

**ATTACHMENT A:
Final Reply Comments of Southern
California Gas Company,
A.17-01-013 (and related matters)
(October 13, 2017)**



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

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Application of Southern California Edison Company
(U338E) for Approval of Energy Efficiency Rolling
Portfolio Business Plan.

Application 17-01-013
(Filed January 17, 2017)

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Application 17-01-015
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**FINAL REPLY COMMENTS OF
SOUTHERN CALIFORNIA GAS COMPANY (U 904 G)**

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I. INTRODUCTION

On September 25, 2017, several parties to this proceeding filed their final opening comments, pursuant to the Administrative Law Judges' Ruling seeking a round of final comments and reply comments, intended to allow parties to wrap up any additional subjects not already covered and/or to supplement the record in this proceeding with more comprehensive comments on the full breadth of the proceeding issues.

The Office of Ratepayer Advocates (ORA) filed comments that included approximately ten pages¹ of unfounded accusations alleging wrongdoing by SoCalGas. In the later stages of discovery, ORA issued two focused data requests inquiring about two very specific topics under the broader category of Codes & Standards: (1) a Department of Energy (DOE) Notice of Proposed Rulemaking in the 2015 timeframe on proposed furnace-related energy efficiency standards (Furnace Rule), where SoCalGas took a different position from Pacific Gas and Electric

¹ See Final Comments of the Office of Ratepayer Advocates on Energy Efficiency Program Administrators' Business Plan Applications (ORA Comments) (September 24, 2017), pp. 5-16.

Company (PG&E); and (2) a California Energy Commission (CEC) rulemaking on tub spout diverter efficiency methods, where SoCalGas is taking a leading role on behalf of the IOUs, efforts for which are ongoing. Although ORA issued the identical data requests to the four IOUs, it is now readily apparent that ORA was intent on targeting SoCalGas, in an attempt to portray the gas-only utility as a “bad actor” in the arena of energy efficiency.

Relying on selected quotes contained in company emails, ORA alleges that SoCalGas used ratepayer funds to engage in a concerted effort to undermine the State’s energy efficiency goals. The allegations are misleading and contradicted by the very documents ORA relies upon, such that the only appropriate response is a Motion to Strike, which SoCalGas is concurrently filing. Rather than devoting a large portion of these reply comments to respond to each and every baseless allegation contained in ORA’s comments, SoCalGas asks the Commission to refer to the Motion to Strike. This way, reply comments can focus on the relevant, productive, and forward-looking issues pertaining to the energy efficiency business plans, as the program administrators seek to deliver energy efficiency programs in line with newly adopted goals and under the framework known as the rolling portfolio process. Notwithstanding, SoCalGas’ work in Codes & Standards is addressed, as well as why ORA’s recommendations to have SoCalGas removed from Codes & Standards are imprudent and without merit.

II. CODES & STANDARDS

A. SoCalGas’ Strong Support for Energy Efficiency

SoCalGas has a long history of supporting energy efficiency in California, of prudent stewardship of ratepayer funds, and of achieving the aggressive environmental goals of the State of California. For over 30 years, SoCalGas has successfully delivered energy efficiency programs in California. In 2016, SoCalGas demonstrated the success of its energy efficiency programs

partnering with customers to save more than 35.9 million therms, which represents nearly 124% of the energy efficiency goal established by the Commission.² As part of SoCalGas' commitment to help California meet its goal of greenhouse gas (GHG) emission reductions, its energy efficiency programs reduced nearly 360,000 tons of carbon dioxide in 2016 alone. From 2013 to 2016, SoCalGas saved a total of 105.5 million therms, with 34.7 million therms attributed to Codes & Standards efforts.³ Further, at SoCalGas, sustainability and being a responsible environmental steward is a fundamental part of doing business. SoCalGas actively works to reduce the environmental impact of its operational practices in furtherance of meeting the State's stringent environmental mandates. SoCalGas assists customers to reduce their environmental footprint through education and outreach programs aimed at efficient energy usage. SoCalGas partners with publicly owned utilities, other IOUs, and water districts to deliver comprehensive gas, electric, and water efficiency measures to customers throughout its territory.

As the State's largest gas-only utility, SoCalGas' Codes & Standards efforts largely contribute to natural gas energy efficiency, since that is where its expertise lies. Yet it is supportive of an overall prudent energy efficiency portfolio, and is more often than not aligned with the other IOUs. Since 2014, SoCalGas has participated in over ten DOE rulemakings, filed seventy comment letters in response to seventeen CEC pre-rule or rulemakings for Title 20, and supported the 2016 and 2019 Title 24 Code Cycles through the IOUs' forty-four Codes & Standards Enhancement (CASE) initiatives.⁴ SoCalGas joined the IOUs' comments to all

² Southern California Gas Company (U 904 G) Energy Efficiency Programs 2016 Annual Report, May 24, 2017, accessible at <http://eestats.cpuc.ca.gov>.

³ Southern California Gas Company Energy Efficiency Programs Annual Reports, 2013-2016, accessible at <http://eestats.cpuc.ca.gov>.

⁴ DOE Rulemakings found at www.Regulations.gov; Title 20 rulemakings found at www.Energy.ca.gov; Title 24 rulemakings found at www.Title24stakeholders.com.

seventeen CEC Title 20 pre-rule and rulemakings. SoCalGas submitted independent comments in only two of the ten DOE rulemakings, among which was the Furnace Rule. The other IOUs have likewise abstained from commenting or filed individual comments.⁵ While the IOUs strive for statewide alignment in DOE advocacy, an IOU either abstaining from a comment letter or filing separately to provide different viewpoints is not isolated to SoCalGas, and cannot credibly be viewed as advocating against the State's energy efficiency goals.

Additionally, SoCalGas has worked diligently to co-fund and lead multiple measures within the Codes & Standards subprograms. SoCalGas has developed nine co-funding agreements and 27 contracts within the Building Standards, Appliance Standards, Compliance Improvement, Reach Codes and Planning & Coordination Subprograms supporting the advancement of Codes & Standards both statewide and nationally.⁶ SoCalGas has been the lead on behalf of all IOUs for the Title 24 Drain Water Heat Recovery CASE Report, and the Title 20 Tub Spout Diverters rulemaking. This is in stark contrast to ORA's portrayal of SoCalGas as a utility disassociating itself from the other IOUs to work against the State's energy efficiency goals.

B. SoCalGas' Advocacy Aligns with and Promotes the Goals of the Statewide Program Implementation Plan (PIP)

ORA's attempt to denigrate SoCalGas' contributions to the achievement of energy efficiency goals, and ultimate motive to remove SoCalGas from its role in Codes & Standards, is misguided. SoCalGas has conducted Codes & Standards advocacy efforts in accordance with the

⁵ See e.g., Exhibit A, Ex-01 (SoCalGas response to Question 7 of DR-ORA-A1701013-SCG004). See also, DOE Energy Conservation Standards for Residential Conventional Cooking Products, <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0005-0067>

⁶ All contract data was provided to ORA through data request ORA-008. Co-funding agreements were not included, as other IOUs held these contracts.

approved Statewide Program Implementation Plan (PIP).⁷ As an administrator of energy efficiency programs, SoCalGas has a responsibility to study, scrutinize, and ultimately comment on matters that impact natural gas energy efficiency in California. The contributions of organizations such as the American Gas Association (AGA), American Public Gas Association (APGA), and Gas Technology Institute (GTI) are instrumental in evaluating the claims of cost-effectiveness as contained in the DOE's Furnace Rule, especially where there is a dearth of voices willing to bring to light analyses, and at times, criticisms, of energy efficiency rules, regulations, or measures that impact natural gas and gas customers. This is consistent with the PIP:

Advocacy also includes affirmative expert testimony at public workshops and hearings, participation in stakeholder meetings, ongoing communications with industry, and a variety of other support activities.⁸

As described in the PIP, SoCalGas and other IOUs are expected and encouraged to use reputable industry organizations such as AGA, APGA, and GTI, as well as consultants such as Negawatt and BIRAenergy, to benefit from their technical expertise in assessing the viability of Federal and State energy efficiency policy related to energy efficiency technologies. All activity conducted by SoCalGas through Codes & Standards advocacy was and continues to be within the guidelines of the PIP. SoCalGas is certainly not the only IOU that engages industry experts and consultants when evaluating energy efficiency rules, regulations, or measures.⁹

As part of the Statewide advocacy sub-program, SoCalGas will continue to advocate for sensible policies by collaborating with relevant industry experts to obtain the best and most recent

⁷ See 2013-2014 Energy Efficiency Programs Statewide Codes and Standards Program Implementation Plan (May 29, 2013). SoCalGas request that the Commission take official notice of this document, which can be accessed at: http://eestats.cpuc.ca.gov/EEGA2010Files/SCG/PIP/2013/Clean/6%20SW-%20SCG%20SW%20CS%20PIP%205_24_13.pdf

⁸ Program Implementation Plan, p. 2.

⁹ See Exhibit A, Ex-17-19.

information on natural gas efficiency technologies and potential impacts such as source energy reduction, cost-effectiveness, and consumer benefit. At times, there will be opposition to a particular proposed energy efficiency rule or regulation or measure, such as the Furnace Rule, which can have multiple organizations, experts, and utilities raising different points of view. Yet, these are all done in a very public and transparent forum, and nothing produced by ORA, including internal company emails, shows that SoCalGas' concerns about the Furnace Rule were inconsistent with its public comments. Indeed, the value of having DOE and CEC inviting feedback is enhanced, not hindered, by a broad range of evaluations, opinions, and recommendations, and not just unconditional support, as both DOE and CEC are charged with putting forth proposals that are both energy efficient and cost-effective.¹⁰

Therefore, the Commission should give no weight to any notion that SoCalGas engaged in subversive or undermining efforts against the State's goals, simply because it worked with industry organizations and experts, with subject-matter expertise, to thoroughly evaluate the DOE's proposed Furnace Rule.

C. SoCalGas Is a Key Contributor to Codes & Standards and Should Have a Continuing Role in Its Advocacy

ORA's Comments are quite clear that it views SoCalGas' efforts to study and raise concerns about the Furnace Rule as improper use of energy efficiency budget to undermine energy efficiency, such that it should have no continuing role in Codes & Standards. This is not supported by the record (as discussed in detail in the Motion to Strike concurrently filed in this

¹⁰ United States Department of Energy Methodology for Evaluating Cost-effectiveness of Commercial Energy Code Changes (August 2015). https://www.energycodes.gov/sites/default/files/documents/commercial_methodology.pdf; California Energy Commission Building Energy Efficiency Standards, April 2015. http://www.energy.ca.gov/commission/fact_sheets/documents/EE-Building_Energy_Efficiency_Standards.pdf

proceeding). ORA's flawed point-of-view, if given any weight, would create a chilling effect upon any IOU bringing to light any mistakes, faulty assumptions, or potential negative impacts regarding a proposed energy efficiency rule, regulation, or measure. ORA's singular focus on removing the State's sole gas-only utility program administrator, serving over 20 million gas consumers, from Codes & Standards, is particularly troubling, as if SoCalGas should either remain silent, or not be trusted, because of the service and expertise it provides. The plain reading of the comments SoCalGas submitted in the DOE's Notice of Proposed Rulemaking on the Furnace Rule¹¹ would dispel any notion that SoCalGas was advocating against energy efficiency or was working against ratepayer interests (see Motion to Strike).

SoCalGas is an integral voice in informing regulators of Codes & Standards as well as the broader issues impacting natural gas energy efficiency, rather than dismissing what the natural gas industry would have to contribute to energy efficiency. Federal and State regulators should welcome and desire a broad range of perspectives and analyses, even ones that are not supportive, to better inform their adoption of rules, regulations, and measures for the entire State. Even in the realm of the California Public Utilities Commission, raising concerns and issues should not be viewed as obstructionism. Recently, SoCalGas filed comments to the Commission's proposed decision in Rulemaking (R.) 13-11-005 adopting new energy efficiency goals for 2018-2030. SoCalGas raised what it determined to be errors in an analysis prepared by Navigant Consulting on behalf of the Commission.¹² In its final decision (D.) 17-09-025, the Commission stated:

SoCalGas also recommends further revisions to the potential and goals study, specifically regarding the assumptions for its behavioral programs and for Industry Standard Practice baselines. We agree with SoCalGas's proposed percent incremental

¹¹ See ORA Comments, Appendix C, Ex. 2.

¹² See Comments of Southern California Gas Company (U 904 G) on Proposed Decision Adopting Energy Efficiency Goals for 2018-2030 (September 14, 2017), pp. 5-7.

penetration for its behavioral programs, and Staff has adjusted the potential and goals study accordingly.¹³

While its IOU peers may sometimes voice contrary views or push for different priorities with respect to energy efficiency advocacy, this does not mean that SoCalGas is anything less than fully supportive of advancing energy efficiency and meeting the State's aggressive goals. And there is proof. SoCalGas has consistently delivered therm savings, as evidenced by its Energy Savings and Performance Incentive (ESPI) awards, which are reviewed and approved by Commission Staff.¹⁴ ORA is incorrect when it states that "ratepayer funding for shareholder incentives for managing codes and standards advocacy programs is to encourage and reward the utilities for their work advocating for more stringent codes and standards on ratepayers' behalf."¹⁵ The ESPI is "[a] management fee award for the IOUs advocacy of codes and standards."¹⁶ There is no requirement that management of Codes & Standards involve promotion of "more stringent" Codes & Standards such that advocacy for more stringency is the singular focus, over impacts to ratepayers and the environment.¹⁷

SoCalGas has put forth a Business Plan to outline for the Commission its goals, plans, and strategies to help achieve the State's goal to double Statewide energy efficiency by 2030. The IOU business plans should be the focus of these proceedings. ORA's attempt to use SoCalGas' advocacy efforts in 2014-2015 related to the Furnace Rule for the purpose of derailing the company's reputation and ignoring its quantifiable contributions in energy efficiency are a

¹³ D.17-09-025, p. 42.

¹⁴ 2013 Ex Ante: AL4661/ Resolution G-3497; 2013 Ex Post & 2014 Ex Ante: AL4826 & AL4859/ Resolution G-3510; 2014 Ex Post & 2015 Ex Ante: AL5024/ Resolution E-4807; 2015 Ex Post & 2016 Ex Ante: AL5182

¹⁵ ORA Comments at 6.

¹⁶ Energy Efficiency Shareholder Incentive Mechanism <http://www.cpuc.ca.gov/General.aspx?id=4137>

¹⁷ See D.13-09-023, Decision Adopting the Efficiency Savings and Performance Incentive Mechanism, where advocacy earnings are defined, and nowhere tied to "stringent" Codes & Standards.

distraction to the relevant issues in this proceeding. The motion to strike being concurrently filed discusses in detail why ORA's allegations are misleading and should be removed from consideration.

To summarize, SoCalGas should continue to promote and advocate for prudent and cost-effective gas energy efficiency Codes & Standards and technologies, even if this means sometimes taking a position that questions the validity or effectiveness of a particular rule, regulation, or measure, or that is not shared by other IOU program administrators. SoCalGas would be derelict in its duties relating to Codes & Standards if it simply rubber stamped every energy efficiency rule, regulation, or measure without thorough investigation.

III. REPLY TO PARTIES' OPENING COMMENTS

B. SoCalGas' Account Representative Energy Efficiency (EE) Activities Are Justified and Should Continue To Be Charged to the EE Balancing Account

ORA disagrees that third-party implementers will necessarily utilize utility personnel for customer acquisition or that this utility personnel should be charged to EE balancing accounts¹⁸ opining that those costs to ratepayers are unreasonable given the lack of justification.¹⁹ ORA attempts to marginalize the justification of maintaining the connectivity with customers to support their participation in third party programs, despite the fact parties have stressed their critical value.

In comments to the May 24, 2016 Ruling of Assigned Commissioner and Administrative Law Judge Seeking Input on Approaches for Statewide and Third-Party Programs, CLEAResult identifies the value that IOU account representation brings in a third party delivered setting:

If such [core and third party] programs were outsourced to different competing parties, it is unclear who would help customers

¹⁸ See ORA Comments at 34.

¹⁹ See Id. at 33.

navigate the options, ensure alignment of incentives in each program, and who would be the arbiter of choice – this is currently predominantly a role for utility account reps and utility program staff.²⁰

Additionally, Nexant indicates the necessity of IOU competency and expertise in the transition to the majority third party program portfolio:

The Commission should look to better utilize the utility/customer relationship to increase EE participation and delivery rather than marginalize the role of utilities in deployment of EE. Among all EE stakeholders, only the IOUs have a comprehensive view of customer needs, customer data, and other Demand Side Management (“DSM”) offerings.²¹

SoCalGas argues this importance in maintaining and leveraging the connectivity with the customer through customer engagement executed through account representatives and program staff to support successful program implementation by third-party providers.²² Given the directive in D.16-08-019, SoCalGas’ activities in this area is not intended to limit third-party vendors from offering these services, but to increase their success and effectiveness by leveraging the strong and long standing relationships the IOUs have with customers.

Further, while ORA argues that the IOUs have given “little indication of how they will redeploy resources in response to their changing roles and responsibilities as PAs as third parties take greater responsibility for the design and delivery of energy efficiency programs,”²³ given the changes made by the Commission in D.16-08-019 to third-party programs, SoCalGas reiterates that it is unknown what programs will be offered by third parties as part of the new portfolio and

²⁰ Comments of CLEARResult on Ruling of Assigned Commissioner and Administrative Law Judge Seeking Input on Approaches for Statewide and Third-Party Programs (June 17, 2016), p. 5.

²¹ Reply Comments of Nexant on Ruling of Assigned Commissioner and Administrative Law Judge Seeking Input on Approaches for Statewide and Third-Party Programs (July 1, 2016), p. 6.

²² See Southern California Gas Company’s (U 904 G) Energy Efficiency Program Solicitation Plan (August 4, 2017), p. A-1.

²³ See ORA Comments at 30.

what utility support will be required. Account representatives actively contribute to the success of energy efficiency programs. For example, since 2014, account representatives have been involved in delivering at least 8.6 million therms saved on average each year through SoCalGas' calculated incentive programs.²⁴ To make immediate changes to program administrators' resources in absence of any further information puts at risk significant energy savings opportunities and would be inconsistent with delivering on state goals, including SB 350. This valid complication is also recognized by third parties as stated by CLEAResult in final comments:

The Commission must recognize that the IOUs, and all program administrators, will be unable to address many questions regarding the maintenance and structure of the portfolios or of their ongoing activities until solicitations are actually underway and the market is allowed to respond. In particular, the IOUs will need to solicit a substantial portion of their new portfolios in order to ascertain the robustness of their future portfolio and therefore determine their own internal needs.²⁵

Therefore, SoCalGas maintains that the 2018 projection for account representatives to be charged to the EE balancing account are necessary and appropriate to ensure the successful continuity of EE programs as the portfolio transitions to third party programs. Given that the aforementioned charges are appropriate, SoCalGas request the Commission deny ORA's request to maintain account representative charges through non-tariff service agreements as they would add an unnecessary layer of complexity which may ultimately impeded the transition to the new third-party programs.

²⁴ Southern California Gas Company Energy Efficiency Programs Annual Reports, 2014-2016, accessible at <http://eestats.cpuc.ca.gov>.

²⁵ Final Comments of CLEAResult on Energy Efficiency Program Administrators' Business Plan Applications (September 25, 2017), p. 6.

C. The Commission Should Adopt a Streamlined Solicitation Process that Allows Program Administrators to Meet Timing Requirements in D.16-08-019 and Does Not Hinder the Bidder Community

1. SoCalGas Supports NRDC's Position on the Viability of the Commission's Contract Review

SoCalGas agrees with the Natural Resources Defense Council's (NRDC) statement regarding parties' requests for a formal contract review, "in practice, such a review is not viable given the current Energy Division workload."²⁶ At the June 16, 2017 Solicitation Workshop, Energy Division raised the same concern stating that this process would be burdensome and was unsure whether contracts could be reviewed in a timely manner considering the number of contracts to be submitted.

Several parties have recommended applying the supply-side energy resource procurement contract approval process to energy efficiency program contracts.²⁷ As stated in prior comments, SoCalGas believes this is unnecessary as it is redundant to the Commission's approval of the business plans.²⁸ ORA cites the energy resource procurement process as a guiding example to use for energy efficiency solicitations,²⁹ but they fail to acknowledge the specific reasons for which the process was put in place. The origins of the current electric energy procurement advice filing process was borne out of necessity to fill a timing gap created by the need of electric utilities to enter into energy contracts prior to the Commission's approval of the utilities' long-term

²⁶ Natural Resource Defense Council (NRDC) Opening Final Comments on Program Administrator Business Plans and Related Items (NRDC Comments) (September 25, 2017), p. 6

²⁷ See e.g., Response of the Office of Ratepayer Advocates to the Request for Comprehensive Solicitation Process Proposals (August 4, 2017), pp. 4-5; Coalition for Energy Efficiency Solicitation Process Proposal (August 4, 2017), pp. 6-7

²⁸ See Comments of SoCalGas to Other Parties' Energy Efficiency Program Solicitation Plan Proposals (August 18, 2017), p. A-5.

²⁹ See ORA Comments at 7.

procurement plans.³⁰ The Commission has already determined that a detailed energy efficiency business plan application – including a detailed program solicitation plan and annual budget advice letter – is the optimal way to review and approve the energy efficiency program portfolio while allowing public comment through a formal proceeding.³¹

Furthermore, a procurement advice letter process may encroach upon the confidentiality requirements ingrained in the solicitation process. The established trust between bidders and SoCalGas as it relates to the Request for Abstract/Request for Proposal process is predicated on SoCalGas’ ability to maintain strict confidentiality of all ideas and documents submitted by the bidders. Given that bidders provide proprietary competitive information including the conceptual design, cost effectiveness, proposed measure mix, and other information in their bids, requiring a public advice letter process where crucial bid details may be revealed, is neither fair or in the best interest of the bidder community, SoCalGas, or its customers. Such a process may completely undermine the trust that the bidder community has placed in the investor-owned utilities.

2. Third-Party Solicitations Should Be Fair and Unbiased for All Potential Vendors

Small Business Utility Advocates (SBUA) request the Commission to require that all program administrators (PAs) give preference to proposals put forth by small businesses and to larger businesses that include in their bid a commitment to subcontract at least 25% of their bid price to one or more small businesses.³² SBUA states that “the California Legislature recognizes the importance of small businesses and therefore requires State Agencies to give a 5% small

³⁰ Supra, Comments of SoCalGas to Other Parties’ Energy Efficiency Program Solicitation Plan Proposals, at A-5 – A-6.

³¹ See D.15-10-028 at 43, 47, and 123-124 (OPs 1 and 4)

³² See Final Comments Of Small Business Utility Advocates On Energy Efficiency Business Plans (SBUA Comments) (September 25, 2017), pp. 13-14.

business bid preference.”³³ Although SoCalGas supports small business development, many of which are our customers, SoCalGas’ focus is on providing a competitive platform for third party implementers to propose, design and deliver new program concepts. SoCalGas opposes any percentage of bid preference or special treatment which could result in a bias and unfair solicitation, limit the number of potential vendors willing to participate in the solicitation and impact the benefit to ratepayers.

Notwithstanding, SoCalGas has other channels to assure small and diverse business enterprises do business with us. Through SoCalGas’ Supplier Diversity Program, in 2016 SoCalGas totaled \$672.4 million in spending with diverse firms and hired a total of 682 diverse suppliers.³⁴ Through SoCalGas’ Smaller Contractor Opportunity Realization Effort (SCORE) program, in 2016 SoCalGas spent more than \$19.7 million with SCORE contractors.³⁵ The SCORE program identifies procurement opportunities at SoCalGas and matches them with qualified smaller diverse suppliers. SoCalGas’ supplier diversity has evolved into an integral part of our strategy and a core company value that is embedded in our culture.

D. The Commission Should Deny LGSEC’s Request for the Creation of an Energy Use Database and Public Access Portal

In comments, the Local Government Sustainable Energy Coalition (LGSEC) urges the Commission to create an energy database and public access portal based on the UCLA Energy Atlas model.³⁶ LSGEC asserts that “statewide access to an Energy Atlas tool will allow LGC [local government communities] to conduct the data analysis needed to establish local

³³ SBUA Comments at 14.

³⁴ See SoCalGas Supplier Diversity 2016 Annual Report and 2017 Annual Plan, p. 3. http://www.sempra.com/pdf/about/2017-SDGE_DBE_Annual_Report.pdf.

