Opinion Dynamics and ECONorthwest incorporated the comments and submitted the respective revised evaluation study plans. Energy Division recommends approval of the two final evaluation plans.

Accordingly, by this ruling I approve the contractor selections and the evaluation study plans. The utilities shall submit the detailed final evaluation plans for the Statewide Industrial Energy Use Survey, Savings By Design Program, and Best Practices Study developed with the contractors approved today to Energy Division for review as soon as practicable. As directed in Ordering Paragraph 13 of D.03-12-060, as modified by D.04-02-059, I shall review and approve the final plans in consultation with Energy Division and the Assigned Commissioner by subsequent ruling.

IT IS RULED that:

1. KEMA Consulting with subcontractors ASW Consulting and ADM Associates is the approved evaluation contractor for the 2004-2005 Statewide Industrial Energy Use Survey evaluation study.
2. RLW Analytics with subcontractor Architectural Energy Corporation is the approved evaluation contractor for the 2004-2005 Statewide Savings By Design Program evaluation study.
3. Itron is the approved evaluation contractor for the 2004-2005 Statewide Best Practices Study evaluation study.
4. Opinion Dynamics is the approved evaluation contractor for the 2004-2005 Statewide Home Energy Efficiency Survey evaluation study.
5. The evaluation study plan for the 2004-2005 Statewide Home Energy Efficiency Survey is approved.
6. The evaluation study plan for the 2004-2005 Statewide Emerging Technologies Program is approved.
7. The final evaluation plans for the Statewide Industrial Energy Use Survey, Savings By Design and Best Practices studies shall be addressed by subsequent ruling, as discussed herein.
8. This ruling shall be served on the service list in this proceeding. For this purpose, those organizations and individuals listed under the state service list and information-only categories will be served electronically only.

Dated April 20, 2006, at San Francisco, California.

/s/ MEG GOTTSTEIN by JANET ECONOME

Meg Gottstein
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail and electronically this day served a true copy of the original attached Administrative Law Judge's Ruling Approving Evaluation, Measurement, and Verification Contractors for the 2004-2005 Statewide Industrial Energy Use Survey, Savings By Design Program, and Best Practices Study; the Evaluation Contractor and Evaluation Study Plan for the 2004-2005 Statewide Home Energy Efficiency Survey; and the Evaluation Study Plan for the 2004-2005 Statewide Emerging Technologies Program and all appearances of record in R.01-08-028 and A.05-06-004 *et al.* or their attorneys of record. I have also served electronically those organizations and individuals listed under the state service and information-only categories in R.01-08-028 and A.05-06-004 *et al.*

Dated April 20, 2006, at San Francisco, California.

/s/ TERESITA C. GALLARDO
Teresita C. Gallardo

N O T I C E

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