³⁵ See Id. at 5.

³⁶ See Final Comments of The Local Government Sustainable Energy Coalition (LGSEC Comments) (September 25, 2017), p. 10.

government program common metrics baselines and targets within the appropriate sectors.”³⁷ As previously noted by SoCalGas, LGSEC’s proposal is a concept that was previously considered but not authorized by the Commission in Rulemaking (R.) 08-12-009.³⁸ LSGEC’s energy database portal ignores the directives of the Phase III Smart Grid Decision, D. 14-05-016 (Privacy Decision), which concluded R.08-12-009.

The proposal is similar in form and function to the rejected Energy Data Center, and would, among other things, allow third parties such as local governments, which pursuant to the Privacy Decision have limited access to IOU customer data, full access to potentially sensitive data. The Privacy Decision notes that workshops held in R.08-12-009 concerning customer privacy in the provision of energy data to third parties suggested that “it might prove possible to address requests for data by establishing “use cases” and having the Commission determine whether current laws and regulations permitted the provision of data,”³⁹ and that, in regards to the Energy Data Center, use cases might ameliorate the need for a data center.⁴⁰ A use case (Use Case 1) was established to determine local governments access to covered and non-covered data. The Privacy Decision determined that “local government entities, like other third-parties, may obtain monthly energy usage data by zip code from utilities’ websites,”⁴¹ further noting that, “access to this data will enable cities to a certain extent to complete their climate action plans and promote general policies of EE, which are in the interest of Californians and customers.”⁴² In

³⁷ Id at 11.

³⁸ See Response of SoCalGas To Motion of The County Of Los Angeles, On Behalf Of Southern California Regional Energy Network For Approval Of Its Energy Efficiency Rolling Portfolio Business Plan And Local Government Sustainable Energy Coalition Statewide Local Government Program Energy Efficiency Business Plan Proposal (March 3, 2017), p. 16.

³⁹ D.14-05-016, p. 6.

⁴⁰ See Id.

⁴¹ Id. at 32.

⁴² Id. at 32.

regards to granular data, the Privacy Decision acknowledged that data is “extremely useful in assessing government energy programs,”⁴³ and so the Commission directed the utilities to “fulfill requests from local, city, and county governments and regional governmental entities for aggregated or anonymized energy data,”⁴⁴ and established a Data Request and Release Process (DRRP) for release of such data.⁴⁵

However, despite Commission guidance on this matter, LGSEC implies that obtaining data is limited and onerous, noting that “local government programs struggle to access IOU data.”⁴⁶ Furthermore, LGSEC claims that “Data access is an on-going struggle. Obtaining even very limited data often requires a significant and time-consuming administrative effort for each local agency. Often public disclosure is restricted for even limited available data.”⁴⁷ Publicly available usage data was part of the Privacy Decision. Currently, all the IOUs publish zip code level energy usage data broken out by market sector (Commercial, Residential and Industrial aggregated) according to the Commission’s rules for each sector. SoCalGas has been publishing quarterly data since 2014 and maintains 3 years’ worth of data online as part of its Energy Data Request and Release Program (EDRP).⁴⁸ Additionally, since SoCalGas initiated the EDRP, it has fulfilled 29 data requests for market sector aggregated data from local governments in its service territory.⁴⁹

⁴³ Id at 32.

⁴⁴ Id. at 33.

⁴⁵ Id. 34-35.

⁴⁶ Supra, LGSEC Comments at 8-10.

⁴⁷ Id. at 8.

⁴⁸ See <https://energydatarequest.socalgas.com/>.

⁴⁹ See Advice Letter No. 5199, SoCalGas Quarterly Notice on the EDRP (October 6, 2017), Attachment A.

Notwithstanding, LGSEC asserts that “an independent, third party, non-profit program administrator is needed to replace the current unorganized, disaggregated and inefficient IOU program administration”⁵⁰ and that doing so would solve the “data gathering and dissemination protocols that differ from utility to utility.”⁵¹ As discussed above, the Privacy Decision established the Data Request and Release Process, a protocol for IOUs to follow when providing customer usage data to eligible third-party requestors. A new program administrator will not change the privacy rules established by the Commission and solve the issues raised by LGSEC.⁵² As such, SoCalGas strongly urges the Commission to take no action in furtherance of such proposal until all questions concerning customer privacy in such an effort have been fully addressed by the Commission. Denying LGSEC’s request would ensure that LGSEC’s proposal be consistent with the Commission’s directives in its Privacy Decision, and by which the utilities must comply.

E. Regional Energy Network (REN) Business Plans

1. The Commission Should Deny the REN Business Plan Applications Until REN Pilots Are Evaluated

Southern California REN urges the Commission to approve its business plan because its “portfolio supports the Commission’s needs and delivers strategies motivating customers to adopt more comprehensive energy efficiency approaches.”⁵³ Similarly, 3C-REN urges the Commission to approve its business plans to provide the service and support needed in the Tri-County Region.⁵⁴

⁵⁰ Supra, LGSEC Comments at 2.

⁵¹ Id. at 2.

⁵² See Id. at 2.

⁵³ The County Of Los Angeles On Behalf Of The Southern California Regional Energy Network (CPUC #940) Final Comments On The Energy Efficiency 2018-2025 Rolling Portfolio Business Plan Applications (September 25, 2017), p.4.

⁵⁴ Final Comments of the County of Ventura on behalf of 3C-REN, TRI-County Regional Energy Network (September 25, 2017), p. 4.

As previously stated in SoCalGas comments,⁵⁵ the Commission established the objectives for Regional Energy Network (RENs) and authorized the funding for approved program offerings of RENs as pilots in D.12-11-015.⁵⁶ In D.16-08-019, the Commission reiterated that RENs should continue to focus on: “activities that utilities cannot or do not intend to undertake; pilot activities where there is no current utility program offering, and where there is potential for scalability to a broader geographic reach, if successful; and pilot activities in hard to reach markets, whether or not there is a current utility program that may overlap.”⁵⁷ The REN business plan proposals⁵⁸ contain proposed activities beyond the existing offerings authorized by the Commission in D.12-11-015. As one of the objectives of a REN is to fill gaps in IOU offerings, the proposed new activities, as described in the SoCalREN proposal,⁵⁹ for Codes & Standards, finance (modified PACE), and workforce education and training (WE&T) are either duplicative of current and/or planned efforts by SoCalGas and Southern California Edison Company (SCE) or inconsistent with the Commission policy for proper use of energy efficiency ratepayer funds.

SoCalGas requests that the Commission not approve the RENs business plans. SoCalGas believes it is premature to approve such proposals when the Commission has yet to evaluate the success of REN pilots. In D.09-09-047 the Commission noted that “we intend to scrutinize pilot programs to ensure they achieve their objectives before allowing these programs to become more

⁵⁵ Response of SoCalGas To Motion of The County Of Los Angeles, On Behalf Of Southern California Regional Energy Network For Approval Of Its Energy Efficiency Rolling Portfolio Business Plan And Local Government Sustainable Energy Coalition Statewide Local Government Program Energy Efficiency Business Plan Proposal (March 3, 2017), p. 2.

⁵⁶ See D.12-11-015, pp. 7-16.

⁵⁷ D.16-08-019 at 11.

⁵⁸ See Motion of the County of Los Angeles, On Behalf of Southern California Regional Energy Network For Approval Of Its Energy Efficiency Rolling Portfolio Business Plan; Motion of the Local Government Sustainable Energy Coalition Statewide Local Government Program Energy Efficiency Business Plan Proposal; and Motion of the 3C-REN, Tri-County Regional Energy Network, For Approval of Its Residential Energy Efficiency Rolling Portfolio Business Plan and Budget Proposal. (January 23, 2017).

⁵⁹ SoCalREN at 9-10.

permanent,”⁶⁰ much less expanding them. There is a need for RENs to achieve their current objectives before expanding beyond the RENs’ current offerings. SoCalGas supports continued funding of existing RENs as pilots where (1) they demonstrate value and success in their non-resource programs to direct deeper retrofits and further energy savings, and (2) they adhere to the criteria set forth in D.12-11-015 and reiterated in D.16-08-019. SoCalGas maintains that the most prudent course of action is to complete the evaluation of REN pilots before new REN activities or new RENs are authorized.

However, should the Commission decide to approve the RENs’ proposals, SoCalGas urges the Commission to direct RENs to coordinate with the IOU PAs to avoid any duplication of efforts. As previously discussed in comments, SoCalGas has identified several areas that would result in the duplication of efforts beyond what is practical for engaging the hard-to-reach population and underserved market segments.⁶¹ In order to provide a clear and customer-friendly energy efficiency landscape that responsibly utilizes ratepayer funding, the possibility of duplication should be addressed at the forefront.

2. IOU Program Administrators are the Best Fit to Administer Local Government Programs

LGSEC asserts that “no single IOU would be appropriate to administer this [local governments] program....”⁶² SoCalGas respectfully clarifies that no IOU program administrator has proposed statewide administration of local government programs (LGPs). Furthermore, the Commission has not issued any specific direction requiring the IOUs to propose a statewide lead for LGP. In fact, in D.16-08-019 the Commission concluded that “Local Government Programs

⁶⁰ D.09-09-047, p. 47.

⁶¹ Supra, SoCalGas Response to Motion at 7-10.

⁶² LGSEC Comments at 3.

may be, but should not be required to be, handled in a statewide manner.”⁶³ Furthermore, the Commission directed that “all business plans should also include strategies for improving the consistency of LGP administration statewide.”⁶⁴ The IOUs recognize that there is still much room for improvement on local government programs and are working closely with local partners to drive toward greater consistency across the state, while allowing partners to retain their ability to tailor programs to their local needs.⁶⁵

F. The IOUs’ Downstream Program Pilots Are in Accordance with Commission Direction and Should be Approved

ORA claims that the “IOU’s proposals to pilot specific programs is counter to the intent of the Commission in D.16-08-019, that going forward ‘all program design and delivery would be presumed to be conducted by third parties, unless the utility specifically made a case for why the program activity must be conducted by utility personnel.’”⁶⁶ ORA misinterprets the referenced decision, which refers exclusively to third-party programs, specifically in the large commercial sector,⁶⁷ and not the Commission’s directive to pilot the statewide approach for the downstream programs to be proposed by PAs. The IOUs’ proposals for statewide downstream program pilots are in accordance with Commission direction as stated in D.16-08-019⁶⁸ and align with the IOUs’ commitment to provide their customers with the most comprehensive energy efficiency experience with the goal of delivering simple, clear and effective offerings. Further, the Commission has required that four programs be piloted on a Statewide basis and proposed in the

⁶³ D.16-08-019 at 104 (Conclusion of Law 53).

⁶⁴ *Id.*

⁶⁵ See Pacific Gas and Electric Company Business Plan, Appendix D to Public Sector; San Diego Gas & Electric Company Business Plan, p. 127; Southern California Edison Company Amended Business Plan p.197; SoCalGas Business Plan (January 17, 2017), p. 287.

⁶⁶ ORA Comments at 16-17.

⁶⁷ See D.16-08-019 at 73.

⁶⁸ See *Id.* at 111 (OP 9).

business plans.⁶⁹ The four downstream programs presented by the IOUs fulfill this obligation and should be approved.

G. MCE's Proposals

1. Downstream Liaison Solution Creates Barriers to Broader Third-Party Solutions and Should be Rejected

MCE proposes to assume the role of a downstream liaison, a single point of contact, and limit program offerings to customers within its electric service territory by precluding PG&E and third-party downstream programs from delivery in MCE's service area.⁷⁰ This proposal allows for prioritization of some PAs over others, affording one PA the power to select and deny programs that can negatively impact customer choice and participation. Furthermore, MCE's approach could create market uncertainty and limit customer choice and participation by having MCE choose programs on customers' behalf. As raised by SoCalGas' protest of MCE's application,⁷¹ MCE does not have a compelling basis for excluding any energy efficiency programs to customers in a shared territory. Given the potential negative impacts to customer choice and participation, MCE's proposal, which provides potential barriers to the ability of Program Administrators operating within MCE's territory, may make it more challenging to achieve a cumulative doubling of energy efficiency savings.

MCE's proposal is in contrast with the vary statute of the CCA formation in which a program is required to "advance the public interest" and to "accommodate the need for broader statewide or regional programs."⁷² While MCE notes that its proposal encourages PAs to plan in

⁶⁹ Id.

⁷⁰ See Final Comments of Marin Clean Energy on Energy Efficiency Business Plans (September 25, 2017) (MCE Comments), p. 15.

⁷¹ See Protest of Southern California Gas Company (U 904 G) To Application of Marin Clean Energy For Approval Of Its Energy Efficiency Business Plan (March 3, 2017), pp. 4-7.

⁷² Public Utilities Code Section 381.1 (a).

advance to avoid overlap,⁷³ should the Commission allow MCE the right to preclude any program at any time, no amount of advanced planning will prevent program disruption.

2. Prior Commission Decisions Do Not Authorize MCE to Independently Administer Gas Programs and Any Gas Funding Should be Limited to Incidental Gas Savings

The Commission has twice asserted the limit to which MCE can access gas funding, first through D.14-10-046⁷⁴ and then D.15-08-010.⁷⁵ MCE, through contract with PG&E, administers electric programs with incidental gas savings, and in D.15-08-010 the Commission clarified any measures that produces gas savings are those that “simply complement MCE’s authorized electrical programs.”⁷⁶ In D.15-08-010 the Commission notes that they “limit funding under section 381.1 for CCA-administered programs to electricity, and not gas programs...because the funding source for CCA-administered programs under Section 381.1 is a non-bypassable charge on electricity, not gas, and because CCAs provide only electricity, and not gas, to their customers.”⁷⁷

MCE incorrectly interprets D.14-10-046 Ordering Paragraph 26 and uses it to argue to independently administer gas programs contrary to the overall intent of D.14-10-046, Public Utilities Code Section 381.1, and D.15-08-010.⁷⁸ Through its budget outline, MCE’s request for gas funds constitute up to 80% (\$54 million) of their total budget.⁷⁹ Previous analysis done by PG&E pointed out MCE’s over-reliance on gas-only measures, not on dual-fuel measures which

⁷³ See MCE Energy Efficiency Business Plan, Section 4.3 (January 17, 2017), p. 13.

⁷⁴ See D.14-10-046, p. 120.

⁷⁵ D.15-08-010 at 6-7.

⁷⁶ D.14-10-046 at 120.

⁷⁷ D.15-08-010 at 3

⁷⁸ See Reply Comments of Marin Clean Energy on Scoping Memo and Ruling of Assigned Commissioner and Administrative Judge (June 29, 2017), p. 2.

⁷⁹ See MCE Comments at 10, Table 1.

they are authorized to implement.⁸⁰ MCE's business plan, moreover, does not clearly indicate where and how there are electric measures with significant gas savings or whether they are cost-effective. MCE should not be allowed to administer gas-only programs; rather, the Commission should limit MCE to gas funds where there are incidental gas savings from the installation of an electric measure.

H. The Commission Should Reject TURN's Proposal to Create a Total Resource Cost Levelized Cost of Energy Metric

Commission should reject TURN's proposal to create a total resource cost (TRC) levelized cost of energy (LCOE) metric as the TRC includes cost inputs that are outside the control of the PA. Specifically, the TRC calculation is heavily influenced by an estimated incremental measure cost (IMC) value. Since the IMC estimate is outside the control of the PA, the PA cannot influence the outcome of a TRC levelized cost metric to show improved cost performance. In contrast, the cost values to the PAC are under the PA's control. ORA states: "Because the PAC contains only costs that the PAs directly control, ORA recommends the Commission order performance targets for each PA's LCOE using the PAC. PAs should also track LCOE calculated using the TRC, however we do not recommend specific targets for LCOE based on the TRC."⁸¹ SoCalGas agrees with ORA's recommendation to rely on a PAC-only LCOE metric. SoCalGas also supports the continued reporting of the TRC LCOE as part of the annual energy efficiency report.

SoCalGas also prefers a PAC LCOE metric at the portfolio level only. Contrary to ORA's recommendation to apply a PAC LCOE metric at the sector level,⁸² SoCalGas believes this may

⁸⁰ See Response Of Pacific Gas and Electric Company (U 39 M) To Comments on Attachment A of the Scoping Memo and Ruling and To Attachment B Questions (June 29, 2017), p. 4.

⁸¹ ORA Comments at 20.

⁸² See Id.

be at odds with the Commission's current policy of applying the TRC and PAC tests at only the portfolio level. As stated in SoCalGas' metric filing:

At the sector-level, a levelized cost metric may likely send a signal to PAs to constrain investment in longer-term energy efficiency (i.e., energy efficiency investments/technologies not yet cost-effective but may prove so in the future) to reduce costs, thereby creating greater importance on cost-effectiveness at the discrete sector levels. This approach could be viewed as contrary to current Commission policy which applies cost-effectiveness monitoring at the portfolio level. SoCalGas suggests to the Commission that the levelized cost metric be applied exclusively at the portfolio level.⁸³

I. The Definitions of Behavioral Programs Should Be Reevaluated

SoCalGas supports the recommendations of SDG&E and PG&E to have the Commission discard the existing definition of behavioral programs and adopt a broader definition that can capture all possible EE savings potential.⁸⁴ Senate Bill (SB) 350 requires the Commission to update policies to achieve deeper savings through behavioral programs.⁸⁵ It is important for the Commission to consider all potential savings of behavioral programs and reevaluate its limits on those programs in order to meet the requirements of SB 350. Additionally, alternative measurement techniques for the next generation of behavior programs should be explored through Evaluation, Measurement & Verification.

⁸³ Southern California Gas Company's (U 904 G) Revised Sector-Level Metrics Proposals (July 14, 2017), Appendix 1, p. 4.

⁸⁴ Pacific Gas and Electric Company's (U 39 M) Opening Comments On The Energy Efficiency Business Plans (September 25, 2017), at 44-45; Opening Comments Of San Diego Gas & Electric Company (U 902-M) On Issues Raised In Proceeding (September 25, 2017), at 11.

⁸⁵ Public Utilities Code §399.4 (d) (3).

EXHIBIT A

ADDITIONAL EVIDENCE

Exhibit #	Data Request	File Name	Description
01	ORA-A1701013-SCG004	<ORA-A1701013-SCG004>	SoCalGas Response to ORA Data Request SCG 004.
02	ORA-A1701013-SCG004	<RE_LCC Considerations DOE Furnace Proceedings>	Email between SoCalGas and PG&E in Feb-March 2015 timeframe regarding DOE Furnace Rule proceeding.
03	ORA-A1701013-SCG004	<031215_A>	Emails between SoCalGas and GTI regarding analyzing impact of Furnace Rule on fuel-switching and impact to customers.
04	ORA-A1701013-SCG004	<032715_A>	Internal SoCalGas communication describing status of position on Furnace Rule as of March timeframe, stating continued support for higher efficiency levels in natural gas appliances and equipment and its first priority to assess the impact to SoCalGas customers.
05	ORA-A1701013-SCG004	<072815_A>	Internal SoCalGas communication containing a proposed note in response to PG&E's question on SoCalGas' position on Furnace Rule as of late July 2015.
06	ORA-A1701013-SCG006	<ORA-A1701013-SCG006>	SoCalGas Response to ORA Data Request SCG 006.
07	ORA-A1701013-SCG006	<041217_A>	Emails between SoCalGas and PG&E in mid-April 2017 discussing status of pending CASE Report, with discussion of SoCalGas inquiring into status.
08	ORA-A1701013-SCG006	<042417_A>	Emails with consultant, Negawatt, in late-April 2017 on status of work on measure.
09	ORA-A1701013-SCG006	<050417_A>	Email from Negawatt in early-May 2017 inquiring of SoCalGas whether additional information was provided by PG&E.
10	ORA-A1701013-SCG006	<051517_17>	Email from SoCalGas to PG&E in mid-May 2017 inquiring about status of information of tub spout diverters.

11	ORA- A1701013- SCG006	<051617_A>	Email between Negawatt and SoCalGas in mid-May 2017 regarding review of CEC presentation and statement that SoCalGas was still waiting for information from PG&E.
12	ORA- A1701013- SCG006	<051817_A>	Emails between PG&E and SoCalGas in mid-May 2017 stating Energy Source has not completed the analysis on the tub spout diverters.
13	ORA- A1701013- SCG006	<052217_C>	Emails between Negawatt and SoCalGas in late-May 2017 discussing review of PG&E attachments and possible additional lab work.
14	ORA- A1701013- SCG006	<052317_B>	Emails between PG&E and SoCalGas in late-May 2017 regarding SoCalGas taking the lead.
15	ORA- A1701013- SCG006	<061517_A>	Internal SoCalGas emails, and emails with NRDC in mid-June 2017 regarding NRDC's interest in tub spouts.
16	ORA- A1701013- SCG006	<062317_C>	Email reply from PG&E stating that "none of the other IOUs expressed concern" about SoCalGas' plan to not respond to the initial request.
17	ORA- A1701013- PGE006	<020215>	Example of other IOUs' collaboration with organizations and consultants.
18	ORA- A1701013- PGE006	<021215>	Example of other IOUs' collaboration with organizations and consultants.
19	ORA- A1701013- PGE006	<061915>	Example of other IOUs' collaboration with organizations and consultants.

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ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
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(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG004)

Department of Energy (DOE) Request for Information (RFI) on Executive Order 13771

QUESTION 1:

Provide all documents (draft and final) and all emails relating to DOE Rulemaking DOE_FRDOC_0001-3375, DOE's RFI pertaining to its implementation of Executive Order 13771 Reducing Regulation and Controlling Regulatory Costs.

RESPONSE 1:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. SoCalGas further objects to the production of the requested information to the extent and on the grounds it is confidential and protected from disclosure by the attorney-client privilege, the attorney work product doctrine, and other applicable privileges and protections. Subject to and without waiving these objections, SoCalGas responds as follows:

Please see attachments for all documents and emails relating to the DOE's RFI pertaining to its implementation of Executive Order 13771 Reducing Regulation and Controlling Regulatory Costs attached in Response_1.zip. This attachment is compiled in the following folders:

- Response_1_Docs: Draft and Final Documents
 - PGE_Provided_DraftFinalLetters: Draft Joint IOU letter led by PG&E
 - SCG_Draft_Final_Docs: SoCalGas draft and final letters
- Response_1_Emails: emails regarding rulemaking comments filed documents
- [CONFIDENTIAL] Response_1_Protected Information.zip, provided pursuant to Pub. Util. Code §583 and all applicable protections, and accompanied by Declaration.

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(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG004)

QUESTION 2:

Provide the date that the final letters were docketed to DOE and the docketed comment letters.

RESPONSE 2:

The final comment letter was docketed on July 14th, 2017 to the DOE, DOE_FRDOC_0001-3375, regarding the RFI on Executive Order 13771.

Please see FR-2017-05-30 DOE RFI SoCalGas Response.pdf within Response_2.zip as the copy of SoCalGas' final comment letter.

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DOE Residential Furnace Rulemaking

QUESTION 3:

Provide all documents (draft and final) and emails regarding DOE's Residential Furnace rulemaking since January 1, 2014 in any phase of the rulemaking.

RESPONSE 3:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. SoCalGas further objects to the production of the requested information to the extent and on the grounds it is confidential and protected from disclosure by the attorney-client privilege, the attorney work product doctrine, and other applicable privileges and protections. Subject to and without waiving these objections, SoCalGas responds as follows:

Please see attachments for all documents and emails relating to the DOE's Residential Furnace rulemaking, EERE-2014-BT-STD-0031, attached in Response_3.zip. This attachment is broken down into the following folders:

- 010917_R3: Documents (Draft and Final) for comments filed 01/09/17
- 051215_R3: Documents (Draft and Final) for comments filed 05/12/15
- 071415_R3: Documents (Draft and Final) for comments filed 07/14/15
- 101615_R3: Documents (Draft and Final) for comments filed 10/16/15

- Response_3_Emails: emails regarding rulemaking comments filed Documents

- [CONFIDENTIAL] Response_3_Protected Information.zip, provided pursuant to Pub. Util. Code §583 and all applicable protections, and accompanied by Declaration.

SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG004)

QUESTION 4:

Provide any analysis completed in response to these rulemakings.

RESPONSE 4:

SoCalGas objects on the basis that this question is vague and overbroad. Subject to and without waiving these objections, SoCalGas responds as follows:

Please see attachments for the analysis completed in response to the DOE Residential Furnace rulemaking attached in Response_4.zip and Response_4_071415_R4_LCC calcs.zip. Analysis documents have been grouped based on the date comments were docketed as indicated in Response 3.

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QUESTION 5:

Provide the dates of all comment letters submitted to DOE and all docketed comment letters or data.

RESPONSE 5:

The following table provides dates for all comment letters submitted to DOE. These final docketed comments and documents are provided in Response_5.zip filed corresponding to the date the comments have been posted.

Date Posted	Link & Attachment Names
01/09/2017	Link: https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0304 Attachment Names: <ul style="list-style-type: none"> • "SoCalGas Attch 02_GTI Analysis" • "SoCalGas Attch 01_Negawatt DOE Furnace SNOPR updated report 20161220" • "DOE Residential Furnace SNOPR - SoCalGas Comments 20160106"
10/16/2015	Link: https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0177 Attachment Names: <ul style="list-style-type: none"> • "DOE Furnace NODA Cover Letter" • "DOE Furnace NOPR Comments" • "GTI Analysis - 21779 Furnace NOPR Analysis Final Report 2015-07-15" • "Negawatt Analysis"
07/14/2015	Link: https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0132 Attachment Names: <ul style="list-style-type: none"> • "DOE Furnace NOPR Cover Letter" • "DOE Furnace NOPR Comments" • "GTI Analysis (includes privately owned rights disclaimer)" [see 10/16/15] • "CA LCC Tables" [two files] • "CA Switching Table" [two files]

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	<ul style="list-style-type: none">• "Negawatt Analysis"• "21779 Furnace NOPR Analysis Final Report 2015-07-15"
05/12/2015	<p>Link: https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0051</p> <p>Attachment Names:</p> <ul style="list-style-type: none">• "SoCalGas Request for Extension to Comment Deadline for Furnace Rule"

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(DATA REQUEST ORA-A1701013-SCG004)

DOE Rulemaking Non-Response or Non-Support

QUESTION 6:

Provide a list of all DOE rulemakings where you either did not comment on the proposed efficiency level or did not support DOE's proposed efficiency level (Trial Standard Level or TSL) or a higher efficiency level (TSL).

RESPONSE 6:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. Subject to and without waiving these objections, SoCalGas responds as follows:

Below please find the DOE rulemakings where SoCalGas did not support the proposed efficiency level:

- Energy Conservation Standards for Commercial Packaged Boilers - EERE-2013-BT-STD-0030
- Energy Conservation Standards for Residential Furnaces - EERE-2014-BT-STD-0031
- Energy Conservation Standards for Residential Conventional Cooking Products - EERE-2014-BT-STD-0005

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(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG004)

QUESTION 7:

Describe your rationale for not commenting on or for not supporting DOE's proposed efficiency level (TSL) for all rulemakings responsive to Question 6.

RESPONSE 7:

SoCalGas submitted comments to each of the rulemakings listed in question six. The following rationales have been provided below for each of the rulemakings.

SoCalGas provided comments in the DOE Rulemaking for the Energy Conservation Standards for Commercial Packaged Boilers proposing TSL 2, EERE-2013-BT-STD-0030. SoCalGas' provided rationale that supported TSL 1 instead of the proposed TSL given the concern that the DOE may be inadvertently disqualifying a significant amount of non-condensing equipment. Due to the upcoming changes to the commercial packaged boiler test procedure some cases may be forcing a shift to condensing equipment. Additionally, SoCalGas was concerned that the proposed ruling places an undue burden on California customers in particular. Final comments are docketed in <https://www.regulations.gov/document?D=EERE-2013-BT-STD-0030-0077>. [A copy of these comments](#). A copy of these comments (SoCalGas_Response_to_Com_Pkg_Boilers_Std_2016-06-22k.pdf) are provided in Response_7.zip.

In DOE Rulemaking for the Energy Conservation Standards for Residential Furnaces, EERE-2014-BT-STD-0031, SoCalGas did not support the DOE's proposed TSL 6. The analysis that was conducted showed that even with the split standard, it continues to be an economic hardship on Southern California customers. SoCalGas submitted two sets of analyses to the original NOPR that provided a comprehensive evaluation of the underlying inputs, assumptions and methods of DOE's life cycle cost (LCC) analysis and data filtered by region (California and Southern California). SoCalGas had also conducted a second analysis based on the updated LCC calculations and associated technical support document (TSD) released with the SNOPR. SoCalGas requested the DOE to review the summary of our findings and address all concerns with the TSD and LCC prior to issuing a final rulemaking. Final comments/documents are docketed in <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0304>. These comments are provided in Repsonse_5.zip in folder 010917_R5.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
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(A.17-01-016)

(DATA REQUEST ORA-A1701013-SCG004)

In DOE Rulemaking for the Energy Conservation Standards for Residential Conventional Cooking Products, EERE-2014-BT-STD-0005, the Southern California IOUs (SoCalGas, San Diego Gas & Electric and Southern California Edison) did not support the DOE's proposed TSL 2. The SoCal IOUs reviewed all product classes within the DOE proposed trial standard level TSL 2 and found all calculations and rationale for each to be reasonable, with the exception of Product Class 3 (gas cooking tops). To resolve this while maintaining the viability of commercial-style features, we supported TSL 2 but with efficiency level (EL) 0 for Product Class 3. Final comments are docketed in <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0005-0067>. A copy of these comments (SoCal_IOU_Res_Cooking_Products_Std_Comment_Letter_20161102.pdf) are provided in Response_7.zip.

Exhibit 02 - ORA-A1701013-SCG004
<RE_LCC Considerations DOE Furnace Proceedings>

From: [Kristiansson, Sue](#)
To: [Hunt, Marshall](#)
Cc: [Filer, Patrick L](#)
Subject: Re: LCC Considerations DOE Furnace Proceedings
Date: Sunday, March 01, 2015 5:55:00 PM

Hi Marshall,

I just sent you a note regarding the working group. I'm looking forward to it.

I do feel the need to address one concern about the meeting held last Friday. Being new I wasn't aware that it was even happening and I'm not sure what stakeholders were present but I was a little surprised to learn that you were presenting on behalf of all of the IOU's on the agenda. I'm sure this was a simple oversight on the part of NRDC when they developed the agenda but we (SoCalGas) haven't finalized our assessment of the furnace rule and all of the technical elements yet. As we discussed on the phone, there is probably no negative impact to our customers here in California and I'm sure fuel switching is a non-issue for us but we really want to do our own analysis first to determine that. You may have mentioned this at a Statewide meeting that I, of course, was not at but if you could do me a favor in the future and let me know if you're asked to speak on behalf of all of the IOU's? I think it is important to have consensus prior to discussing with outside stakeholders.

Also, do you happen to have a list of who was all in the room or on the call for this meeting? The information I received did not have an attendee list.

Thanks!

Sue

Sent from my iPad

On Feb 20, 2015, at 10:05 AM, "Hunt, Marshall" <MBH9@pge.com> wrote:

> This is what I sent to the NRDC sponsored, informal stakeholders meeting held in DC today at 6:30 am our time. I wanted to have people give the DOE LCC analysis the attention it deserves.

>

> I recommend that we use this issue to demonstrate how the Statewide Team works together to fully explore the issues. Thus I request that we form a working group to explore in depth the LCC. It is set up to allow the analysis of different scenarios so that the impacts can be assessed. I have Yanda Zhang and Bitik Kundu supporting the effort so that we get the technical analysis we need to fully assess the impact on California. We are 10.5% of the national market and unlike other areas gas furnace heating is the overwhelming choice of consumers. This rule making will not take effect until 2021 at the earliest so that I believe that impacts on voluntary Products and Programs are not the issue. The issue is cost effective energy conservation for the benefit of California rate payers. This is what the CPUC funds us to do.

>

> There is already outside pressure from the AGA and AHRI against the DOE proposal which is of course fine but we need to advocate for our customers. California does not have some the issues such a fuel switching and basement installations that are of concern elsewhere in the USA.

>

> I look forward to working diligently on the issue.

>

>

> Marshall B. Hunt
> Professional Mechanical Engineer
> Codes & Standards
> Pacific Gas & Electric Company
> 415-260-7624

> mbh9@pge.com
>
>
>
> _____
> From: Eilert, Patrick L
> Sent: Thursday, February 19, 2015 4:49 PM
> To: 'Craig Tyler (craigtyler@comcast.net)'; Fernstrom, Gary; Anderson, Mary; Caudle, Sylvester Ron; Eilert, Patrick L; Elliott, Ed; Evans, Matthew; Goff, Chris (Industrial Mkts) (CGoff@semprautilities.com); Higa, Randall; Hunt, Marshall; Kim, Charles; Kristjansson, Sue; Mariscal, Javier; Marver, Jill; Salas, Adrian; Shushnar, Gary; Tartaglia, Stuart; Willmore, Lovell
> Subject: Statewide IOU C&S Conference Call : February 20
>
>
> Tomorrow's Starting Point...Please add.
>
>
> PGE – Pat
> SCG –
> SCE –
> SDGE –
>
> Coordination
> - EM&V
> Response to Recommendations from 2010-12 Impact Evaluation
>
> - Data Requests
> Missing information from Data Requests 1 (EEStats 17542/EMV 40) and 2 (EEStats 17546/EMV 41)
> - Attribution values for standards compiling the 2013-2014 estimates.
> - Updated parameters for CASE studies to support the 2013-2014 savings estimates.
>
> - Communications with Paula
>
> - PPMs
> Status of Updates
>
> -Request from DOE on ZE buildings
>
> - Recent meetings
> Water topics (CALGreen, February 5)
> AHRI meeting to discuss RTU (DC, February 5)
> DOE meeting to discuss commercial HVAC and water heating (DC, February 6)
> Building Codes and Reach Codes Planning (SF, February 9)
> Appliance Standards Planning (SF, February 10)
> WO 32 related lab testing (Irwindale, February 10)
> Small Motors meeting (NEMA Negotiation, February 24)
> HERS (RESNET Building Perf Conference) – February 16, 17, and 18th (San Diego)
>
> - Upcoming Meetings
> CALBO business meeting (Monterey, March 2-5)
> Computers Workshop (March 9)
> CEC RFI for HERS Program (Staff Webinar, March 10)
> Q1 Statewide Meeting (Irwindale, March 9-11)
> Continuation of Subprogram Planning (March 9)
> Business Meeting (March 10)
> Paula Meeting (March 11)
> Appliance Standards Public Hearing (CEC, March 17)
>

> AB 213 –
>
> Contracts
> Federal Standards Contract
>
> Building Codes
> - 45-day language
> - Lighting retrofits loophole
> - Gas availability
> - Battery charger trade-offs when combined with PV.
> - CALGreen ZNE tier, and gaps with T-24 part 6 for lighting.
> - Flex ducts controversy
> - ACM issues and a good algorithm for modeling ductless systems.
>
> Appliance Standards
> - Title 20
> 45-day language (water topics, labeling, etc.) under review
> Faucets (1.5 gpm versus 1.0) (wait time, legionella)
> How to respond to CEC language generally, e.g., federal alignment
> MH added – staff recommends adopt federal levels, or risk missing deadline
> Computers and displays staff report next week
> Assessment on Monday
>
> -Federal
> ESI Process and number of activities (placeholders upon notice?)
> Furnaces
>
> Compliance Improvement
> -
>
> Reach Code
> -
>
>
>
>
>
>
> Thank you.
> Pat Eilert
>
> PG&E | Principal | Codes and Standards
> Office: 530.757.5261 | Mobile: 530.400.6825
>
>
>
>
>
>
>
> _____
> PG&E is committed to protecting our customers' privacy.
> To learn more, please visit <http://www.pge.com/about/company/privacy/customer/>
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> _____
>
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> <Furnace LCC Considerations.pptx>

Exhibit 03 - ORA-A1701013-SCG004
<031215_A>

Gallarzo, Wednesday R

From: Neil Leslie <Neil.Leslie@GASTECHNOLOGY.ORG>
Sent: Thursday, March 12, 2015 9:05 AM
To: Kristjansson, Sue
Subject: RE: CA Fuel Switching Information

How about 11 AM PDT? I am on a 189.1 call right now.

Neil Leslie
R&D Director, Building Energy Efficiency Gas Technology Institute
1700 South Mount Prospect Road
Des Plaines, IL 60018
neil.leslie@gastechnology.org
847-768-0926 (office)
847-630-0256 (mobile)
847-768-0916 (fax)

-----Original Message-----

From: Kristjansson, Sue [mailto:SKristjansson@semprautilities.com]
Sent: Thursday, March 12, 2015 10:32 AM
To: Neil Leslie
Subject: Re: CA Fuel Switching Information

Hey Neil, sorry to just be getting back to you by I've been sick with the flu the past week.

Do you have time to chat at about 10 am PST today? If so, what number can I call?

Thanks!

Sent from my iPhone

> On Mar 10, 2015, at 1:10 PM, "Neil Leslie" <Neil.Leslie@GASTECHNOLOGY.ORG> wrote:

>

> Sue,

>

> Rather than leaving voice messages, I wanted to see when is a good time to talk with you on answers to your question.

> I am here today and through the rest of this week.

>

> Neil Leslie

> R&D Director, Building Energy Efficiency Gas Technology Institute

> 1700 South Mount Prospect Road

> Des Plaines, IL 60018

> neil.leslie@gastechnology.org

> 847-768-0926 (office)

> 847-630-0256 (mobile)

> 847-768-0916 (fax)

>

> -----Original Message-----

> From: Kristjansson, Sue [mailto:SKristjansson@semprautilities.com]

> Sent: Thursday, March 05, 2015 3:58 PM
> To: Neil Leslie
> Subject: RE: South Carolina
>
> K. Cool, thanks.
>
> Sue Kristjansson
> Codes and Standards and ZNE Manager
> Southern California Gas Co.
> Telephone: (213) 244-5535
> Fax: (213) 226-4317
> Cell: (424) 744-0361
>
> Follow us on Twitter Like us on Facebook
>
>
> -----Original Message-----
> From: Neil Leslie [mailto:Neil.Leslie@GASTECHNOLOGY.ORG]
> Sent: Thursday, March 05, 2015 12:42 PM
> To: Kristjansson, Sue
> Subject: RE: South Carolina
>
> We have an analyst from Laclede working on it, and he is still working his way through the software. I don't know what the outcome will be, or exactly when he will be done, but as soon as I find out, I will let you know. It is a priority, so I am hopeful we will get something by next week.
>
> Neil Leslie
> R&D Director, Building Energy Efficiency Gas Technology Institute
> 1700 South Mount Prospect Road
> Des Plaines, IL 60018
> neil.leslie@gastechnology.org
> 847-768-0926 (office)
> 847-630-0256 (mobile)
> 847-768-0916 (fax)
>
> -----Original Message-----
> From: Kristjansson, Sue [mailto:SKristjansson@semprautilities.com]
> Sent: Thursday, March 05, 2015 1:21 PM
> To: Neil Leslie
> Subject: RE: South Carolina
>
> Hello my friend.
>
> Any news on this?
>
> Thanks!
>
> Sue Kristjansson
> Codes and Standards and ZNE Manager
> Southern California Gas Co.
> Telephone: (213) 244-5535
> Fax: (213) 226-4317

> Cell: (424) 744-0361
>
> Follow us on Twitter Like us on Facebook
>
>
> -----Original Message-----
> From: Neil Leslie [mailto:Neil.Leslie@GASTECHNOLOGY.ORG]
> Sent: Monday, March 02, 2015 5:49 AM
> To: Kristjansson, Sue
> Subject: RE: South Carolina
>
> I enjoyed our visit as well. I have asked our analysts to get this information if it can be pulled from the model. I will let you know what is available today or tomorrow.
>
> Neil Leslie
> R&D Director, Building Energy Efficiency Gas Technology Institute
> 1700 South Mount Prospect Road
> Des Plaines, IL 60018
> neil.leslie@gastechnology.org
> 847-768-0926 (office)
> 847-630-0256 (mobile)
> 847-768-0916 (fax)
>
> -----Original Message-----
> From: Kristjansson, Sue [mailto:SKristjansson@semprautilities.com]
> Sent: Sunday, March 01, 2015 8:11 PM
> To: Neil Leslie
> Subject: South Carolina
>
> Hey Neil,
>
> It was great seeing you in SC!
>
> As a follow-up....do you happen to have any deeper dive data regarding the potential for fuel-switching in California? Of course I would love it if you had information as granular as to our service territory or even to Southern California but will take what you've got.
>
> I've convened an internal group to assess the furnace NOPR over the next couple of weeks to determine whether this is good, bad or indifferent to our customers and I sure don't want to make that determination/recommendation without all of the info.
>
> I know you're in high demand on this issue right now so let me know what kind of timing we're looking at for some SoCal specific data.
>
> Thanks!
>
> Sent from my iPad
>
> _____
>
> This communication is for the use of the intended recipient only. It may contain information that is privileged and confidential. If you are not the intended recipient of this communication, the disclosure, copying, distribution or use

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>

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>

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>

> -----

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Exhibit 04 - ORA-A1701013-SCG004
<032715_A>

Gallarzo, Wednesday R

From: Mackay, Sean C
Sent: Friday, March 27, 2015 11:49 AM
To: Kristjansson, Sue
Subject: RE: Closing Comments?

I don't think it's that big of deal if you've gotta go. You never know how long it is going to take to get to Dulles at rush hour.

If we want to ask for an extension for comments, we should ask for it in writing and put it in the docket. Also should ask AGA to make the request too.

-----Original Message-----

From: Kristjansson, Sue
Sent: Friday, March 27, 2015 2:26 PM
To: Mackay, Sean C
Subject: Closing Comments?

I'm leaving at about 3:30 so I will absolutely miss the closing statements. Here is what I would say if I was here - if you want to comment go for it, if not, no big deal.

Closing comments if you feel like it:

-First want to say that SoCalGas has and will continue to not only support but actively pursue higher efficiency levels in natural gas appliances and equipment. We have contributed significantly to the efficiency advancements in California through our rebate and incentive programs and are always looking for new and innovative ways to move the needle even more.

-We have not yet made a determination of the pending rule and are currently conducting a detailed assessment/analysis of the DOE LCC analysis and all other information and data surrounding this rule.

-Having said all of that, our first priority is to assess the impact to our customer and proceed accordingly and we will do that responsibly in such a way that we have comprehensive and validated data to make that call.

-The one thing that seems abundantly clear today, evidenced first by the significant participation of interested stakeholders but even more so by the number of uncertainties and questions raised today. Our conclusion at this point is simply that there should be some sort of delay or extension provided for providing comments. It would be irresponsible for SoCalGas to attempt to make a determination with all of these questions pending and we respectfully assert that more time for deeper evaluation would be prudent.

Sent from my iPad

Exhibit 05 - ORA-A1701013-SCG004
<072815_A>

Manke, Adam P

From: Kristjansson, Sue
Sent: Tuesday, July 28, 2015 10:47 AM
To: Rendler, Daniel
Subject: FW: AGA Executive Committee Meeting Briefing Memo & Materials
Attachments: DOE Furnace NOPR Cover Letter.pdf; DOE Furnace NOPR Comments.pdf; GTI Analysis.pdf; Negawatt Analysis.pdf

How's this?

Jan,

A little background on our SW team conversations on the DOE furnace rule. This furnace rule was discussed first at the planning session held in February in San Francisco. The SW team discussed the upcoming rulemaking and the managers agreed that this may be an occasion in which the utilities may not necessarily be on the same page. At that time Sue let the group know that SoCalGas would be doing an independent assessment of the planned rule to determine the impact on our customer. In mid-June at the C&S quarterly meeting Sue notified the C&S team that our preliminary analysis was reflecting a negative situation for our customers and that we would likely be opposing the rulemaking. We first received notification of PG&E's intent to file support documents on Tuesday, July 7th – just prior to the filing deadline of July 10th. We were actually unaware that PG&E was conducting an independent analysis until that point.

SoCalGas became engaged in the DOE proposed rulemaking earlier this year. We did some research into the background behind this rule and found that it has a long history including successful litigation filed by APGA in 2011, that validated the fact that the DOE's issuance of a direct final rule (DFR) was inappropriate and outside their scope of authority. By the time we took up the issue, the AGA had already been working with GTI for several years on assessing the DOE's analysis to determine if this was of true benefit to natural gas consumers across the country. SoCalGas decided not to rely solely on the GTI analysis so we commissioned an independent analysis using the DOE's own inputs as our basis first and then corrected with SoCalGas specific data. The outcome of our independent analysis was similar to the GTI analysis in that moving to a 92% AFUE furnace in Southern California is not cost effective for any of our customers with either the DOE's own data or the data we found to be true in our service territory. I've attached the letter and report we submitted to the DOE for your reference.

The AGA is opposed to this rulemaking and has been trying to introduce legislation that would suspend the rulemaking and instruct the DOE to form an exploratory committee to do a much deeper dive on the topic.

SoCalGas is opposing this rulemaking on behalf of our customers for a number of reasons – all of which are included in our report.

From: Kristjansson, Sue
Sent: Monday, July 27, 2015 3:13 PM
To: Rendler, Daniel
Subject: RE: AGA Executive Committee Meeting Briefing Memo & Materials

Here is a proposed response to Jan:

Jan,

SoCalGas became engaged in the DOE proposed rulemaking earlier this year. We did some research into the background behind this rule and found that it has a long history including successful litigation filed by APGA in 2011, that validated the fact that the DOE's issuance of a direct final rule (DFR) was inappropriate and outside their scope of authority. By the time we took up the issue, the AGA had already been working with GTI for several years on assessing the DOE's analysis to determine if this was of true benefit to natural gas consumers across the country. SoCalGas decided not to rely solely on the GTI analysis so we commissioned an independent analysis using the DOE's own inputs as our basis first and then corrected with SoCalGas specific data. The outcome of our independent analysis was similar to the GTI analysis in that moving to a 92% AFUE furnace in Southern California is not cost effective for any of our customers with either the DOE's own data or the data we found to be true in our service territory. I've attached the letter and report we submitted to the DOE for your reference.

The AGA is opposed to this rulemaking and has been trying to introduce legislation that would suspend the rulemaking and instruct the DOE to form an exploratory committee to do a much deeper dive on the topic.

SoCalGas opposes this rulemaking on behalf of our customers for a number of reasons – all of which are included in our report.

I hope this helps – let me know if you have any additional questions.

Sue Kristjansson
Codes and Standards and ZNE Manager
Southern California Gas Co.
Telephone: (213) 244-5535
Fax: (213) 226-4317
Cell: (424) 744-0361



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From: Rendler, Daniel
Sent: Monday, July 27, 2015 1:31 PM
To: Kristjansson, Sue
Subject: FW: AGA Executive Committee Meeting Briefing Memo & Materials

Your suggested response (which I presume will include the letter Rodger sent?)
Dan

Daniel J. Rendler
Director, Customer Programs & Assistance
Southern California Gas Company
Tel: (213) 244-3480
Cell (951) 830-6360
E-mail: drendler@semprautilities.com

From: Berman, Janice S [<mailto:JSBa@pge.com>]
Sent: Monday, July 27, 2015 1:01 PM
To: Rendler, Daniel
Subject: FW: AGA Executive Committee Meeting Briefing Memo & Materials

Dan,
My Gas VP has asked for a briefing on this issue, as PG&E is a bit of an outlier relative to other AGA Utilities. Where is SoCal on this?
--Jan

From: Eilert, Patrick L
Sent: Monday, July 27, 2015 11:34 AM
To: Johnson, Aaron; Berman, Janice S; Hunt, Marshall; Zelmar, Karen; Davis, Vincent
Cc: Alegre, Roenna B.; Washington, Dana; Hunt, Marshall
Subject: RE: AGA Executive Committee Meeting Briefing Memo & Materials

All:

The DOE furnace letter is attached. As you will see, the letter is based on substantial research and analysis.
Pat

We respect your privacy. Please review our privacy policy for more information.
<http://www.pge.com/en/about/company/privacy/customer/index.page>

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Exhibit 06 - ORA-A1701013-SCG006
<ORA-A1701013-SCG006>

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG006)
Date Received: 8/9/2017
Date Submitted: 8/23/2017**

CEC Tub Spout Diverter Rulemakings (Q.1-Q.4)

QUESTION 1:

Provide all documents (draft and final) and all emails relating to the CEC docket 17-AAER-09 and related dockets on tub spout diverter efficiency standards since January 1, 2016.

RESPONSE 1:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. Subject to and without waiving these objections, SoCalGas responds as follows:

Please see attached documents and emails in reference to CEC docket 17-AAER-09 provided in response 1.zip.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)**

**(DATA REQUEST ORA-A1701013-SCG006)
Date Received: 8/9/2017
Date Submitted: 8/23/2017**

QUESTION 2:

Provide any analysis completed in response to this rulemaking.

RESPONSE 2:

SoCalGas objects on the basis that this question is vague and overbroad. Subject to and without waiving these objections, SoCalGas responds as follows:

SoCalGas' analysis in response to this rulemaking is currently on-going and not currently available. SoCalGas expects to complete its analysis prior to the September 18th Phase 2 Appliance Efficiency Regulations and Roadmaps request for proposals submission due date.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)**

**(DATA REQUEST ORA-A1701013-SCG006)
Date Received: 8/9/2017
Date Submitted: 8/23/2017**

QUESTION 3:

Provide any analysis planned in response to this rulemaking and all documents (draft and final) showing planned analysis.

RESPONSE 3:

SoCalGas objects on the basis that this question is vague and overbroad. Subject to and without waiving these objections, SoCalGas responds as follows:

Project and test plans for analysis are in development. The project plan and test plan are "living documents" that are subject to change during the duration of the project. Current versions of the project plan and test plan have been provided in this response as Tub Spout Diverters High Level Project Plan 20170627a.docx and Tub Spout Diverter Draft Test Plan 20170809.docx, respectively.

Drafts of these documents can be found as part of the documents provided in Response 1.zip.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF**

(A.17-01-016)

(DATA REQUEST ORA-A1701013-SCG006)

Date Received: 8/9/2017

Date Submitted: 8/23/2017

QUESTION 4:

Provide the date that the final letters were docketed to CEC and the docketed comment letters.

RESPONSE 4:

SoCalGas has not docketed any comment letters in regards to CEC docket 17-AAER-09.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF**

(A.17-01-016)

(DATA REQUEST ORA-A1701013-SCG006)

Date Received: 8/9/2017

Date Submitted: 8/23/2017

CEC Rulemaking Non-Response or Non-Support (Q.5-Q.6)

QUESTION 5:

Provide a list of all CEC Title 20 pre-rulemakings or rulemakings since 2014 where you either did not comment on the proposed efficiency level or did not support CEC proposed efficiency level.

RESPONSE 5:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. Subject to and without waiving these objections, SoCalGas responds as follows:

SoCalGas provides the following list of CEC Title 20 pre-rulemakings or rulemakings since 2014 where SoCalGas did not comment or support CEC proposed efficiency level:

- Tub Spout Diverters docket 17-AAER-09

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)**

**(DATA REQUEST ORA-A1701013-SCG006)
Date Received: 8/9/2017
Date Submitted: 8/23/2017**

QUESTION 6:

Describe your rationale for not commenting on or for not supporting CEC's proposed efficiency level for all pre-rulemakings or rulemakings responsive to Question 6.

RESPONSE 6:

At the time of the Invitation to Participate (ITP), the first open comment period in CEC docket 17-AAER-09, research, testing and analysis had not taken place. Although SoCalGas is supportive of exploring Tub Spout Diverters for inclusion in future code, without any specific validation for the measure it seemed prudent to gather scientific data that would allow for future support that would be considered informed and indisputable. SoCalGas agreed that conducting research and considering tighter standards was sensible due to savings potential, but the CEC had already made that case very well. As a result, SoCalGas decided to not comment at that time. It is important to note that this was shared on a Statewide call with the CEC on June 22nd (Please see email in response 1.zip; 062217_S.pdf) and no objection was voiced.

Exhibit 07 - ORA-A1701013-SCG006
<041217_A>

Garcia, Daniela

From: Anderson, Mary <M3AK@pge.com>
Sent: Wednesday, April 12, 2017 3:41 PM
To: Garcia, Daniela
Subject: [EXTERNAL] RE: Title 20 Priorities and funding discussion Notes

I apologize for the delay. Energy Solutions has completed/begun the following items:

- Began talks with EPA Energy Star to understand their methodology, data gaps and manufacturer support
- Analyzed products in the CEC data base
- Created a draft research plan

Let me know if you have any questions.

From: Garcia, Daniela [mailto:DGarcia3@semprautilities.com]
Sent: Monday, April 10, 2017 8:10 AM
To: Anderson, Mary
Subject: FW: Title 20 Priorities and funding discussion Notes

This is an EXTERNAL EMAIL. Stop and think before clicking links or opening attachments.

Good Morning Mary,

I wanted to follow up in regards to the tub spout diverters work that has been completed to date. We are interested in taking the measure on but I will seek approval once I can use the work that's been completed to explain the measure to our internal team.

Thank You,

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Anderson, Mary [mailto:M3AK@pge.com]
Sent: Thursday, March 30, 2017 9:06 AM
To: Barbour, John L <JBarbour@semprautilities.com>; Reefe, Jeremy <JMReefe@semprautilities.com>; Garcia, Daniela <DGarcia3@semprautilities.com>; Sim, Michelle M <MSim@semprautilities.com>; Charles Kim <Charles.Kim@sce.com>; 'randall Higa' <randall.higa@sce.com>; Elliott, Ed <ESE1@pge.com>
Cc: Michelle Thomas (Michelle.Thomas@sce.com) <Michelle.Thomas@sce.com>; Eilert, Patrick <PLE2@pge.com>; Kristjansson, Sue <SKristjansson@semprautilities.com>
Subject: [EXTERNAL] RE: Title 20 Priorities and funding discussion Notes

Attendees
SDG&E – John,
SCG - Michelle

SCE – Charles, Randall
 PG&E – Mary

- Phase 1 Topics – Current Leads and funding continue
- C&I Fans – SCE fans with co-funding, SDG&E is also interested in supporting – SCE funds 2017
- GSL – CEC will get back to the IOUs, waiting and seeing.
- Sprinkler Spray bodies – PG&E leads and funds
- Tub Spout Diverters – PG&E has worked with NRDC will work with NRDC, SCG is a tentative lead, PG&E will get a ballpark estimate, Ballpark estimate \$150k-\$200k, SCG leads tentative
- Irrigation Controllers – PG&E leads and funds, SDG&E can support
- Set top boxes roadmap – SCE may lead, co-funding might be helpful, PG&E has close relationships with CTA through RPP that might be able to support our effort, SCE will lead in 2017,
- Standby Power – PG&E lead and fund, SCE may collaborate on the Imaging equipment
- Solar Inverters – Co-funding, SCE as SME, SDG&E can strongly support where possible, need further clarification on definitions
- PG&E needs to know in the next 2-3 weeks if other IOUs need funds for upcoming CASE study.
- SCE would like to ask the CEC to include the IOUs in the planning process.
-

Appliance	Approach	Track	CEC Staff	Current Lead	F
Pool Pump Motors	Efficiency standards	Phase 1	?	SCE	S
Portable Spas	Efficiency standards	Phase 1	?	SCE	S
Com. Clothes Dryers	Test Procedure	Phase 1	Sean Steffensen	PG&E	S PG
Fans & blowers	Efficiency standards	Extended	Alex Galdamez & Ryan Nelson		
General service lamps	Efficiency standards	Regular	Pat Saxton	PG&E	F
Sprinkler spray bodies	Efficiency standards	Regular	Sean Steffensen	PG&E	F
Tub-spout diverters	Efficiency standards	Regular	Jessica Lopez		

Irrigation controllers	Energy efficiency standards; water efficiency test and list	Regular	Ryan Nelson	PG&E	F
Set-top boxes	Roadmap to replace Vol. Agmt.	Roadmap	Pat Saxton & Soheila Pasha	SCE	S
Standby mode	Data gathering to identify 10 products	Roadmap	Soheila Pasha	PG&E	F
Solar inverters	Data gathering	Roadmap	Pat Saxton		

Agenda

- Review of Last week’s conversation
- Lead discussion/decision making
- Next Steps

-- Do not delete or change any of the following text. --

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Exhibit 08 - ORA-A1701013-SCG006
<042417_A>

Garcia, Daniela

From: Marc Esser <marc@negawattconsult.com>
Sent: Monday, April 24, 2017 11:58 AM
To: Garcia, Daniela
Cc: Bo White
Subject: [EXTERNAL] Re: Title 20 Tub Spout Diverters

Thank you Daniela,

Always happy to take on new work, this is much appreciated.

We'll review shortly and will get back to you with questions and comments. Please keep us posted with any relevant meetings or materials that you know of.

Marc

--

Marc Esser
NegaWatt Consulting, Inc.
(619) 309-4191
www.negawattconsult.com

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On Apr 24, 2017 11:34 AM, "Garcia, Daniela" <DGarcia3@semprautilities.com> wrote:

Marc,

As you know we have been looking to take on another measure, this time for T20. Below please find the T20 priorities from the CEC (also attached memo with further details on "Track definitions"). SoCalGas has committed to leading the Tub- Spout Diverters. Our CEC contact will be Jessica Lopez, I have not met her and she may be new to the CEC Appliance team as they have a few new members.

Appliance	Approach	Track	CEC Staff	Current Lead
Pool Pump Motors	Efficiency standards	Phase 1	?	SCE
Portable Spas	Efficiency standards	Phase 1	?	SCE
Com. Clothes Dryers	Test Procedure	Phase 1	Sean Steffensen	PG&E

Fans & blowers	Efficiency standards	Extended	Alex Galdamez & Ryan Nelson	
General service lamps	Efficiency standards	Regular	Pat Saxton	PG&E
Sprinkler spray bodies	Efficiency standards	Regular	Sean Steffensen	PG&E
Tub-spout diverters	Efficiency standards	Regular	Jessica Lopez	
Irrigation controllers	Energy efficiency standards; water efficiency test and list	Regular	Ryan Nelson	PG&E
Set-top boxes	Roadmap to replace Vol. Agmt.	Roadmap	Pat Saxton & Soheila Pasha	SCE
Standby mode	Data gathering to identify 10 products	Roadmap	Soheila Pasha	PG&E
Solar inverters	Data gathering	Roadmap	Pat Saxton	

PGE has begun some work on this measure so Mary provided some bullets as to what Energy Solutions has worked on. I am working on getting write ups for these items listed below: (will forward as soon as I receive)

- Began talks with EPA Energy Star to understand their methodology, data gaps and manufacturer support
- Analyzed products in the CEC data base
- Created a draft research plan

Attached please find SoCalGas' work paper for your references and review as well.

At this time we don't have any deliverables, rather just review of the measure and if we can begin to put together a budget and timeline similar to DWHR.

Please let me know should you have any questions and are up for another CASE Report!

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

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Exhibit 09 - ORA-A1701013-SCG006
<050417_A>

Garcia, Daniela

From: Marc Esser <marc@negawattconsult.com>
Sent: Thursday, May 4, 2017 5:58 PM
To: Garcia, Daniela
Cc: Bo White
Subject: [EXTERNAL] Re: Title 20 Tub Spout Diverters

Hi Daniela,

I haven't had a chance to look at this yet, but will shortly. Did you receive any other materials from PG&E? You said in your original email that you were hoping to get write-ups on the following

- Began talks with EPA Energy Star to understand their methodology, data gaps and manufacturer support
- Analyzed products in the CEC data base
- Created a draft research plan

Thank you

On Mon, Apr 24, 2017 at 11:57 AM, Marc Esser <marc@negawattconsult.com> wrote:

Thank you Daniela,

Always happy to take on new work, this is much appreciated.

We'll review shortly and will get back to you with questions and comments. Please keep us posted with any relevant meetings or materials that you know of.

Marc

--

Marc Esser
NegaWatt Consulting, Inc.
(619) 309-4191
www.negawattconsult.com

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On Apr 24, 2017 11:34 AM, "Garcia, Daniela" <DGarcia3@semprautilities.com> wrote:

Marc,

As you know we have been looking to take on another measure, this time for T20. Below please find the T20 priorities from the CEC (also attached memo with further details on “Track definitions”). SoCalGas has committed to leading the Tub- Spout Diverters. Our CEC contact will be Jessica Lopez, I have not met her and she may be new to the CEC Appliance team as they have a few new members.

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Pool Pump Motors	Efficiency standards	Phase 1	?	SCE
Portable Spas	Efficiency standards	Phase 1	?	SCE
Com. Clothes Dryers	Test Procedure	Phase 1	Sean Steffensen	PG&E
Fans & blowers	Efficiency standards	Extended	Alex Galdamez & Ryan Nelson	
General service lamps	Efficiency standards	Regular	Pat Saxton	PG&E
Sprinkler spray bodies	Efficiency standards	Regular	Sean Steffensen	PG&E
Tub-spout diverters	Efficiency standards	Regular	Jessica Lopez	
Irrigation controllers	Energy efficiency standards; water efficiency test and list	Regular	Ryan Nelson	PG&E
Set-top boxes	Roadmap to replace Vol. Agmt.	Roadmap	Pat Saxton & Soheila Pasha	SCE
Standby mode	Data gathering to identify 10 products	Roadmap	Soheila Pasha	PG&E
Solar inverters	Data gathering	Roadmap	Pat Saxton	

PGE has begun some work on this measure so Mary provided some bullets as to what Energy Solutions has worked on. I am working on getting write ups for these items listed below: (will forward as soon as I receive)

- Began talks with EPA Energy Star to understand their methodology, data gaps and manufacturer support
- Analyzed products in the CEC data base
- Created a draft research plan

Attached please find SoCalGas’ work paper for your references and review as well.

At this time we don’t have any deliverables, rather just review of the measure and if we can begin to put together a budget and timeline similar to DWHR.

Please let me know should you have any questions and are up for another CASE Report!

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

--

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(619) 309-4191
www.negawattconsult.com

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Exhibit 10 - ORA-A1701013-SCG006
<051517_17>

Garcia, Daniela

From: Garcia, Daniela
Sent: Monday, May 15, 2017 7:58 AM
To: 'Anderson, Mary'
Subject: RE: Title 20 Priorities and funding dicussion Notes

Mary,

Did you have an update on the status of sharing the documents or information regarding the tub spout diverters?

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Anderson, Mary [mailto:M3AK@pge.com]
Sent: Wednesday, April 12, 2017 3:41 PM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Subject: [EXTERNAL] RE: Title 20 Priorities and funding dicussion Notes

I apologize for the delay. Energy Solutions has completed/begun the following items:

- Began talks with EPA Energy Star to understand their methodology, data gaps and manufacturer support
- Analyzed products in the CEC data base
- Created a draft research plan

Let me know if you have any questions.

From: Garcia, Daniela [mailto:DGarcia3@semprautilities.com]
Sent: Monday, April 10, 2017 8:10 AM
To: Anderson, Mary
Subject: FW: Title 20 Priorities and funding dicussion Notes

This is an EXTERNAL EMAIL. Stop and think before clicking links or opening attachments.

Good Morning Mary,

I wanted to follow up in regards to the tub spout diverters work that has been completed to date. We are interested in taking the measure on but I will seek approval once I can use the work that's been completed to explain the measure to our internal team.

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Anderson, Mary [<mailto:M3AK@pge.com>]
Sent: Thursday, March 30, 2017 9:06 AM
To: Barbour, John L <JBarbour@semprautilities.com>; Reefe, Jeremy <JMReefe@semprautilities.com>; Garcia, Daniela <DGarcia3@semprautilities.com>; Sim, Michelle M <MSim@semprautilities.com>; Charles Kim <Charles.Kim@sce.com>; 'randall Higa' <randall.higa@sce.com>; Elliott, Ed <ESE1@pge.com>
Cc: Michelle Thomas (Michelle.Thomas@sce.com) <Michelle.Thomas@sce.com>; Eilert, Patrick <PLE2@pge.com>; Kristjansson, Sue <SKristjansson@semprautilities.com>
Subject: [EXTERNAL] RE: Title 20 Priorities and funding discussion Notes

Attendees
SDG&E – John,
SCG - Michelle
SCE – Charles, Randall
PG&E – Mary

- Phase 1 Topics – Current Leads and funding continue
- C&I Fans – SCE fans with co-funding, SDG&E is also interested in supporting – SCE funds 2017
- GSL – CEC will get back to the IOUs, waiting and seeing.
- Sprinkler Spray bodies – PG&E leads and funds
- Tub Spout Diverters – PG&E has worked with NRDC will work with NRDC, SCG is a tentative lead, PG&E will get a ballpark estimate, Ballpark estimate \$150k-\$200k, SCG leads tentative
- Irrigation Controllers – PG&E leads and funds, SDG&E can support
- Set top boxes roadmap – SCE may lead, co-funding might be helpful, PG&E has close relationships with CTA through RPP that might be able to support our effort, SCE will lead in 2017,
- Standby Power – PG&E lead and fund, SCE may collaborate on the Imaging equipment
- Solar Inverters – Co-funding, SCE as SME, SDG&E can strongly support where possible, need further clarification on definitions
- PG&E needs to know in the next 2-3 weeks if other IOUs need funds for upcoming CASE study.
- SCE would like to ask the CEC to include the IOUs in the planning process.
-

Appliance	Approach	Track	CEC Staff	Current Lead	F
Pool Pump Motors	Efficiency standards	Phase 1	?	SCE	S
Portable Spas	Efficiency standards	Phase 1	?	SCE	S
Com. Clothes Dryers	Test Procedure	Phase 1	Sean Steffensen	PG&E	S PG
Fans & blowers	Efficiency standards	Extended	Alex Galdamez & Ryan Nelson		
General service lamps	Efficiency standards	Regular	Pat Saxton	PG&E	F
Sprinkler spray bodies	Efficiency standards	Regular	Sean Steffensen	PG&E	F
Tub-spout diverters	Efficiency standards	Regular	Jessica Lopez		
Irrigation controllers	Energy efficiency standards; water efficiency test and list	Regular	Ryan Nelson	PG&E	F
Set-top boxes	Roadmap to replace Vol. Agmt.	Roadmap	Pat Saxton & Soheila Pasha	SCE	S
Standby mode	Data gathering to identify 10 products	Roadmap	Soheila Pasha	PG&E	F
Solar inverters	Data gathering	Roadmap	Pat Saxton		

Agenda

- Review of Last week's conversation
- Lead discussion/decision making
- Next Steps

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Exhibit 11 - ORA-A1701013-SCG006
<051617_A>

Garcia, Daniela

From: Marc Esser <marc@negawattconsult.com>
Sent: Tuesday, May 16, 2017 2:35 PM
To: Garcia, Daniela
Subject: [EXTERNAL] Re: Re: Re: CALIFORNIA ENERGY COMMISSION - Notice of Invitation to Participate and Staff Webinar

Hi Daniela,

I gave this presentation another good look. The CEC is basically asking a number of research questions that could and should be answered as part of the study, and that's all well done.

The only things that come to my mind are

- 1) they don't justify the merit of the project with a water & therm savings (gu)estimate, and
- 2) there is no rudimentary assessment of technical feasibility. It may be prohibitively hard or expensive to go from the present 0.01/0.05gpm to something better.

The study would of course answer both questions. It's just that if the answers were somewhat "negative" or unimpressive, going through with the full study regardless could be construed as somewhat of a waste of ratepayer money. Let me know if you feel this is a concern that we should comment on; I am thinking probably not.

Oh also, do you mind if I buy a copy of the testing standard for these? I'll look on the internet as well, but I doubt I'll find it for free. It's a CSA standard again, like for DWHR. it's \$138.

Thanks
Marc

On Mon, May 15, 2017 at 8:12 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Thanks Marc, I went ahead and forwarded to engineering and the authors of the work paper internally for their review. I am still pending the documents from Mary but followed up with her this morning.

Please let me know if we need to set up any time to discuss next steps or if comments will be necessary by June 16th.

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

From: Marc Esser [mailto:marc@negawattconsult.com]

Sent: Thursday, May 11, 2017 11:24 AM

To: Garcia, Daniela <DGarcia3@semprautilities.com>

Subject: [EXTERNAL] Re: Re: CALIFORNIA ENERGY COMMISSION - Notice of Invitation to Participate and Staff Webinar

here they are, in case you need them. I deleted the rest of the presentation

On Thu, May 11, 2017 at 11:13 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

I was just sending you a note, I think they are way ahead of schedule. Sounds good, thanks!

From: Marc Esser [mailto:marc@negawattconsult.com]

Sent: Thursday, May 11, 2017 11:12 AM

To: Garcia, Daniela <DGarcia3@semprautilities.com>

Subject: [EXTERNAL] Re: CALIFORNIA ENERGY COMMISSION - Notice of Invitation to Participate and Staff Webinar

I joined around 11:08 but never saw them pull up any Tub spout slides; heard them ask for related questions, and then move on to afternoon topics. I'll get off the call and will download the slides for future reference

On Thu, May 11, 2017 at 8:34 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Marc,

I planned to call in but just in case you are free from 11:15-11:30 Tub Spout sis on the agenda.

Daniela García

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

Thursday, May 11, 2017 10 a.m. CALIFORNIA ENERGY COMMISSION Remote Access Available by Computer or Phone via WebEx™ (Instructions below)

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10:00 AM to 10:45 AM PDT	Introduction
11:00 AM to 11:15 AM PDT	Commercial and Industrial Fans and Blowers
11:15 AM to 11:30 AM PDT	Tub Spout Diverters
11:30 AM to 11:45 AM PDT	Sprinkler Spray Bodies
11:45 AM to 12:45 PM PDT	Lunch
12:45 PM to 1:00 PM PDT	Afternoon Introduction
1:00 PM to 1:15 PM PDT	Irrigation Controllers
1:15 PM to 1:30 PM PDT	Low-Power Modes (Roadmap)
1:30 PM to 1:45 PM PDT	Power Factor (Roadmap)
1:45 PM to 2:00 PM PDT	Set-Top Boxes(Roadmap)
2:00 PM to 2:15 PM PDT	Solar Inverters(Roadmap)
2:15 PM to 2:30 PM PDT	General Service Lamps (Expanded Scope)
2:30 PM to 3:30 PM PDT	Questions & Conclusion

--

Marc Esser
NegaWatt Consulting, Inc.
(619) 309-4191
www.negawattconsult.com

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Exhibit 12 - ORA-A1701013-SCG006
<051817_A>

Garcia, Daniela

From: Anderson, Mary <M3AK@pge.com>
Sent: Thursday, May 18, 2017 11:23 PM
To: Garcia, Daniela
Subject: [EXTERNAL] FW: WS Bath & Shower Diverter Next Steps
Attachments: WS Tub Spout Diverter - NOI Summary.docx

Daniela,
I just debriefed with ES. They haven't completed the analysis on the tub spout diverters. Water Sense has issued a Notice of Intent (attached) and we need to respond to the questions outlined in the NOI. Here are the ideas on how to respond to the NOI. We can have Negawatt respond or I can have Energy Solutions respond. It is up to you. Let me know if you have questions. Thanks!

Mary

Next Steps

- We will conduct more research to answer EPA's questions they outlined in the NOI, including outreach to industry experts (e.g., test labs, NRDC, manufacturers, water utilities) who may provide input on scope, testing, labeling, marketing etc.
- We will reach out to test labs (see below table) to inquire about conducting a series of tests to determine:
 1. the appropriate savings factor(s) across a range of real-world scenarios, as requested by EPA,
 2. if the life-cycle test should be increased from 15,000 cycles to perhaps 20,000 or 25,000 cycles to better reflect product durability and lifetime, and
 3. how various factors (e.g., water hardness, water pH) could potentially cause a bath and shower diverter to leak in real-world applications, as requested by EPA.

The amount of time and cost it will take to conduct testing may pose a challenge in submitting data to EPA in a timely manner. As such, we will try to obtain information on test time and cost from the test labs as soon as possible.

- We will work in collaboration with NRDC, as they have been involved in the WaterSense diverter process and they are well-connected in the industry. We have already been in preliminary discussions with Ed Osann of NRDC with respect to the potential Title 20 update for tub spout diverters. Also, Mr. Osann previously spoke with Gauley Associates to conduct life-cycle testing of diverters, and so we plan on contacting them about potential testing.

Plumbing Fittings Test Labs

Company	Location	Notes
Gauley Associates	Canada	Recommended by NRDC. Works closely with John Koeller of MaP Testing
BR Laboratories, Inc.	Huntington Beach, CA	CEC-Approved Test Lab
IAPMO R&T Laboratory	Ontario, California	CEC-Approved Test Lab
Pfister - Spectrum Brands Hardware and Home Improvement	Lake Forest, CA	CEC-Approved Test Lab
U.S. Analytical Laboratories	Fullerton, CA	CEC-Approved Test Lab

Thank you,

Sarah

Sarah Yuko Schneider | Project Manager II | sschneider@energy-solution.com | (510) 482-4420 x202 | [449 15th Street, Oakland CA 94612](#)



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Exhibit 13 - ORA-A1701013-SCG006
<052217_C>

Garcia, Daniela

From: Marc Esser <marc@negawattconsult.com>
Sent: Monday, May 22, 2017 12:55 PM
To: Garcia, Daniela
Cc: Bo White
Subject: [EXTERNAL] Re: Re: FW: WS Bath & Shower Diverter Next Steps

Thanks Daniela, that all sounds good.

Let me get organized a bit, and when Bo is back next week we'll work on a plan of action for both the NOI and the T20 project. Does it make sense to try and be semi-ready with that by 6/1 in case any side conversations with the CEC develop? Or is that a different group at the CEC altogether? The analyst in charge per the slides was Jessica Lopez; I don't know her, do you?

Re budget & tracking, does it make sense to keep the NOI / Watersense under Advocacy, or do you feel it's so closely related to T20 that we should bundle it? Bundling is easier to track for us, but that doesn't have to be the determining factor.

Marc

On Mon, May 22, 2017 at 12:23 PM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Hi Marc,

Thank you for your quick reply! I agree, I think taking this on now will be very beneficial to our work for the CASE Report. As far as the timeframe I think we can work with Stephanie Tanner at Water Sense. Mary stated she is the contact and if we are friendly with our approach she is very good to work with and we can work out the details for the dates with her. The product is already in the CEC database so that may help with whether we need lab work etc.

So I think it's good to say I will let Mary know Negawatt/SoCalGas will take the lead on the NOI.

Please let know if you have any questions or concerns and we can check on a status update when you have made some progress. I will set a reminder to check in with you but please feel free to reach out if you need to touch base.

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

From: Marc Esser [mailto:marc@negawattconsult.com]
Sent: Monday, May 22, 2017 11:39 AM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Cc: Bo White <bo@negawattconsult.com>
Subject: [EXTERNAL] Re: FW: WS Bath & Shower Diverter Next Steps

Hi Daniela,

Sarah's document is good executive summary & high level action plan of the issue. The next steps proposed in Mary's email are verbatim from that document.

if you'd like for us to take over the project and the response to the NOI, I think we might as well do it now. If we let Energy Solutions respond, IMHO there will be some unnecessary overhead.

- anyone wanting to have a dialogue about the response will reach out to them first, while we'll be in charge at some point.
- we'll be in a better position to have that dialogue, if we write the response and do the research ourselves.
- we may have other/more comments than they have drafted so far.

I agree with Sarah's next steps and proposed comments at a high level; in particular, there is a critical path item of figuring out whether lab work is needed. If that's the case, there will not be enough time to produce all the answers by "June/July". We could have a research plan for those questions ready, that would align with the Title 20 work for the CEC.

Marc

On Mon, May 22, 2017 at 8:33 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Marc,

Mary passed this along regarding where Energy Solutions is at with Tub Spout Diverters. Can you please review the attachment and her email. There is NOI that was issued by Water Sense that is pending a response. The NOI is an open process so there isn't a defined comment period. See email in attachment (pg.8) from March stating they had a few months.

Based on the timing I can have Mary let Energy Solutions respond to this NOI or we can take it from here. Please let me know your thoughts at the earliest.

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

From: Anderson, Mary [mailto:M3AK@pge.com]
Sent: Thursday, May 18, 2017 11:23 PM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Subject: [EXTERNAL] FW: WS Bath & Shower Diverter Next Steps

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Mary

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- We will reach out to test labs (see below table) to inquire about conducting a series of tests to determine:
 1. the appropriate savings factor(s) across a range of real-world scenarios, as requested by EPA,
 2. if the life-cycle test should be increased from 15,000 cycles to perhaps 20,000 or 25,000 cycles to better reflect product durability and lifetime, and
 3. how various factors (e.g., water hardness, water pH) could potentially cause a bath and shower diverter to leak in real-world applications, as requested by EPA.

The amount of time and cost it will take to conduct testing may pose a challenge in submitting data to EPA in a timely manner. As such, we will try to obtain information on test time and cost from the test labs as soon as possible.

- We will work in collaboration with NRDC, as they have been involved in the WaterSense diverter process and they are well-connected in the industry. We have already been in preliminary discussions with Ed Osann of NRDC with respect to the potential Title 20 update for tub spout diverters. Also, Mr. Osann previously spoke with Gauley Associates to conduct life-cycle testing of diverters, and so we plan on contacting them about potential testing.

Plumbing Fittings Test Labs

Company	Location	Notes
Gauley Associates	Canada	Recommended by NRDC. Works closely with John Koeller of MaP Testing
BR Laboratories, Inc.	Huntington Beach, CA	CEC-Approved Test Lab
IAPMO R&T Laboratory	Ontario, California	CEC-Approved Test Lab
Pfister - Spectrum Brands Hardware and Home Improvement	Lake Forest, CA	CEC-Approved Test Lab
U.S. Analytical Laboratories	Fullerton, CA	CEC-Approved Test Lab

Thank you,

Sarah

Sarah Yuko Schneider | Project Manager II | sschneider@energy-solution.com | (510) 482-4420 x202 | 449 15th Street, Oakland CA 94612



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Marc Esser
NegaWatt Consulting, Inc.
(619) 309-4191
www.negawattconsult.com

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Exhibit 14 - ORA-A1701013-SCG006
<052317_B>

Garcia, Daniela

From: Anderson, Mary <M3AK@pge.com>
Sent: Tuesday, May 23, 2017 1:14 PM
To: Garcia, Daniela
Subject: [EXTERNAL] RE: Appliance Standards Subprogram Swimlane Meeting Notes

I am comfortable with you reaching out to the CEC and think it is the right thing to do. According to the SW team norms we need to inform the team after having a discussion with the CEC or other decision makers.

From: Garcia, Daniela [mailto:DGarcia3@semprautilities.com]
Sent: Tuesday, May 23, 2017 1:06 PM
To: Anderson, Mary
Subject: RE: Appliance Standards Subprogram Swimlane Meeting Notes

This is an EXTERNAL EMAIL. Stop and think before clicking links or opening attachments.

Mary,

With our work starting on the Tub Spouts I wanted to see if there was any protocol on contacting the CEC assigned person for our measure. Jessica Lopez, I believe is our analyst. At some point in the next few weeks I was thinking of reaching out and introducing ourselves and letting her know we would be leading the measure.

Please let me know if this works or if we are waiting for any introductions or kick off meeting.

Thanks!

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Anderson, Mary [mailto:M3AK@pge.com]
Sent: Monday, May 22, 2017 2:25 PM
To: Barbour, John L <JBarbour@semprautilities.com>; Reefe, Jeremy <JMReefe@semprautilities.com>; Garcia, Daniela <DGarcia3@semprautilities.com>; Charles Kim <Charles.Kim@sce.com>
Cc: Eilert, Patrick <PLE2@pge.com>
Subject: [EXTERNAL] Appliance Standards Subprogram Swimlane Meeting Notes

Here are my notes from today. Please look and let me know if there are any edits that need to be made. Thanks!
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<http://www.pge.com/en/about/company/privacy/customer/index.page>

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Exhibit 15 - ORA-A1701013-SCG006
<061517_A>

Garcia, Daniela

From: Garcia, Daniela
Sent: Thursday, June 15, 2017 2:58 PM
To: Kristjansson, Sue
Subject: RE: Check In on Diverters (Title 20)/ NRDC Call

Hey Sue,

The call went well, NRDC is very interested in the Tub Spouts so they want to make sure that we work in collaboration with them as they have conducted life-cycle testing of diverters. PGE started these conversations with them prior to us taking this measure so they had discussed potential testing. So I will just work to keep them in the discussions.

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Kristjansson, Sue
Sent: Thursday, June 15, 2017 2:04 PM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Subject: Re: Check In on Diverters (Title 20)/ NRDC Call

Okay. Let me know how it goes.

Sent from my iPhone

On Jun 15, 2017, at 9:41 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Hi Sue,

I just wanted to keep you in the loop. We have taken on the Tub Spout T20 measure and NRDC has reached out asking for a meeting. I will be having a quick call with them today 2-2:15 and have included Marc and Bo.

From what Mary has previously stated PGE had already been in preliminary discussions with Ed Osann, Policy Analyst, of NRDC with respect to the potential Title 20 update for tub spout diverters about potential testing.

Thank You,

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Garcia, Daniela
Sent: Thursday, June 15, 2017 8:07 AM
To: 'Lee, Susan' <slee@nrdc.org>
Subject: RE: Check In on Diverters (Title 20)

Hi Susan,

Yes, we just took the lead for that measure. With that being said we don't have anything to share yet but we can set something up if there's something you would to share. We will have a draft project plan early to mid-July so we could always set something up then as well since Ed will be back by then.

Thanks!

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Lee, Susan [<mailto:slee@nrdc.org>]
Sent: Thursday, June 15, 2017 7:14 AM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Subject: [EXTERNAL] RE: Check In on Diverters (Title 20)

Hi Daniela,

My name is Susan Lee and I support Ed Osann at NRDC. I am following up on the email Ed sent yesterday. Will you be available for a call today?

Thank you,

SUSAN LEE

Program Assistant- Water & Corporate Counsel

**NATURAL RESOURCES
DEFENSE COUNCIL**
1152 15TH STREET NW, SUITE 300
WASHINGTON, DC 20005
T 202.289.2389
SLEE@NRDC.ORG
NRDC.ORG

Please save paper.
Think before printing.

From: Osann, Ed
Sent: Wednesday, June 14, 2017 1:32 PM
To: DGarcia3@semprautilities.com
Cc: Lee, Susan <slee@nrdc.org>
Subject: Check In on Diverters (Title 20)

Hi Daniela –

I understand that you have the lead for the CA utilities team on CEC rulemaking for tub spout diverters. We also have an interest in supporting revised Title 20 standards for these products, as they offer a cost effective opportunity to save both energy and water. Any chance we can compare notes with you and/or your technical consultant? I'm around today and tomorrow, but after that I'll be out of the country for the rest of June.

Ed

Edward R. Osann | Senior Policy Analyst

Natural Resources Defense Council | 1152 15th Street, NW | Washington, DC 20005

Phone: (202) 289-6868 | email: EOsann@nrdc.org | www.NRDC.org

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Exhibit 16 - ORA-A1701013-SCG006
<062317_C>

Garcia, Daniela

From: Anderson, Mary <M3AK@pge.com>
Sent: Friday, June 23, 2017 11:07 AM
To: Eilert, Patrick; Kristjansson, Sue; Thomas, Michelle; Zeng, Kate
Cc: Garcia, Daniela; Reefe, Jeremy; Kim, Charles
Subject: [EXTERNAL] RE: Tub-Spout DiverTERS

For background for folks who haven't been involved in this process before here are some important items to keep in mind.

- The CEC released an Invitation to Participate(ITP) and the IOUs responded to all of the measures except tub spout diverters. While it isn't required for the IOUs to participate we have historically responded to all (that I am aware of) of the opportunities with some form of a response and public support.
- On the other measures we had been in communication with the CEC regarding our responses and didn't let the CEC know that weren't responding to the ITP for tub spout diverters.
- Daniela let the team know a few days before the ITP response deadline that she didn't believe we had sufficient information to respond to the ITP. None of the other IOUs expressed concern. It appears that wasn't communicated to the CEC.
- In the last meeting with the CEC they asked the IOUs about our lack of response and if we planned on submitting a response and we stated that we were not.
- In situations where there is little to no pushback (although the vast majority of rulemakings have some pushback) it could be okay not to respond, in my opinion.
- The CEC requested a meeting with the IOUs and the CASE authors (they stated it is a high priority for them)regarding the research plan on tub spout diverters.
- The draft standards proposal for all Phase 2 topics, including tub spout diverters is due middle to end of August.

From: Eilert, Patrick
Sent: Friday, June 23, 2017 10:11 AM
To: Kristjansson, Sue; Thomas, Michelle; Zeng, Kate
Cc: Anderson, Mary; Garcia, Daniela; Reefe, Jeremy; Kim, Charles
Subject: FW: Tub-Spout DiverTERS

Sue/Michelle/Kate-
I have asked Mary to send an Outlook invitation to discuss.
Thank you.
Pat

From: Driskell, Kristen@Energy [<mailto:Kristen.Driskell@energy.ca.gov>]
Sent: Thursday, June 22, 2017 4:45 PM
To: Eilert, Patrick
Cc: Anderson, Mary
Subject: Tub-Spout DiverTERS

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Hi Pat,

Hope you're doing well.

I was surprised not to receive comments from the IOUs on tub-spout diverters. We got a lot of opposition to the idea of lowering the leakage rate, and no support (EPA was neutral). It would be nice to know earlier rather than later whether IOU's will be supporting this effort or not. Let me know if you'd like to talk by phone.

Thanks,
Kristen

Kristen M. Driskell
Appliances & Outreach & Education Office
Efficiency Division
California Energy Commission
(916) 654-3957
Kristen.Driskell@energy.ca.gov

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Exhibit 17 - A1701013-PGE006

<020215>

https://docs.wixstatic.com/ugd/0c9650_e2ca6ea1850145b69836cd6a700c6bfd.pdf

From: [Andrew deLaski](#)
To: [Bijit Kundu](#); [Bryan Boyce](#); [Harvey Sachs](#); [Hunt, Marshall](#); [Jennifer Amann](#); [Joanna Mauer](#); [Lis, David J.](#); [Longstreth, Ben](#); [Louis Starr](#); [Marianne DiMascio](#); [Meg Waltner](#); [Rodney Sobin](#); [Steve Nadel](#); [Timothy Ballo](#)
Subject: prep for Thurs AHRI meeting - URGENT
Date: Monday, February 02, 2015 3:31:27 PM
Attachments: [Agenda - Negotiations ULE Products 02-05-15.docx](#)

Hi all: As decided at the end of our Jan 8 meeting with AHRI, we are slated to meet with AHRI again this Thursday at their offices to continue our talks about roof top units.

Our group really should talk before we get together with AHRI and time is short, so please respond as soon as you get this message to the doodle poll at

<http://doodle.com/b35rwtup4cdd2fyf>

I'll pick a time for tomorrow or Wednesday and send out a meeting invite as soon as a critical mass has filled out the poll.

I have attached here the draft agenda for the Thursday meeting. Feedback welcome by email and we can discuss on our call.

Also, please let me know whether you intend to participate by phone or in person.
Thanks

Andrew

--

Andrew deLaski
Appliance Standards Awareness Project
www.appliance-standards.org
(617) 363-9470

**Exhibit 18 - ORA-A1701013-PGE006
<021215>**

https://docs.wixstatic.com/ugd/0c9650_6aaf51bf95ee4b9097b7490cb33718b9.pdf

From: [Andrew deLaski](#)
To: [Mike Murza](#); [Hunt, Marshall](#); [Bijit Kundu](#); [Charlie Stephens](#)
Subject: Fwd: Furnace Stakeholder Planning Meeting
Date: Thursday, February 12, 2015 9:46:23 AM

Mike, Marshall, Charlie and Bijit: NRDC is pulling together a meeting of our team tomorrow and with industry next week concerning the furnace standards. In the past you all have been only a little involved in the furnace standards work, but I wanted to check again to see if you want to participate in these upcoming meetings in which we are working to find a way forward in this contentious docket. Do you want to participate in the call tomorrow and the meeting next Friday (presumably by phone)? Let me know and I'll ask NRDC to add you to the invite lists.

Andrew

----- Forwarded message -----

From: **Noll, Elizabeth** <enoll@nrdc.org>
Date: Thu, Feb 12, 2015 at 11:42 AM
Subject: Furnace Stakeholder Planning Meeting
To: "Roy, Robin" <roy@nrdc.org>, "Longstreth, Ben" <blongstreth@nrdc.org>, "Kennedy, Kit" <kkennedy@nrdc.org>, Andrew deLaski <adelaski@standardsasap.org>, "jmauer@standardsasap.org" <jmauer@standardsasap.org>, "Lis, David J." <djlis@ncep.org>, Timothy Ballo <tballo@earthjustice.org>, Harvey Sachs <hsachs@acece.org>, Steve Nadel <snadel@acece.org>, Rodney Sobin <RSobin@ase.org>, Mel Hall-Crawford <melhc@consumerfed.org>, Charlie Harak <charak@nclc.org>

Discuss and prepare for broad stakeholder call on Feb. 20th.

Call: [2127274600](tel:2127274600)

Participant code: [9866115](#)

Discuss:

- Initial thoughts on NOPR
 - Strengths and weaknesses
- Agenda for Feb. 20th (in development)
- Other?

For those unable to participate tomorrow, please send me your thoughts so we can be sure to integrate them into the discussion and reflect them in the agenda for the 20th. And again please forward to anyone I may have missed.

Thanks
Elizabeth

~~~~~

A ShoreTel conference call has been created for this meeting.

Use either of the following to join the call:

Call 4600 (Extension)

[+12127274600](tel:+12127274600) (Local dial in)

and enter the access code below followed by the # key.

Participant code: 9866115

Or, click the link below:

Participant: <https://conf.nrdc.org/conference/9866115>

Test link: <https://conf.nrdc.org/test>

Mobile Auto Dial:

VoIP: voip://+12127274600;9866115#

iOS devices: +12127274600,9866115 and press #

Other devices: [+12127274600x9866115](tel:+12127274600x9866115)#

~~~~~

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Exhibit 19 - ORA-A1701013-PGE006

<061915>

https://docs.wixstatic.com/ugd/0c9650_b8a2f7bd75f140938b40f06ab4e1b2dc.pdf

From: [Andrew deLaski](#)
To: [Marianne DiMascio](#)
Cc: [Ben Longstreth](#); [Brad Penney](#); [Charlie Harak](#); [David Goldstein](#); [David J. Lis](#); [Elizabeth Noll](#); [Harvey Sachs](#); [Jeff Harris](#); [Joanna Mauer](#); [Kit Kennedy](#); [Kristen@Energy Driskell](#); [Marshall Hunt](#); [Hunt, Marshall](#); [Mel Hall-Crawford](#); [Mike Murza](#); [Patrick@Energy Saxton](#); [Robin Roy](#); [Steve Nadal](#); [Suzanne Watson](#); [Timothy Ballo](#); [Chris Granda](#)
Subject: draft agenda for today's furnace call
Date: Friday, June 19, 2015 11:04:56 AM
Attachments: [Furnace NOPR LCC & NIA Results \(1\).xlsx](#)

Hello ASAP furnace TAG:

The purpose of our call this afternoon
(206-402-0821 9660261)

is to coordinate on written comments for the furnace docket, which are due on July 10.

Draft call agenda

1. Any updates on talks with industry? (I distributed notes on last week's meeting earlier this week.)
2. How do our talks with industry affect written comments?
3. Who plans to submit written comments?
4. Topics
 - a. What level to support:
 - 92 v. 95
 - regional v. national
 - do we recommend a low btu class at 80AFUE? if so, regional or national? up to what btu/h input?
 - b. DOE cost estimates
 - what information can we offer to support cost estimates equal or lower than DOE's?
 - * equipment
 - * venting
 - c. impacts on low income consumers
 - d. what else?

For everyone's convenience, I've attached here the summary of impacts at 92 and 95 national which Joanna put together and which we've circulated previously.

- Andrew

Andrew deLaski
Appliance Standards Awareness Project
www.appliance-standards.org
(617) 363-9470

On Wed, Jun 17, 2015 at 4:13 PM, Marianne DiMascio <mdimascio@standardsasap.org> wrote:
Thanks for completing the doodle poll. Could you all tentatively hold Friday from 3-4:30 EST (12-1:30 PST) for the furnace call and we'll confirm in the morning?

Marianne

On Tue, Jun 16, 2015 at 9:56 PM, Marianne DiMascio <mdimascio@standardsasap.org> wrote:

Hi all,

Here's the doodle poll for the call to coordinate July 10th comments to DOE. We are trying for this Friday, next Monday or Tuesday. Thanks for responding quickly.

<http://doodle.com/d6csxkawkk2x9rzs>

Marianne

On Tue, Jun 16, 2015 at 8:49 PM, Andrew deLaski <adelaski@standardsasap.org> wrote:

CONFIDENTIAL: Here's a report on last week's meeting with industry stakeholders and us. Key next step is to prepare our written comments for the DOE docket, due July 10. I know some of you have already commenced work on yours. I'm traveling tomorrow so have asked Marianne to get a poll around to find a call time. Please be on the lookout for that and respond as soon as you can. Thx.

Report on 6/11 furnace meeting

At the meeting last week, AGA proposed the following: 80% AFUE standard below 5000 HDD; 92% above. Furnaces at or below 80kbtu/h input would need to meet an 80% standard, regardless of region.

AHRI seconded the proposal for the 5000 HDD line, with 92% in the North and 80% in the south. AHRI also wants to allow 80% furnaces below a certain input capacity anywhere, but they did not have a position on the input capacity break point (previously, they also had said 80 kbtu/h)

On the other elements of our previous proposal, AHRI said:

- #1. they are pulling the furnace fan efficiency proposal off the table (we estimated small savings potential, given the 2019 fan rule).
- #2. they cannot support 81% AFUE for non-condensing furnaces.
- #3. they did not mention the AC standards (separately, they've requested a formal reg neg on the next round of AC standards, which is likely to be approved tomorrow).
- #4. they remain open to a provision related to learning thermostats, but have a lot of questions about how it would be done.
- #5. they did not respond on the building code, saying they viewed it as a secondary issue to be worked out after the main issues (Note: FWIW - when the codes option came up, Craig Drumheller said that NAHB while not favoring it would not object if it were part of the package.)
- #6. In response to our suggestion that we get more info on savings from modulating furnaces, several manufacturers in private said the energy savings are very small – the advantage of such units is comfort from more even heating.

The manufacturers expressed a strong preference for an approach that is simple.

AGA justified their position, in part, with an argument that they don't believe the DOE analysis has withstood the scrutiny of AGA's consultant (GTI) and that therefore the DOE proposal and any national standard in the condensing range is not cost-effective. They'll release that GTI critique of the DOE analysis as part of their written comments to the docket in early July. We need to be prepared to review, understand and critique it.

We responded to say that the AGA proposal was considerably short of what makes sense for consumers and energy savings. We said that there is some combination of north/south border, kbtu/h cut off for non-condensing products and condensing AFUE level (92 v 95), and ways to get additional savings from 80% furnaces that will allow for some non-condensing furnaces where they make economic sense and still deliver the large savings potential for this rule, but the AGA proposal does not come close to capturing it. All of these issues need to be further considered.

Steve shared his draft language on performance based approach for T-stats. This element achieves some of the savings lost by allowing some 80% furnaces.

The gas and furnace industries are going to review the performance based concept for T-stats.

We agreed to form a small technical working group on data issues that can help inform the kbtu/h cutoff, N-S line and 92 vs 95 AFUE issues, Harvey is our designee to that group and will convene that group.

AHRI asked if there was a quad target we had in mind for this rule. We said our goal is maximum cost effective savings, but would think about if we can reduce it to a quad number.

All sides said they'd like to continue working to see if a consensus can be reached. We also recognized that everyone would be focusing on their written comments to the docket in the near term now.

My sense is that our team needs to shift our full attention to preparing our written comments, which are due on July 10. To that end, please fill out the doodle poll Marianne will send around so we coordinate our written comments.

- Andrew

Andrew deLaski
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--

Marianne DiMascio
Appliance Standards Awareness Project
www.appliance-standards.org
www.twitter.com/ASAPstandards
[339-933-8140](tel:339-933-8140)

Marianne DiMascio
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[339-933-8140](tel:339-933-8140)

**ATTACHMENT B:
Southern California Gas Company
Motion to Strike Portions of Office
of Ratepayer Advocates' Final
Comments on Energy Efficiency
Program Administrators' Business
Plan Applications, A.17-01-013
(and related matters)
(October 13, 2017)**



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

FILED
10-13-17
04:59 PM

Application of Southern California Edison Company
(U338E) for Approval of Energy Efficiency Rolling
Portfolio Business Plan.

Application 17-01-013
(Filed January 17, 2017)

And Related Matters.

Application 17-01-014
Application 17-01-015
Application 17-01-016
Application 17-01-017

**SOUTHERN CALIFORNIA GAS COMPANY (U 904 G) MOTION TO STRIKE
PORTIONS OF OFFICE OF RATEPAYER ADVOCATES' FINAL COMMENTS ON
ENERGY EFFICIENCY PROGRAM ADMINISTRATORS' BUSINESS PLAN
APPLICATIONS**

JOHNNY J. PONG
ELLIOTT S. HENRY

Attorneys for:
SOUTHERN CALIFORNIA GAS COMPANY
555 West Fifth Street, Ste. 1400
Los Angeles, CA 90013
Telephone: (213) 244-2990
Facsimile: (213) 629-9620
E-mail: jpong@semprautilities.com

October 13, 2017

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

Application of Southern California Edison Company (U338E) for Approval of Energy Efficiency Rolling Portfolio Business Plan.

Application 17-01-013
(Filed January 17, 2017)

And Related Matters.

Application 17-01-014
Application 17-01-015
Application 17-01-016
Application 17-01-017

SOUTHERN CALIFORNIA GAS COMPANY (U 904 G) MOTION TO STRIKE PORTIONS OF OFFICE OF RATEPAYER ADVOCATES’ FINAL COMMENTS ON ENERGY EFFICIENCY PROGRAM ADMINISTRATORS’ BUSINESS PLAN APPLICATIONS

I. INTRODUCTION AND SUMMARY

Pursuant to Rule 11.1 of the Rules of Practice and Procedure of the California Public Utilities Commission (Commission), Southern California Gas Company (SoCalGas) moves to strike portions of the Office of Ratepayer Advocates’ (ORA) Final Comments on Energy Efficiency Program Administrators’ Business Plan Applications (ORA Comments), which were filed September 25, 2017. Specifically, ORA devotes approximately ten pages of its Comments¹ to accuse SoCalGas of using ratepayer funds to advocate against the State’s energy efficiency goals in the Codes & Standards area, when it opposed energy efficiency standards for residential furnaces proposed by the Department of Energy (DOE) (Furnace Rule) in the 2014-2015 timeframe.² ORA also accuses SoCalGas of being an ineffective lead in an ongoing California

¹ See ORA Comments, pp. 5-16.

² See Id. at 7-12.

Energy Commission (CEC) rulemaking on tub spout diverters.³ ORA recommends that SoCalGas be removed from Codes & Standards efforts and that it return to ratepayers funds it used to commission studies opposing the Furnace Rule.⁴ The Motion to Strike should be granted because:

1. ORA's allegations are baseless. ORA is wrong to allege SoCalGas advocated against the State's energy efficiency goals because SoCalGas did not join comments fully supporting a proposed Federal rule on residential furnaces, but instead submitted its own comments voicing concern over technical flaws and potential negative impacts to customers;
2. The evidence ORA relies on to make its inflammatory allegations (which include emails produced by SoCalGas and other Investor Owned Utilities (IOUs)) provides no credible support that SoCalGas had an anti-energy efficiency agenda, but rather, those documents reveal that SoCalGas could not reach consensus with other IOUs on the Furnace Rule for several reasons, all of which were in public comments in the DOE's rulemaking docket;
3. The emails cited by ORA also show that SoCalGas voiced concerns several times about the potential cost impacts to Southern California Gas customers and low-income customers if the Furnace Rule was enacted without revision;
4. Many of ORA's characterizations of email excerpts are taken out of context, and in some cases, are outright false or misleading;

³ See Id. at 12-15.

⁴ See Id. at 14-16.

5. ORA failed to disclose other emails contained in the data request responses from SoCalGas that provide important and relevant insight into why SoCalGas did not support the Furnace Rule (*see* Exhibit A);
6. ORA's attack on SoCalGas' work with reputable industry organizations and consultants such as the American Gas Association (AGA), American Public Gas Association (APGA), Gas Technology Institute (GTI), and Negawatt Consulting (Negawatt), is misguided given the Codes & Standards Statewide Program Implementation Plan (PIP) encourages use of external resources, which other IOUs have also employed;
7. ORA's portrayal of SoCalGas as a bad actor in energy efficiency is directly contradicted by SoCalGas' track record in achieving gas energy efficiency savings;
8. ORA's use of selective emails to portray SoCalGas as an ineffectual leader in the CEC's current tub spout rulemaking is directly contradicted by emails ORA had in its possession but chose not to disclose;
9. ORA's allegations and careless treatment of the evidence it relies upon are counterproductive to this proceeding and highly prejudicial to SoCalGas, and serve only to damage SoCalGas' character as a company and reputation in the energy efficiency marketplace and before its regulators;
10. ORA's allegations are ultimately a distraction to the decision-making process and the review of business plans and all the comments, arguments, and evidence offered by parties on the issues that matter in this proceeding.

Although SoCalGas believes ORA's entire Codes & Standards allegations against SoCalGas merit no weight whatsoever, this Motion only requests that ORA's false and

misleading statements be stricken. The facts and assertions actually supported by evidence, as well as the documents contained in ORA's Appendix C, speak for themselves and do not need to be stricken.⁵

II. SECTIONS AND STATEMENTS THAT SHOULD BE STRICKEN

A. The Entirety of ORA's Section II.B. Introduction Should be Stricken as Misleading

ORA's Codes & Standards attack on SoCalGas begins on page 5 of its Comments, and includes several statements that are misleading, inflammatory, and lacking in evidentiary support. ORA alleges that SoCalGas has used ratepayer funds to engage in a concerted effort to undermine the State's goals in Codes & Standards advocacy,⁶ and claims that SoCalGas' own emails and invoices somehow show that SoCalGas advocated directly against state energy policies and goals.⁷ In addition, ORA alleges that SoCalGas impeded development of new federal and state energy efficiency codes and standards in multiple DOE and CEC proceedings.⁸ ORA claims that SoCalGas worked with organizations like the AGA to formulate adverse policy positions in an attempt to delay or halt implementation of rules it considered likely to reduce gas throughput. ORA further claims that SoCalGas acted to undermine the advocacy efforts of other investor-owned utilities (IOUs) that sought to comply with state energy efficiency goals.

Fact Check: Since 2014, SoCalGas has participated in over ten DOE rulemakings, filed seventy comment letters in response to seventeen CEC Pre-Rule or Rulemakings for Title 20, and supported the 2016 and 2019 Title 24 Code Cycles through the IOUs' forty-four Codes &

⁵ See Id, Appendix C.

⁶ SoCalGas also moves to strike this language from the Table of Contents, and from the Introduction (Id. at 1).

⁷ See Id. at 5.

⁸ See Id. at 6.

Standards Enhancement (CASE) initiatives.⁹ Among the DOE rulemakings, SoCalGas did not join the other IOUs in only two, including the Furnace Rule.

SoCalGas worked diligently to co-fund and lead multiple measures within the Codes & Standards subprograms. SoCalGas has developed nine co-funding agreements and twenty-seven contracts within the Building Standards, Appliance Standards, Compliance Improvement, Reach Codes and Planning & Coordination Subprograms supporting the advancement of Codes & Standards both statewide and nationally.¹⁰ SoCalGas has been the lead for the Title 24 Drain Water Heat Recovery CASE report, and the Title 20 Tub Spout Diverters rulemaking.

In the 2014-2015 timeframe, SoCalGas voiced concern over the DOE's Furnace Rule, and did so in formal, public comments submitted in DOE's Notice of Proposed Rulemaking. Emails produced in discovery provide additional insight into SoCalGas' concerns as well as the concerns and views of PG&E and its hired consultants on the Furnace Rule. There is no dispute that there were disagreements over the Furnace Rule, and SoCalGas and PG&E in particular were not able to resolve their differences.

SoCalGas reached out to AGA and other industry experts and consultants for technical assistance in reviewing the Furnace Rule. SoCalGas did so under the approved Codes & Standards Statewide Program Implementation Plan (or PIP). According to the PIP:

Advocacy also includes affirmative expert testimony at public workshops and hearings, participation in stakeholder meetings, ongoing communications with industry, and a variety of other support activities.¹¹

⁹ DOE Rulemakings found at www.Regulations.gov; Title 20 rulemakings found at www.Energy.ca.gov; Title 24 rulemakings found at www.Title24stakeholders.com.

¹⁰ All contract data was provided to ORA through data request ORA-008. Co-funding agreements were not included, as other IOUs held these contracts.

¹¹ Program Implementation Plan, p. 2.

SoCalGas voiced several times in emails that it had a concern over the cost impact of the adoption of the Furnace Rule, without modification, to Southern California Gas customers. One email string produced by ORA contains a statement from a SoCalGas Codes & Standards employee:

*“As for the PG&E question, they have adopted a position that California is moving too slowly in this area and they are going to advance efficiencies **regardless of the potential negative to customers.**”¹² (emphasis added)*

And in another email string, that same employee stated,

*“I have received the reports from the two analyses SoCalGas conducted regarding the DOE Furnace Rulemaking. I have highlighted a few of the most relevant points below and based on these findings am recommending that we prepare and file comments in opposition to this rulemaking on behalf of our customers. **These reports indicate several reasons that this rulemaking is not good for Southern Californian’s but the most poignant is that using the DOE’s own inputs and variables, more Southern California customers will suffer a net cost rather than a net benefit and that is contrary to the DOE’s own requirements for enacting a rule of this nature and contrary to California’s requirements for cost effectiveness.**”¹³ (emphasis added)*

SoCalGas’ response to an ORA data request further explains this concern for SoCalGas customers. ORA issued a data request to the IOUs on the DOE’s Furnace Rule. ORA asked SoCalGas:

“Describe your rationale for not commenting on or for not supporting DOE’s proposed efficiency level (TSL) for all rulemakings responsive to Question 6.”¹⁴

SoCalGas responded (in relevant part):

In DOE Rulemaking for the Energy Conservation Standards for Residential Furnaces, EERE-2014-BT-STD-0031, SoCalGas did

¹² See ORA Comments, Appendix C, Ex. 18.

¹³ See Id. at Ex 9, p. 39.

¹⁴ See Exhibit A, Ex-01, which contains ORA’s questions and SoCalGas’ responses to Data Request ORA-A1701013-SCG004.

not support the DOE's proposed TSL 6. The analysis that was conducted showed that even with the split standard, **it continues to be an economic hardship on Southern California customers.** SoCalGas submitted two sets of analyses to the original NOPR that provided a comprehensive evaluation of the underlying inputs, assumptions and methods of DOE's life cycle cost (LCC) analysis and data filtered by region (California and Southern California). SoCalGas had also conducted a second analysis based on the updated LCC calculations and associated technical support document (TSD) released with the SNOPR. SoCalGas requested the DOE to review the summary of our findings and address all concerns with the TSD and LCC prior to issuing a final rulemaking.¹⁵ (emphasis added)

ORA did not produce SoCalGas' data request responses in its Comments (SoCalGas introduces them in Exhibit A). ORA did produce several email strings, as well as SoCalGas' official comments to the Furnace Rule. This body of evidence provides no support whatsoever that SoCalGas was engaged in any improper or obstructionist activities against the State's energy efficiency goals. It demonstrates that while SoCalGas ultimately did not join the other IOUs in their support of the DOE's proposed Furnace Rule, SoCalGas voiced its concerns with the IOUs, and formalized them in public comments.

Conclusion: If SoCalGas is going to be accused of a concerted effort to halt, delay, or work against the State's energy efficiency goals because it voiced an informed opinion about issues it had with the proposed Furnace Rule, and did so without the support of the other IOUs, there will be a chilling effect upon any IOU program administrator to voice any concerns over any proposed rule, regulation, or measure. This is arguably contrary to the intent of the DOE's Notice of Proposed Rulemaking which solicits public comment. ORA views this (at least for SoCalGas) as engaging in a concerted effort against the State's energy efficiency goals, which is a preposterous notion and should be stricken from consideration.

¹⁵ See Exhibit A, Ex-0., Response to DR-ORA-A1701013-SCG004, Question 7.

B. Further Statements Which Should be Stricken

The specific underlined sections contained in ORA's Furnace Rule allegations should be stricken.

- **ORA Comments at 7**

2. SoCalGas opposed adoption of amended federal energy conservation standards for residential gas furnaces on the grounds that improved efficiency would encourage fuel switching away from natural gas.

Fact Check: The source document in question is SoCalGas' comments in the DOE's Notice of Proposed Rulemaking, which ORA attached as Exhibit 2 to Appendix C. That document includes *seven* specific reasons why the proposal was problematic: (1) economic infeasibility for Southern California customers, (2) burden on low-income communities, (3) increases in energy consumption (where fuel switching is discussed), (4) data requires additional clarification and transparency, (5) concern over the "no-new-standards case furnace assignment" methodology, (6) life cycle cost savings were overstated, and (7) use of outdated price forecasts.¹⁶

Further, as to the reference to fuel switching, SoCalGas was not expressing a concern about gas throughput, but the implied forced switch to another fuel source that would have resulted from mandating a condensing furnace that would require a full infrastructure change-out at replacement. As stated in its Furnace Rule public comments:

The increased costs of moving to a 92% AFUE minimum efficiency gas furnace from the current industry standard of 80% AFUE... make fuel-switching (using split-system or mini-split heat pumps) an attractive alternative to consumers on a cost, rather than performance; basis. *A switch from gas to electricity space heating will, however, increase source energy consumption* due to the inefficiencies of losses in generation, transmission and distribution of electricity.... The resulting increased source energy

¹⁶ See ORA Comments, Appendix C, Ex. 2.

use is contrary to the stated goals of the legislation that provides the basis for efficiency standards.¹⁷ (emphasis added)

Conclusion: By failing to provide the complete picture, ORA is misleading the Commission when it claims SoCalGas opposed improved energy efficiency standards because it would promote fuel switching away from gas. SoCalGas raised several concerns over whether this standard was viable, and its comment on fuel switching focused on the impact to energy consumption, not the mere fact that there was a switch from gas to electricity.

- **ORA Comments at 8, 9, 10, and 14**

SoCalGas used ratepayer-funded studies to undermine gas efficiency standards. (at 8 and Table of Contents)

In other words, after AGA commissioned research that it found useful in advocating against more stringent codes and standards, SoCalGas used ratepayer funds to commission an additional study for its service territory by the same consultant for the same purpose, suggesting a coordinated effort by AGA and SoCalGas to undermine the furnace standard. (at 9)

This series of emails show a clear effort on the part of SoCalGas to coordinate with AGA and APGA in their joint efforts to undermine pending gas energy efficiency standards and the use of ratepayer funded consultants to do so. (at 10)

Since at least 2014, SoCalGas has actively advocated against state policies and goals related to codes and standards, using ratepayer funds to support consultant activities that sought to undermine and/or stall their implementation. SoCalGas emails show its concern for maintaining gas throughput, even at the expense of more stringent codes and standards that could increase the efficiency of residential gas furnaces. (at 14)

Fact Check: In accordance with the Statewide PIP, SoCalGas and other IOUs are expected and encouraged to use industry sources. AGA, APGA, and GTI are among the most reputable in the industry and offer an expertise in natural gas that can bring useful information to the evaluation of energy efficiency. They are not the only industry voices or experts, but they

¹⁷ Id.

are among many who have collaborated with IOUs and other organizations in energy efficiency. All activity conducted by SoCalGas on the Furnace Rule was consistent with its obligations under the PIP.

Conclusion: ORA's allegations that there were joint efforts to undermine energy efficiency are irresponsible and misleading and tarnishes the reputations and contributions of respected industry organizations and consulting firms which offer their knowledge and technical expertise. IOUs and other stakeholders will need to continually engage and collaborate with them going forward, and ORA's allegations are counter-productive and damaging to those relationships. Further, not every proposed agency rule in energy efficiency is presumptively a good one, cost beneficial to customers, or beyond scrutiny and improvement. Efforts to expose and possibly improve rules are beneficial to the development of sound and customer-beneficial energy efficiency rules.

- **ORA Comments at 10**

SoCalGas attempted to obstruct the efforts of other utilities to implement the state's energy efficiency goals.

Fact Check: SoCalGas filed comments on the Furnace Rule independent from the other IOUs. Both sets of comments are included in ORA's Comments, Appendix C. While all IOUs attempted to reach consensus, SoCalGas did not ultimately join in support for the Furnace Rule because of the concerns raised in the filed comments, which are consistent with the emails introduced by ORA during that timeframe. In another DOE rulemaking (Energy Conservation Standards for Residential Cooking Products), it was PG&E which did not join the other IOUs' comments.¹⁸ Not every IOU will ultimately decide it can fully support joint comments.

¹⁸ See Exhibit A, Ex-01, SoCalGas' response to data request ORA-A1701013-SCG004, Question 7.

Conclusion: Claiming that SoCalGas obstructed efforts of the other IOUs is misleading and should be stricken.

- **ORA Comments at 10**

Further, in internal communications, SoCalGas executives noted with concern PG&E efforts to comply with state policies.

Fact Check: The SoCalGas executive, in response to an employee’s detailed briefing of the Furnace Rule, asks two questions: (1) “How many of the furnaces is out [sic¹⁹] service territory fall within the lower size limit by PG&E and then the larger size proposed by DOE?” and (2) “Why is it PG&E is so in favor of these rules?”²⁰ A later email from the same executive (directed at two employees) states, “I would like to get your input.”²¹ This appears to be the entirety of ORA’s support, and yet the plain language of the email does not state or imply that SoCalGas leadership voiced any concern over PG&E complying with any State policy.

Conclusion: ORA misrepresents by suggesting multiple executives voiced concerns about complying with State policies. This is not what this document says or suggests. Further, characterizing an inquiry into PG&E’s position on the Furnace Rule as concern that PG&E was complying with State policies (thus by extension, SoCalGas was opposed to complying) is unreasonable, unsupported, and prejudicial. ORA’s statement therefore lacks evidentiary support and is misleading, and should be stricken.

¹⁹ This is a direct quote; however, it is likely the intent was to state “How many of the furnaces [in our] service territory . . .”

²⁰ See ORA Comments, Appendix C, Ex. 18.

²¹ See ORA Comments, Appendix C, Ex. 9, at 8.

- **ORA Comments at 11**

In condemnation of these acts, another SoCalGas manager decries PG&E as “blighters.”

ORA’s own commentary on this particular one-word email offers no probative value, lacks foundation, and should be stricken.

- **ORA Comments at 11**

In October 2015, the SoCalGas codes and standards manager described PG&E’s position on the furnace rules to a vice president at SoCalGas’ parent company Sempra who asked why PG&E favors the rules: “They [PG&E] have adopted a position that California is moving too slowly in this area and they are going to advance efficiencies regardless of the potential negative impact to customers.” This email suggests that SoCalGas views the state’s energy efficiency goals as a threat and something to be opposed rather than seeing support for the state’s energy efficiency goals as a fundamental obligation of ratepayer funding.

Fact Check: The executive in question was a SoCalGas employee, not a Sempra Energy employee. The lengthy email briefing the executive discusses why the Furnace Rule was problematic, and includes a summary of an in-depth analysis performed by GTI.

Conclusion: Nowhere does this email string say or suggest that SoCalGas viewed California’s energy efficiency goals as a threat or something to be opposed. It is an unreasonable and unsupportable stretch to extrapolate that an email detailing concerns of a proposed Furnace Rule is a view that the State’s energy efficiency goals are a threat and should be opposed. ORA’s statements are misleading and lack evidentiary foundation, and should be stricken.

- **ORA Comments at 12 and 14**

As a part of negotiations over statewide leads, SoCalGas worked out an agreement with PG&E's Senior Director responsible for EE to have PG&E's codes and standards principal fired as a condition of PG&E becoming the overall statewide lead for codes and standards. (at 12)

SoCalGas made contingent its acceptance of the lead decisions on the replacement of PG&E's representative and PG&E acceptance of SoCalGas as co-lead on gas initiatives. (at 12, FN. 37)

SoCalGas also offered to serve as a statewide lead on codes and standards initiatives, but conditioned approval of all statewide lead administrators on the removal of PG&E's lead codes and standards principal.-(at 14)

Fact Check: A plain reading of the email statement does not support ORA's version of events. The statement from SoCalGas' director reads in its entirety: "Let me know how today goes. If you get closure on replacing [NAME REDACTED] and securing the Gas co-lead we can send out the joint communications with the leads identified."²² The PG&E employee ORA claims was fired has remained an active employee at PG&E and continues to work in Codes & Standards. The plain language of the email nowhere suggests this employee was fired or should be fired. The email speaks for itself.

Conclusion: ORA's version of events, based on this one statement, is unsupported by this evidence, lacks foundation, and plainly misleads the Commission by claiming there was an agreement between PG&E and SoCalGas to have a PG&E employee fired. These statements should be stricken.

²² See ORA Comments at 12, referencing, Appendix C, Ex. 20.

- **ORA Comments at 12**

In addition, SoCalGas has not worked with the other IOUs in good faith to promote enhanced codes and standards statewide, undermining statewide collaboration and jeopardizing the state’s leadership on energy efficiency. For example, with respect to the 2017 DOE RFI response, SoCalGas participated in a process of drafting a joint letter with other utilities, but formally withdrew from that process only one day before comments were due despite determining a week earlier that they could not sign a joint letter.

Fact Check: As shown in an email string produced by ORA, SoCalGas was internally considering filing a separate letter on July 6, 2017, but continued to try to negotiate a joint letter up until July 12.²³ Then on July 13, PG&E stated:

“As the IOUs have worked through comments *over the last month there was an explicit agreement that the IOUs can submit separate RFI comment letters* since there may be different policy stances on the RFI questions.”²⁴ (emphasis added)

Moreover, it was an individual at PG&E who stated on July 13:

“*PG&E* has a few overarching comments on SCG’s most recent version of the letter, and *recommends separate letters.*”²⁵ (emphasis added)

Conclusion: ORA has taken one statement out of context and ignores other evidence in order to support a highly misleading factual statement. It should therefore be stricken.

- **ORA Comments at 12, 13, and 14**

SoCalGas demonstrated its inability to effectively lead IOU codes and standards efforts. (at 12)

In early 2017, SoCalGas volunteered to act as state lead on a CEC rulemaking on tub spout diverter efficiency standards but failed to perform basic activities until pressed to do so repeatedly by the CEC and other IOUs. (at 12)

²³ See ORA Comments, Appendix C, Exs. 21, 22 at 2-3.

²⁴ Id. at, Ex. 22 at 2.

²⁵ Id. at Ex. 21 at 1.

After pressed to take action by the CEC and other IOUs, SoCalGas management appears to have grudgingly agreed to participate in the rulemaking due to threats to the company's prestige. (at 13)

However, even after agreeing to participate, SoCalGas failed to make the necessary resources available to fulfill their obligations as the lead IOU for the rulemaking. (at 13)

For example, even though it lobbied to be the lead IOU on tub spout diverters, SoCalGas did not respond to an invitation from the CEC to participate in a meeting on tub spout diverters. (at 13)

Only after repeated requests from the CEC and other utilities did SoCalGas finally issue an initial response and preliminary research plan for the rulemaking, though it continued to insist that more analysis was needed. (at 13)

See June 23, 2017 internal email from executives of SoCalGas parent company Sempra Utilities, which details the timeline of events and identifies a “possible risk of loss of credibility if we do not comment.” (at 13)

At a minimum, SoCalGas' failure to proactively address the CEC's data gathering needs for the tub spout diverter rulemaking demonstrates its incompetence and potentially its inability or unwillingness to implement codes and standards advocacy programs as directed by the Commission. (at 14)

Fact Check: SoCalGas provided in discovery to ORA its reasons for deciding not to submit an initial comment on the tub spout diverters. ORA did not include that data request response in its Comments (SoCalGas provides the full responses in Exhibit A). ORA asked in discovery:

“Describe your rationale for not commenting on or for not supporting CEC's proposed efficiency level for all pre-rulemakings or rulemakings responsive to Question 6.”

SoCalGas responded:

At the time of the Invitation to Participate (ITP), the first open comment period in the CEC docket . . . research, testing and analysis had not taken place. Although SoCalGas is supportive of exploring Tub Spout Diverters for inclusion in future code, without any specific validation for the measure it seemed prudent to gather scientific data that would allow for future support that would be

considered informed and indisputable. SoCalGas agreed that conducting research and considering tighter standards was sensible due to savings potential, but the CEC had already made that case very well. As a result, SoCalGas decided to not comment at that time. It is important to note that this was shared on a Statewide call with the CED on June 22nd (Please see email response 1.zip; 062217_S.pdf) and no objection was voiced.

Furthermore, as part of its discovery response, SoCalGas provided ORA with emails on tub spouts which ORA did not include in its Comments. These emails reveal that SoCalGas had been informed that the initial data gathering had been started by PG&E consultant, Energy Solutions. A month after proactively reaching out for updates and documents, it was shared that “they hadn’t completed the analysis on the tub spout diverters.”²⁶ SoCalGas then gathered information and data as quickly as possible setting up various manufacturer and test lab interviews. Yet despite such efforts, SoCalGas felt it was not adequately prepared to issue a sufficient initial response to the CEC. That decision was not opposed by the other IOUs. In fact, SoCalGas was assured by another utility’s employee that “this isn’t a big deal, you/we had no way of knowing” that the CEC was expecting a response.²⁷

Conclusion: The data request response and the additional emails, which ORA did not bring to light, directly contradict ORA’s assertions that SoCalGas is an incompetent or reluctant lead. Therefore, these flagged statements are not supported by a full and fair evidentiary record, are misleading, and should be stricken.

- **ORA Comments at 13 and 14**

Oddly, SoCalGas’ proposed research plan omitted the field studies that the CEC and other utilities considered crucial to understanding the feasibility and effectiveness of the proposed standard, instead proposing to rely solely on interviews with manufacturers who were opposed to the new standard. (at 13)

²⁶ See Exhibit A, Ex-12.

²⁷ See Id. at Ex-16.

Only under pressure from the CEC and other utilities did SoCalGas eventually respond, but even then SoCalGas required additional pressure before agreeing to undertake the research efforts required to support the rulemaking. (at 14)

Fact Check: Emails included in ORA’s Comments show that SoCalGas’ consultant only *initially* suggested collecting data directly from manufacturers. The consultant did not include independent testing on its initial plan, but, after feedback from the Energy Division, SoCalGas agreed to revise the plan to incorporate additional testing (and to address other comments).²⁸ The process of developing a plan and other steps in considering a potential measure is a collaborative and ongoing process so that potential shortcomings can be addressed and remedied. SoCalGas’ draft research plan was circulated for comments to all of the IOUs and the CEC.²⁹

Conclusion: The CEC’s tub spout diverter rulemaking is ongoing. As shown in the point above, SoCalGas is active and collaborative on this matter. Initial plans are constantly subject to feedback, revision, and improvement. It is a team effort which SoCalGas is proficiently leading. ORA’s mischaracterization seems intended to discredit SoCalGas’ lead on this effort. However, the facts do not support any notion that SoCalGas is unable to fulfill its role on this current rulemaking. These excerpts therefore deserve no merit and should be stricken.

C. The Entirety of ORA’s Section II.C. Should be Stricken

This section of ORA’s Comments discusses ORA’s proposed remedies against SoCalGas for alleged misuse of ratepayer funds.³⁰ ORA largely repeats its claims that SoCalGas has actively advocated against state policies and goals related to Codes & Standards.³¹ Further, ORA

²⁸ See ORA Comments, Appendix C, Ex. 26.

²⁹ See Exhibit A, Ex-06.

³⁰ See ORA Comments at 14

³¹ See Id.

alleges that “[r]egardless of whether SoCalGas’ efforts have been compromised, inconsistent, or merely ineffective, SoCalGas has deprived ratepayers of the benefit of the bargain made on their behalf to pursue more stringent codes and standards in exchange for ratepayer funding and shareholder performance incentives.”³²

Fact Check: A few excerpts from SoCalGas’ comments on the Furnace Rule³³ speak for themselves:

“The average savings for Southern California is over 99 percent less than the “Rest of the Country” region California is identified under for the proposed split standard, putting our customers at a severe disadvantage and making this economically infeasible.”

“The simple payback for Southern California is more than three times the “Rest of the Country” region California is identified under for the proposed split standard, making this not cost-effective.”

“The average payback for impacted customers in Southern California is more than double the “Rest of the Country” region, again, making this not cost-effective.”

“DOE’s own analysis shows that low-income consumers in the “Rest of the Country” region may bear a larger burden than other consumers with this rulemaking, despite the split standard. This burden is compounded by the fact that low- and fixed-income homeowners typically live in smaller spaces, which require less energy to heat and therefore will achieve less annual savings. Additionally, low- and fixed-income renters will likely be forced to deal with higher rents when landlords are required to install high-efficiency furnaces, passing the costs to the renters, contrary to DOE assertions.”

Conclusion: ORA’s entire section contains inflammatory and misleading assertions to justify its proposed remedies against SoCalGas. The fact is that SoCalGas was a strong advocate for ratepayers when it voiced concerns over the DOE’s Furnace Rule, even if it had to voice

³² Id. at 15.

³³ See Id., Appendix C, Ex. 2.

them apart from the rest of the IOUs. These actions are not indicative of a utility that has acted in contravention to ratepayer interests. Quite the opposite. Therefore, ORA's recommendations lack any merit; and, this entire section should be stricken.

III. CONCLUSION

ORA is entitled to strongly advocate against SoCalGas' Business Plan or aspects of SoCalGas' role in energy efficiency. However, it should not be permitted to propagate misleading and unsubstantiated allegations in the process. ORA's allegations are inflammatory, misleading and prejudicial, and lacking in evidentiary support. Therefore, the sections and excerpts identified in this Motion should be given no weight and should be stricken so that they do not continue to be a source of distraction to this proceeding, and defamation to SoCalGas.

Respectfully submitted on behalf of
SOUTHERN CALIFORNIA GAS COMPANY,

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October 13, 2017

EXHIBIT A

ADDITIONAL EVIDENCE

Exhibit #	Data Request	File Name	Description
01	ORA-A1701013-SCG004	<ORA-A1701013-SCG004>	SoCalGas Response to ORA Data Request SCG 004.
02	ORA-A1701013-SCG004	<RE_LCC Considerations DOE Furnace Proceedings>	Email between SoCalGas and PG&E in Feb-March 2015 timeframe regarding DOE Furnace Rule proceeding.
03	ORA-A1701013-SCG004	<031215_A>	Emails between SoCalGas and GTI regarding analyzing impact of Furnace Rule on fuel-switching and impact to customers.
04	ORA-A1701013-SCG004	<032715_A>	Internal SoCalGas communication describing status of position on Furnace Rule as of March timeframe, stating continued support for higher efficiency levels in natural gas appliances and equipment and its first priority to assess the impact to SoCalGas customers.
05	ORA-A1701013-SCG004	<072815_A>	Internal SoCalGas communication containing a proposed note in response to PG&E's question on SoCalGas' position on Furnace Rule as of late July 2015.
06	ORA-A1701013-SCG006	<ORA-A1701013-SCG006>	SoCalGas Response to ORA Data Request SCG 006.
07	ORA-A1701013-SCG006	<041217_A>	Emails between SoCalGas and PG&E in mid-April 2017 discussing status of pending CASE Report, with discussion of SoCalGas inquiring into status.
08	ORA-A1701013-SCG006	<042417_A>	Emails with consultant, Negawatt, in late-April 2017 on status of work on measure.
09	ORA-A1701013-SCG006	<050417_A>	Email from Negawatt in early-May 2017 inquiring of SoCalGas whether additional information was provided by PG&E.
10	ORA-A1701013-SCG006	<051517_17>	Email from SoCalGas to PG&E in mid-May 2017 inquiring about status of information of tub spout diverters.

11	ORA-A1701013-SCG006	<051617_A>	Email between Negawatt and SoCalGas in mid-May 2017 regarding review of CEC presentation and statement that SoCalGas was still waiting for information from PG&E.
12	ORA-A1701013-SCG006	<051817_A>	Emails between PG&E and SoCalGas in mid-May 2017 stating Energy Source has not completed the analysis on the tub spout diverters.
13	ORA-A1701013-SCG006	<052217_C>	Emails between Negawatt and SoCalGas in late-May 2017 discussing review of PG&E attachments and possible additional lab work.
14	ORA-A1701013-SCG006	<052317_B>	Emails between PG&E and SoCalGas in late-May 2017 regarding SoCalGas taking the lead.
15	ORA-A1701013-SCG006	<061517_A>	Internal SoCalGas emails, and emails with NRDC in mid-June 2017 regarding NRDC's interest in tub spouts.
16	ORA-A1701013-SCG006	<062317_C>	Email reply from PG&E stating that "none of the other IOUs expressed concern" about SoCalGas' plan to not respond to the initial request.
17	ORA-A1701013-PGE006	<020215>	Example of other IOUs' collaboration with organizations and consultants.
18	ORA-A1701013-PGE006	<021215>	Example of other IOUs' collaboration with organizations and consultants.
19	ORA-A1701013-PGE006	<061915>	Example of other IOUs' collaboration with organizations and consultants.

SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG004)

Department of Energy (DOE) Request for Information (RFI) on Executive Order 13771

QUESTION 1:

Provide all documents (draft and final) and all emails relating to DOE Rulemaking DOE_FRDOC_0001-3375, DOE's RFI pertaining to its implementation of Executive Order 13771 Reducing Regulation and Controlling Regulatory Costs.

RESPONSE 1:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. SoCalGas further objects to the production of the requested information to the extent and on the grounds it is confidential and protected from disclosure by the attorney-client privilege, the attorney work product doctrine, and other applicable privileges and protections. Subject to and without waiving these objections, SoCalGas responds as follows:

Please see attachments for all documents and emails relating to the DOE's RFI pertaining to its implementation of Executive Order 13771 Reducing Regulation and Controlling Regulatory Costs attached in Response_1.zip. This attachment is compiled in the following folders:

- Response_1_Docs: Draft and Final Documents
 - PGE_Provided_DraftFinalLetters: Draft Joint IOU letter led by PG&E
 - SCG_Draft_Final_Docs: SoCalGas draft and final letters
- Response_1_Emails: emails regarding rulemaking comments filed documents
- [CONFIDENTIAL] Response_1_Protected Information.zip, provided pursuant to Pub. Util. Code §583 and all applicable protections, and accompanied by Declaration.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG004)**

QUESTION 2:

Provide the date that the final letters were docketed to DOE and the docketed comment letters.

RESPONSE 2:

The final comment letter was docketed on July 14th, 2017 to the DOE, DOE_FRDOC_0001-3375, regarding the RFI on Executive Order 13771.

Please see FR-2017-05-30 DOE RFI SoCalGas Response.pdf within Response_2.zip as the copy of SoCalGas' final comment letter.

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DOE Residential Furnace Rulemaking

QUESTION 3:

Provide all documents (draft and final) and emails regarding DOE's Residential Furnace rulemaking since January 1, 2014 in any phase of the rulemaking.

RESPONSE 3:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. SoCalGas further objects to the production of the requested information to the extent and on the grounds it is confidential and protected from disclosure by the attorney-client privilege, the attorney work product doctrine, and other applicable privileges and protections. Subject to and without waiving these objections, SoCalGas responds as follows:

Please see attachments for all documents and emails relating to the DOE's Residential Furnace rulemaking, EERE-2014-BT-STD-0031, attached in Response_3.zip. This attachment is broken down into the following folders:

- 010917_R3: Documents (Draft and Final) for comments filed 01/09/17
- 051215_R3: Documents (Draft and Final) for comments filed 05/12/15
- 071415_R3: Documents (Draft and Final) for comments filed 07/14/15
- 101615_R3: Documents (Draft and Final) for comments filed 10/16/15

- Response_3_Emails: emails regarding rulemaking comments filed Documents

- [CONFIDENTIAL] Response_3_Protected Information.zip, provided pursuant to Pub. Util. Code §583 and all applicable protections, and accompanied by Declaration.

**SOUTHERN CALIFORNIA GAS COMPANY
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(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG004)**

QUESTION 4:

Provide any analysis completed in response to these rulemakings.

RESPONSE 4:

SoCalGas objects on the basis that this question is vague and overbroad. Subject to and without waiving these objections, SoCalGas responds as follows:

Please see attachments for the analysis completed in response to the DOE Residential Furnace rulemaking attached in Response_4.zip and Response_4_071415_R4_LCC calcs.zip. Analysis documents have been grouped based on the date comments were docketed as indicated in Response 3.

SOUTHERN CALIFORNIA GAS COMPANY
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QUESTION 5:

Provide the dates of all comment letters submitted to DOE and all docketed comment letters or data.

RESPONSE 5:

The following table provides dates for all comment letters submitted to DOE. These final docketed comments and documents are provided in Response_5.zip filed corresponding to the date the comments have been posted.

Date Posted	Link & Attachment Names
01/09/2017	Link: https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0304 Attachment Names: <ul style="list-style-type: none"> • "SoCalGas Attch 02_GTI Analysis" • "SoCalGas Attch 01_Negawatt DOE Furnace SNOPR updated report 20161220" • "DOE Residential Furnace SNOPR - SoCalGas Comments 20160106"
10/16/2015	Link: https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0177 Attachment Names: <ul style="list-style-type: none"> • "DOE Furnace NODA Cover Letter" • "DOE Furnace NOPR Comments" • "GTI Analysis - 21779 Furnace NOPR Analysis Final Report 2015-07-15" • "Negawatt Analysis"
07/14/2015	Link: https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0132 Attachment Names: <ul style="list-style-type: none"> • "DOE Furnace NOPR Cover Letter" • "DOE Furnace NOPR Comments" • "GTI Analysis (includes privately owned rights disclaimer)" [see 10/16/15] • "CA LCC Tables" [two files] • "CA Switching Table" [two files]

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	<ul style="list-style-type: none">• "Negawatt Analysis"• "21779 Furnace NOPR Analysis Final Report 2015-07-15"
05/12/2015	<p>Link: https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0051</p> <p>Attachment Names:</p> <ul style="list-style-type: none">• "SoCalGas Request for Extension to Comment Deadline for Furnace Rule"

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(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG004)

DOE Rulemaking Non-Response or Non-Support

QUESTION 6:

Provide a list of all DOE rulemakings where you either did not comment on the proposed efficiency level or did not support DOE's proposed efficiency level (Trial Standard Level or TSL) or a higher efficiency level (TSL).

RESPONSE 6:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. Subject to and without waiving these objections, SoCalGas responds as follows:

Below please find the DOE rulemakings where SoCalGas did not support the proposed efficiency level:

- Energy Conservation Standards for Commercial Packaged Boilers - EERE-2013-BT-STD-0030
- Energy Conservation Standards for Residential Furnaces - EERE-2014-BT-STD-0031
- Energy Conservation Standards for Residential Conventional Cooking Products - EERE-2014-BT-STD-0005

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QUESTION 7:

Describe your rationale for not commenting on or for not supporting DOE's proposed efficiency level (TSL) for all rulemakings responsive to Question 6.

RESPONSE 7:

SoCalGas submitted comments to each of the rulemakings listed in question six. The following rationales have been provided below for each of the rulemakings.

SoCalGas provided comments in the DOE Rulemaking for the Energy Conservation Standards for Commercial Packaged Boilers proposing TSL 2, EERE-2013-BT-STD-0030. SoCalGas' provided rationale that supported TSL 1 instead of the proposed TSL given the concern that the DOE may be inadvertently disqualifying a significant amount of non-condensing equipment. Due to the upcoming changes to the commercial packaged boiler test procedure some cases may be forcing a shift to condensing equipment. Additionally, SoCalGas was concerned that the proposed ruling places an undue burden on California customers in particular. Final comments are docketed in <https://www.regulations.gov/document?D=EERE-2013-BT-STD-0030-0077>. [A copy of these comments](#). A copy of these comments (SoCalGas_Response_to_Com_Pkg_Boilers_Std_2016-06-22k.pdf) are provided in Response_7.zip.

In DOE Rulemaking for the Energy Conservation Standards for Residential Furnaces, EERE-2014-BT-STD-0031, SoCalGas did not support the DOE's proposed TSL 6. The analysis that was conducted showed that even with the split standard, it continues to be an economic hardship on Southern California customers. SoCalGas submitted two sets of analyses to the original NOPR that provided a comprehensive evaluation of the underlying inputs, assumptions and methods of DOE's life cycle cost (LCC) analysis and data filtered by region (California and Southern California). SoCalGas had also conducted a second analysis based on the updated LCC calculations and associated technical support document (TSD) released with the SNOPR. SoCalGas requested the DOE to review the summary of our findings and address all concerns with the TSD and LCC prior to issuing a final rulemaking. Final comments/documents are docketed in <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0304>. These comments are provided in Repsonse_5.zip in folder 010917_R5.

**SOUTHERN CALIFORNIA GAS COMPANY
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(A.17-01-016)

(DATA REQUEST ORA-A1701013-SCG004)

In DOE Rulemaking for the Energy Conservation Standards for Residential Conventional Cooking Products, EERE-2014-BT-STD-0005, the Southern California IOUs (SoCalGas, San Diego Gas & Electric and Southern California Edison) did not support the DOE's proposed TSL 2. The SoCal IOUs reviewed all product classes within the DOE proposed trial standard level TSL 2 and found all calculations and rationale for each to be reasonable, with the exception of Product Class 3 (gas cooking tops). To resolve this while maintaining the viability of commercial-style features, we supported TSL 2 but with efficiency level (EL) 0 for Product Class 3. Final comments are docketed in <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0005-0067>. A copy of these comments (SoCal_IOU_Res_Cooking_Products_Std_Comment_Letter_20161102.pdf) are provided in Response_7.zip.

Exhibit 02 - ORA-A1701013-SCG004
<RE_LCC Considerations DOE Furnace Proceedings>

From: [Kristiansson, Sue](#)
To: [Hunt, Marshall](#)
Cc: [Eilert, Patrick L](#)
Subject: Re: LCC Considerations DOE Furnace Proceedings
Date: Sunday, March 01, 2015 5:55:00 PM

Hi Marshall,

I just sent you a note regarding the working group. I'm looking forward to it.

I do feel the need to address one concern about the meeting held last Friday. Being new I wasn't aware that it was even happening and I'm not sure what stakeholders were present but I was a little surprised to learn that you were presenting on behalf of all of the IOU's on the agenda. I'm sure this was a simple oversight on the part of NRDC when they developed the agenda but we (SoCalGas) haven't finalized our assessment of the furnace rule and all of the technical elements yet. As we discussed on the phone, there is probably no negative impact to our customers here in California and I'm sure fuel switching is a non-issue for us but we really want to do our own analysis first to determine that. You may have mentioned this at a Statewide meeting that I, of course, was not at but if you could do me a favor in the future and let me know if you're asked to speak on behalf of all of the IOU's? I think it is important to have consensus prior to discussing with outside stakeholders.

Also, do you happen to have a list of who was all in the room or on the call for this meeting? The information I received did not have an attendee list.

Thanks!

Sue

Sent from my iPad

On Feb 20, 2015, at 10:05 AM, "Hunt, Marshall" <MBH9@pge.com> wrote:

> This is what I sent to the NRDC sponsored, informal stakeholders meeting held in DC today at 6:30 am our time. I wanted to have people give the DOE LCC analysis the attention it deserves.

>

> I recommend that we use this issue to demonstrate how the Statewide Team works together to fully explore the issues. Thus I request that we form a working group to explore in depth the LCC. It is set up to allow the analysis of different scenarios so that the impacts can be assessed. I have Yanda Zhang and Bitik Kundu supporting the effort so that we get the technical analysis we need to fully assess the impact on California. We are 10.5% of the national market and unlike other areas gas furnace heating is the overwhelming choice of consumers. This rule making will not take effect until 2021 at the earliest so that I believe that impacts on voluntary Products and Programs are not the issue. The issue is cost effective energy conservation for the benefit of California rate payers. This is what the CPUC funds us to do.

>

> There is already outside pressure from the AGA and AHRI against the DOE proposal which is of course fine but we need to advocate for our customers. California does not have some the issues such a fuel switching and basement installations that are of concern elsewhere in the USA.

>

> I look forward to working diligently on the issue.

>

>

> Marshall B. Hunt
> Professional Mechanical Engineer
> Codes & Standards
> Pacific Gas & Electric Company
> 415-260-7624

> mbh9@pge.com
>
>
>
> _____
> From: Eilert, Patrick L
> Sent: Thursday, February 19, 2015 4:49 PM
> To: 'Craig Tyler (craigtyler@comcast.net)'; Fernstrom, Gary; Anderson, Mary; Caudle, Sylvester Ron; Eilert, Patrick L; Elliott, Ed; Evans, Matthew; Goff, Chris (Industrial Mkts) (CGoff@semprautilities.com); Higa, Randall; Hunt, Marshall; Kim, Charles; Kristjansson, Sue; Mariscal, Javier; Marver, Jill; Salas, Adrian; Shushnar, Gary; Tartaglia, Stuart; Willmore, Lovell
> Subject: Statewide IOU C&S Conference Call : February 20
>
>
> Tomorrow's Starting Point...Please add.
>
>
> PGE – Pat
> SCG –
> SCE –
> SDGE –
>
> Coordination
> - EM&V
> Response to Recommendations from 2010-12 Impact Evaluation
>
> - Data Requests
> Missing information from Data Requests 1 (EEStats 17542/EMV 40) and 2 (EEStats 17546/EMV 41)
> - Attribution values for standards compiling the 2013-2014 estimates.
> - Updated parameters for CASE studies to support the 2013-2014 savings estimates.
>
> - Communications with Paula
>
> - PPMs
> Status of Updates
>
> -Request from DOE on ZE buildings
>
> - Recent meetings
> Water topics (CALGreen, February 5)
> AHRI meeting to discuss RTU (DC, February 5)
> DOE meeting to discuss commercial HVAC and water heating (DC, February 6)
> Building Codes and Reach Codes Planning (SF, February 9)
> Appliance Standards Planning (SF, February 10)
> WO 32 related lab testing (Irwindale, February 10)
> Small Motors meeting (NEMA Negotiation, February 24)
> HERS (RESNET Building Perf Conference) – February 16, 17, and 18th (San Diego)
>
> - Upcoming Meetings
> CALBO business meeting (Monterey, March 2-5)
> Computers Workshop (March 9)
> CEC RFI for HERS Program (Staff Webinar, March 10)
> Q1 Statewide Meeting (Irwindale, March 9-11)
> Continuation of Subprogram Planning (March 9)
> Business Meeting (March 10)
> Paula Meeting (March 11)
> Appliance Standards Public Hearing (CEC, March 17)
>

> AB 213 –
>
> Contracts
> Federal Standards Contract
>
> Building Codes
> - 45-day language
> - Lighting retrofits loophole
> - Gas availability
> - Battery charger trade-offs when combined with PV.
> - CALGreen ZNE tier, and gaps with T-24 part 6 for lighting.
> - Flex ducts controversy
> - ACM issues and a good algorithm for modeling ductless systems.
>
> Appliance Standards
> - Title 20
> 45-day language (water topics, labeling, etc.) under review
> Faucets (1.5 gpm versus 1.0) (wait time, legionella)
> How to respond to CEC language generally, e.g., federal alignment
> MH added – staff recommends adopt federal levels, or risk missing deadline
> Computers and displays staff report next week
> Assessment on Monday
>
> -Federal
> ESI Process and number of activities (placeholders upon notice?)
> Furnaces
>
> Compliance Improvement
> -
>
> Reach Code
> -
>
>
>
>
>
>
> Thank you.
> Pat Eilert
>
> PG&E | Principal | Codes and Standards
> Office: 530.757.5261 | Mobile: 530.400.6825
>
>
>
>
>
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>
> _____
> PG&E is committed to protecting our customers' privacy.
> To learn more, please visit <http://www.pge.com/about/company/privacy/customer/>
>
> _____
>
> This email originated outside of Sempra Energy. Be cautious of attachments, web links, or requests for information.
> <Furnace LCC Considerations.pptx>

Exhibit 03 - ORA-A1701013-SCG004
<031215_A>

Gallarzo, Wednesday R

From: Neil Leslie <Neil.Leslie@GASTECHNOLOGY.ORG>
Sent: Thursday, March 12, 2015 9:05 AM
To: Kristjansson, Sue
Subject: RE: CA Fuel Switching Information

How about 11 AM PDT? I am on a 189.1 call right now.

Neil Leslie
R&D Director, Building Energy Efficiency Gas Technology Institute
1700 South Mount Prospect Road
Des Plaines, IL 60018
neil.leslie@gastechnology.org
847-768-0926 (office)
847-630-0256 (mobile)
847-768-0916 (fax)

-----Original Message-----

From: Kristjansson, Sue [mailto:SKristjansson@semprautilities.com]
Sent: Thursday, March 12, 2015 10:32 AM
To: Neil Leslie
Subject: Re: CA Fuel Switching Information

Hey Neil, sorry to just be getting back to you by I've been sick with the flu the past week.

Do you have time to chat at about 10 am PST today? If so, what number can I call?

Thanks!

Sent from my iPhone

> On Mar 10, 2015, at 1:10 PM, "Neil Leslie" <Neil.Leslie@GASTECHNOLOGY.ORG> wrote:

>

> Sue,

>

> Rather than leaving voice messages, I wanted to see when is a good time to talk with you on answers to your question.

> I am here today and through the rest of this week.

>

> Neil Leslie

> R&D Director, Building Energy Efficiency Gas Technology Institute

> 1700 South Mount Prospect Road

> Des Plaines, IL 60018

> neil.leslie@gastechnology.org

> 847-768-0926 (office)

> 847-630-0256 (mobile)

> 847-768-0916 (fax)

>

> -----Original Message-----

> From: Kristjansson, Sue [mailto:SKristjansson@semprautilities.com]

> Sent: Thursday, March 05, 2015 3:58 PM
> To: Neil Leslie
> Subject: RE: South Carolina
>
> K. Cool, thanks.
>
> Sue Kristjansson
> Codes and Standards and ZNE Manager
> Southern California Gas Co.
> Telephone: (213) 244-5535
> Fax: (213) 226-4317
> Cell: (424) 744-0361
>
> Follow us on Twitter Like us on Facebook
>
>
> -----Original Message-----
> From: Neil Leslie [mailto:Neil.Leslie@GASTECHNOLOGY.ORG]
> Sent: Thursday, March 05, 2015 12:42 PM
> To: Kristjansson, Sue
> Subject: RE: South Carolina
>
> We have an analyst from Laclede working on it, and he is still working his way through the software. I don't know what the outcome will be, or exactly when he will be done, but as soon as I find out, I will let you know. It is a priority, so I am hopeful we will get something by next week.
>
> Neil Leslie
> R&D Director, Building Energy Efficiency Gas Technology Institute
> 1700 South Mount Prospect Road
> Des Plaines, IL 60018
> neil.leslie@gastechnology.org
> 847-768-0926 (office)
> 847-630-0256 (mobile)
> 847-768-0916 (fax)
>
> -----Original Message-----
> From: Kristjansson, Sue [mailto:SKristjansson@semprautilities.com]
> Sent: Thursday, March 05, 2015 1:21 PM
> To: Neil Leslie
> Subject: RE: South Carolina
>
> Hello my friend.
>
> Any news on this?
>
> Thanks!
>
> Sue Kristjansson
> Codes and Standards and ZNE Manager
> Southern California Gas Co.
> Telephone: (213) 244-5535
> Fax: (213) 226-4317

> Cell: (424) 744-0361
>
> Follow us on Twitter Like us on Facebook
>
>
> -----Original Message-----
> From: Neil Leslie [mailto:Neil.Leslie@GASTECHNOLOGY.ORG]
> Sent: Monday, March 02, 2015 5:49 AM
> To: Kristjansson, Sue
> Subject: RE: South Carolina
>
> I enjoyed our visit as well. I have asked our analysts to get this information if it can be pulled from the model. I will let you know what is available today or tomorrow.
>
> Neil Leslie
> R&D Director, Building Energy Efficiency Gas Technology Institute
> 1700 South Mount Prospect Road
> Des Plaines, IL 60018
> neil.leslie@gastechnology.org
> 847-768-0926 (office)
> 847-630-0256 (mobile)
> 847-768-0916 (fax)
>
> -----Original Message-----
> From: Kristjansson, Sue [mailto:SKristjansson@semprautilities.com]
> Sent: Sunday, March 01, 2015 8:11 PM
> To: Neil Leslie
> Subject: South Carolina
>
> Hey Neil,
>
> It was great seeing you in SC!
>
> As a follow-up....do you happen to have any deeper dive data regarding the potential for fuel-switching in California? Of course I would love it if you had information as granular as to our service territory or even to Southern California but will take what you've got.
>
> I've convened an internal group to assess the furnace NOPR over the next couple of weeks to determine whether this is good, bad or indifferent to our customers and I sure don't want to make that determination/recommendation without all of the info.
>
> I know you're in high demand on this issue right now so let me know what kind of timing we're looking at for some SoCal specific data.
>
> Thanks!
>
> Sent from my iPad
>
> _____
>
> This communication is for the use of the intended recipient only. It may contain information that is privileged and confidential. If you are not the intended recipient of this communication, the disclosure, copying, distribution or use

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>

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Exhibit 04 - ORA-A1701013-SCG004
<032715_A>

Gallarzo, Wednesday R

From: Mackay, Sean C
Sent: Friday, March 27, 2015 11:49 AM
To: Kristjansson, Sue
Subject: RE: Closing Comments?

I don't think it's that big of deal if you've gotta go. You never know how long it is going to take to get to Dulles at rush hour.

If we want to ask for an extension for comments, we should ask for it in writing and put it in the docket. Also should ask AGA to make the request too.

-----Original Message-----

From: Kristjansson, Sue
Sent: Friday, March 27, 2015 2:26 PM
To: Mackay, Sean C
Subject: Closing Comments?

I'm leaving at about 3:30 so I will absolutely miss the closing statements. Here is what I would say if I was here - if you want to comment go for it, if not, no big deal.

Closing comments if you feel like it:

-First want to say that SoCalGas has and will continue to not only support but actively pursue higher efficiency levels in natural gas appliances and equipment. We have contributed significantly to the efficiency advancements in California through our rebate and incentive programs and are always looking for new and innovative ways to move the needle even more.

-We have not yet made a determination of the pending rule and are currently conducting a detailed assessment/analysis of the DOE LCC analysis and all other information and data surrounding this rule.

-Having said all of that, our first priority is to assess the impact to our customer and proceed accordingly and we will do that responsibly in such a way that we have comprehensive and validated data to make that call.

-The one thing that seems abundantly clear today, evidenced first by the significant participation of interested stakeholders but even more so by the number of uncertainties and questions raised today. Our conclusion at this point is simply that there should be some sort of delay or extension provided for providing comments. It would be irresponsible for SoCalGas to attempt to make a determination with all of these questions pending and we respectfully assert that more time for deeper evaluation would be prudent.

Sent from my iPad

Exhibit 05 - ORA-A1701013-SCG004
<072815_A>

Manke, Adam P

From: Kristjansson, Sue
Sent: Tuesday, July 28, 2015 10:47 AM
To: Rendler, Daniel
Subject: FW: AGA Executive Committee Meeting Briefing Memo & Materials
Attachments: DOE Furnace NOPR Cover Letter.pdf; DOE Furnace NOPR Comments.pdf; GTI Analysis.pdf; Negawatt Analysis.pdf

How's this?

Jan,

A little background on our SW team conversations on the DOE furnace rule. This furnace rule was discussed first at the planning session held in February in San Francisco. The SW team discussed the upcoming rulemaking and the managers agreed that this may be an occasion in which the utilities may not necessarily be on the same page. At that time Sue let the group know that SoCalGas would be doing an independent assessment of the planned rule to determine the impact on our customer. In mid-June at the C&S quarterly meeting Sue notified the C&S team that our preliminary analysis was reflecting a negative situation for our customers and that we would likely be opposing the rulemaking. We first received notification of PG&E's intent to file support documents on Tuesday, July 7th – just prior to the filing deadline of July 10th. We were actually unaware that PG&E was conducting an independent analysis until that point.

SoCalGas became engaged in the DOE proposed rulemaking earlier this year. We did some research into the background behind this rule and found that it has a long history including successful litigation filed by APGA in 2011, that validated the fact that the DOE's issuance of a direct final rule (DFR) was inappropriate and outside their scope of authority. By the time we took up the issue, the AGA had already been working with GTI for several years on assessing the DOE's analysis to determine if this was of true benefit to natural gas consumers across the country. SoCalGas decided not to rely solely on the GTI analysis so we commissioned an independent analysis using the DOE's own inputs as our basis first and then corrected with SoCalGas specific data. The outcome of our independent analysis was similar to the GTI analysis in that moving to a 92% AFUE furnace in Southern California is not cost effective for any of our customers with either the DOE's own data or the data we found to be true in our service territory. I've attached the letter and report we submitted to the DOE for your reference.

The AGA is opposed to this rulemaking and has been trying to introduce legislation that would suspend the rulemaking and instruct the DOE to form an exploratory committee to do a much deeper dive on the topic.

SoCalGas is opposing this rulemaking on behalf of our customers for a number of reasons – all of which are included in our report.

From: Kristjansson, Sue
Sent: Monday, July 27, 2015 3:13 PM
To: Rendler, Daniel
Subject: RE: AGA Executive Committee Meeting Briefing Memo & Materials

Here is a proposed response to Jan:

Jan,

SoCalGas became engaged in the DOE proposed rulemaking earlier this year. We did some research into the background behind this rule and found that it has a long history including successful litigation filed by APGA in 2011, that validated the fact that the DOE's issuance of a direct final rule (DFR) was inappropriate and outside their scope of authority. By the time we took up the issue, the AGA had already been working with GTI for several years on assessing the DOE's analysis to determine if this was of true benefit to natural gas consumers across the country. SoCalGas decided not to rely solely on the GTI analysis so we commissioned an independent analysis using the DOE's own inputs as our basis first and then corrected with SoCalGas specific data. The outcome of our independent analysis was similar to the GTI analysis in that moving to a 92% AFUE furnace in Southern California is not cost effective for any of our customers with either the DOE's own data or the data we found to be true in our service territory. I've attached the letter and report we submitted to the DOE for your reference.

The AGA is opposed to this rulemaking and has been trying to introduce legislation that would suspend the rulemaking and instruct the DOE to form an exploratory committee to do a much deeper dive on the topic.

SoCalGas opposes this rulemaking on behalf of our customers for a number of reasons – all of which are included in our report.

I hope this helps – let me know if you have any additional questions.

Sue Kristjansson
Codes and Standards and ZNE Manager
Southern California Gas Co.
Telephone: (213) 244-5535
Fax: (213) 226-4317
Cell: (424) 744-0361



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From: Rendler, Daniel
Sent: Monday, July 27, 2015 1:31 PM
To: Kristjansson, Sue
Subject: FW: AGA Executive Committee Meeting Briefing Memo & Materials

Your suggested response (which I presume will include the letter Rodger sent?)
Dan

Daniel J. Rendler
Director, Customer Programs & Assistance
Southern California Gas Company
Tel: (213) 244-3480
Cell (951) 830-6360
E-mail: drendler@semprautilities.com

From: Berman, Janice S [<mailto:JSBa@pge.com>]
Sent: Monday, July 27, 2015 1:01 PM
To: Rendler, Daniel
Subject: FW: AGA Executive Committee Meeting Briefing Memo & Materials

Dan,
My Gas VP has asked for a briefing on this issue, as PG&E is a bit of an outlier relative to other AGA Utilities. Where is SoCal on this?
--Jan

From: Eilert, Patrick L
Sent: Monday, July 27, 2015 11:34 AM
To: Johnson, Aaron; Berman, Janice S; Hunt, Marshall; Zelmar, Karen; Davis, Vincent
Cc: Alegre, Roenna B.; Washington, Dana; Hunt, Marshall
Subject: RE: AGA Executive Committee Meeting Briefing Memo & Materials

All:

The DOE furnace letter is attached. As you will see, the letter is based on substantial research and analysis.
Pat

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<http://www.pge.com/en/about/company/privacy/customer/index.page>

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Exhibit 06 - ORA-A1701013-SCG006
<ORA-A1701013-SCG006>

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)
(DATA REQUEST ORA-A1701013-SCG006)
Date Received: 8/9/2017
Date Submitted: 8/23/2017**

CEC Tub Spout Diverter Rulemakings (Q.1-Q.4)

QUESTION 1:

Provide all documents (draft and final) and all emails relating to the CEC docket 17-AAER-09 and related dockets on tub spout diverter efficiency standards since January 1, 2016.

RESPONSE 1:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. Subject to and without waiving these objections, SoCalGas responds as follows:

Please see attached documents and emails in reference to CEC docket 17-AAER-09 provided in response 1.zip.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)**

**(DATA REQUEST ORA-A1701013-SCG006)
Date Received: 8/9/2017
Date Submitted: 8/23/2017**

QUESTION 2:

Provide any analysis completed in response to this rulemaking.

RESPONSE 2:

SoCalGas objects on the basis that this question is vague and overbroad. Subject to and without waiving these objections, SoCalGas responds as follows:

SoCalGas' analysis in response to this rulemaking is currently on-going and not currently available. SoCalGas expects to complete its analysis prior to the September 18th Phase 2 Appliance Efficiency Regulations and Roadmaps request for proposals submission due date.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)**

**(DATA REQUEST ORA-A1701013-SCG006)
Date Received: 8/9/2017
Date Submitted: 8/23/2017**

QUESTION 3:

Provide any analysis planned in response to this rulemaking and all documents (draft and final) showing planned analysis.

RESPONSE 3:

SoCalGas objects on the basis that this question is vague and overbroad. Subject to and without waiving these objections, SoCalGas responds as follows:

Project and test plans for analysis are in development. The project plan and test plan are "living documents" that are subject to change during the duration of the project. Current versions of the project plan and test plan have been provided in this response as Tub Spout Diverters High Level Project Plan 20170627a.docx and Tub Spout Diverter Draft Test Plan 20170809.docx, respectively.

Drafts of these documents can be found as part of the documents provided in Response 1.zip.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF**

(A.17-01-016)

(DATA REQUEST ORA-A1701013-SCG006)

Date Received: 8/9/2017

Date Submitted: 8/23/2017

QUESTION 4:

Provide the date that the final letters were docketed to CEC and the docketed comment letters.

RESPONSE 4:

SoCalGas has not docketed any comment letters in regards to CEC docket 17-AAER-09.

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF**

(A.17-01-016)

(DATA REQUEST ORA-A1701013-SCG006)

Date Received: 8/9/2017

Date Submitted: 8/23/2017

CEC Rulemaking Non-Response or Non-Support (Q.5-Q.6)

QUESTION 5:

Provide a list of all CEC Title 20 pre-rulemakings or rulemakings since 2014 where you either did not comment on the proposed efficiency level or did not support CEC proposed efficiency level.

RESPONSE 5:

SoCalGas objects on the basis that this question is vague, overbroad, and unduly burdensome. Subject to and without waiving these objections, SoCalGas responds as follows:

SoCalGas provides the following list of CEC Title 20 pre-rulemakings or rulemakings since 2014 where SoCalGas did not comment or support CEC proposed efficiency level:

- Tub Spout Diverters docket 17-AAER-09

**SOUTHERN CALIFORNIA GAS COMPANY
ADOPTION OF ITS ENERGY EFFICIENCY ROLLING PORTFOLIO
BUSINESS PLAN AND RELATED RELIEF
(A.17-01-016)**

**(DATA REQUEST ORA-A1701013-SCG006)
Date Received: 8/9/2017
Date Submitted: 8/23/2017**

QUESTION 6:

Describe your rationale for not commenting on or for not supporting CEC's proposed efficiency level for all pre-rulemakings or rulemakings responsive to Question 6.

RESPONSE 6:

At the time of the Invitation to Participate (ITP), the first open comment period in CEC docket 17-AAER-09, research, testing and analysis had not taken place. Although SoCalGas is supportive of exploring Tub Spout Diverters for inclusion in future code, without any specific validation for the measure it seemed prudent to gather scientific data that would allow for future support that would be considered informed and indisputable. SoCalGas agreed that conducting research and considering tighter standards was sensible due to savings potential, but the CEC had already made that case very well. As a result, SoCalGas decided to not comment at that time. It is important to note that this was shared on a Statewide call with the CEC on June 22nd (Please see email in response 1.zip; 062217_S.pdf) and no objection was voiced.

Exhibit 07 - ORA-A1701013-SCG006
<041217_A>

Garcia, Daniela

From: Anderson, Mary <M3AK@pge.com>
Sent: Wednesday, April 12, 2017 3:41 PM
To: Garcia, Daniela
Subject: [EXTERNAL] RE: Title 20 Priorities and funding discussion Notes

I apologize for the delay. Energy Solutions has completed/begun the following items:

- Began talks with EPA Energy Star to understand their methodology, data gaps and manufacturer support
- Analyzed products in the CEC data base
- Created a draft research plan

Let me know if you have any questions.

From: Garcia, Daniela [mailto:DGarcia3@semprautilities.com]
Sent: Monday, April 10, 2017 8:10 AM
To: Anderson, Mary
Subject: FW: Title 20 Priorities and funding discussion Notes

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Good Morning Mary,

I wanted to follow up in regards to the tub spout diverters work that has been completed to date. We are interested in taking the measure on but I will seek approval once I can use the work that's been completed to explain the measure to our internal team.

Thank You,

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Anderson, Mary [mailto:M3AK@pge.com]
Sent: Thursday, March 30, 2017 9:06 AM
To: Barbour, John L <JBarbour@semprautilities.com>; Reefe, Jeremy <JMReefe@semprautilities.com>; Garcia, Daniela <DGarcia3@semprautilities.com>; Sim, Michelle M <MSim@semprautilities.com>; Charles Kim <Charles.Kim@sce.com>; 'randall Higa' <randall.higa@sce.com>; Elliott, Ed <ESE1@pge.com>
Cc: Michelle Thomas (Michelle.Thomas@sce.com) <Michelle.Thomas@sce.com>; Eilert, Patrick <PLE2@pge.com>; Kristjansson, Sue <SKristjansson@semprautilities.com>
Subject: [EXTERNAL] RE: Title 20 Priorities and funding discussion Notes

Attendees
SDG&E – John,
SCG - Michelle

SCE – Charles, Randall
 PG&E – Mary

- Phase 1 Topics – Current Leads and funding continue
- C&I Fans – SCE fans with co-funding, SDG&E is also interested in supporting – SCE funds 2017
- GSL – CEC will get back to the IOUs, waiting and seeing.
- Sprinkler Spray bodies – PG&E leads and funds
- Tub Spout Diverters – PG&E has worked with NRDC will work with NRDC, SCG is a tentative lead, PG&E will get a ballpark estimate, Ballpark estimate \$150k-\$200k, SCG leads tentative
- Irrigation Controllers – PG&E leads and funds, SDG&E can support
- Set top boxes roadmap – SCE may lead, co-funding might be helpful, PG&E has close relationships with CTA through RPP that might be able to support our effort, SCE will lead in 2017,
- Standby Power – PG&E lead and fund, SCE may collaborate on the Imaging equipment
- Solar Inverters – Co-funding, SCE as SME, SDG&E can strongly support where possible, need further clarification on definitions
- PG&E needs to know in the next 2-3 weeks if other IOUs need funds for upcoming CASE study.
- SCE would like to ask the CEC to include the IOUs in the planning process.
-

Appliance	Approach	Track	CEC Staff	Current Lead	F
Pool Pump Motors	Efficiency standards	Phase 1	?	SCE	S
Portable Spas	Efficiency standards	Phase 1	?	SCE	S
Com. Clothes Dryers	Test Procedure	Phase 1	Sean Steffensen	PG&E	S PG
Fans & blowers	Efficiency standards	Extended	Alex Galdamez & Ryan Nelson		
General service lamps	Efficiency standards	Regular	Pat Saxton	PG&E	F
Sprinkler spray bodies	Efficiency standards	Regular	Sean Steffensen	PG&E	F
Tub-spout diverters	Efficiency standards	Regular	Jessica Lopez		

Irrigation controllers	Energy efficiency standards; water efficiency test and list	Regular	Ryan Nelson	PG&E	F
Set-top boxes	Roadmap to replace Vol. Agmt.	Roadmap	Pat Saxton & Soheila Pasha	SCE	S
Standby mode	Data gathering to identify 10 products	Roadmap	Soheila Pasha	PG&E	F
Solar inverters	Data gathering	Roadmap	Pat Saxton		

Agenda

- Review of Last week’s conversation
- Lead discussion/decision making
- Next Steps

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Exhibit 08 - ORA-A1701013-SCG006
<042417_A>

Garcia, Daniela

From: Marc Esser <marc@negawattconsult.com>
Sent: Monday, April 24, 2017 11:58 AM
To: Garcia, Daniela
Cc: Bo White
Subject: [EXTERNAL] Re: Title 20 Tub Spout Diverters

Thank you Daniela,

Always happy to take on new work, this is much appreciated.

We'll review shortly and will get back to you with questions and comments. Please keep us posted with any relevant meetings or materials that you know of.

Marc

--

Marc Esser
NegaWatt Consulting, Inc.
(619) 309-4191
www.negawattconsult.com

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On Apr 24, 2017 11:34 AM, "Garcia, Daniela" <DGarcia3@semprautilities.com> wrote:

Marc,

As you know we have been looking to take on another measure, this time for T20. Below please find the T20 priorities from the CEC (also attached memo with further details on "Track definitions"). SoCalGas has committed to leading the Tub- Spout Diverters. Our CEC contact will be Jessica Lopez, I have not met her and she may be new to the CEC Appliance team as they have a few new members.

Appliance	Approach	Track	CEC Staff	Current Lead
Pool Pump Motors	Efficiency standards	Phase 1	?	SCE
Portable Spas	Efficiency standards	Phase 1	?	SCE
Com. Clothes Dryers	Test Procedure	Phase 1	Sean Steffensen	PG&E

Fans & blowers	Efficiency standards	Extended	Alex Galdamez & Ryan Nelson	
General service lamps	Efficiency standards	Regular	Pat Saxton	PG&E
Sprinkler spray bodies	Efficiency standards	Regular	Sean Steffensen	PG&E
Tub-spout diverters	Efficiency standards	Regular	Jessica Lopez	
Irrigation controllers	Energy efficiency standards; water efficiency test and list	Regular	Ryan Nelson	PG&E
Set-top boxes	Roadmap to replace Vol. Agmt.	Roadmap	Pat Saxton & Soheila Pasha	SCE
Standby mode	Data gathering to identify 10 products	Roadmap	Soheila Pasha	PG&E
Solar inverters	Data gathering	Roadmap	Pat Saxton	

PGE has begun some work on this measure so Mary provided some bullets as to what Energy Solutions has worked on. I am working on getting write ups for these items listed below: (will forward as soon as I receive)

- Began talks with EPA Energy Star to understand their methodology, data gaps and manufacturer support
- Analyzed products in the CEC data base
- Created a draft research plan

Attached please find SoCalGas' work paper for your references and review as well.

At this time we don't have any deliverables, rather just review of the measure and if we can begin to put together a budget and timeline similar to DWHR.

Please let me know should you have any questions and are up for another CASE Report!

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

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Exhibit 09 - ORA-A1701013-SCG006
<050417_A>

Garcia, Daniela

From: Marc Esser <marc@negawattconsult.com>
Sent: Thursday, May 4, 2017 5:58 PM
To: Garcia, Daniela
Cc: Bo White
Subject: [EXTERNAL] Re: Title 20 Tub Spout Diverters

Hi Daniela,

I haven't had a chance to look at this yet, but will shortly. Did you receive any other materials from PG&E? You said in your original email that you were hoping to get write-ups on the following

- Began talks with EPA Energy Star to understand their methodology, data gaps and manufacturer support
- Analyzed products in the CEC data base
- Created a draft research plan

Thank you

On Mon, Apr 24, 2017 at 11:57 AM, Marc Esser <marc@negawattconsult.com> wrote:

Thank you Daniela,

Always happy to take on new work, this is much appreciated.

We'll review shortly and will get back to you with questions and comments. Please keep us posted with any relevant meetings or materials that you know of.

Marc

--

Marc Esser
NegaWatt Consulting, Inc.
(619) 309-4191
www.negawattconsult.com

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Portable Spas	Efficiency standards	Phase 1	?	SCE
Com. Clothes Dryers	Test Procedure	Phase 1	Sean Steffensen	PG&E
Fans & blowers	Efficiency standards	Extended	Alex Galdamez & Ryan Nelson	
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Attached please find SoCalGas’ work paper for your references and review as well.

At this time we don’t have any deliverables, rather just review of the measure and if we can begin to put together a budget and timeline similar to DWHR.

Please let me know should you have any questions and are up for another CASE Report!

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

--

Marc Esser
NegaWatt Consulting, Inc.
(619) 309-4191
www.negawattconsult.com

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Exhibit 10 - ORA-A1701013-SCG006
<051517_17>

Garcia, Daniela

From: Garcia, Daniela
Sent: Monday, May 15, 2017 7:58 AM
To: 'Anderson, Mary'
Subject: RE: Title 20 Priorities and funding dicussion Notes

Mary,

Did you have an update on the status of sharing the documents or information regarding the tub spout diverters?

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Anderson, Mary [mailto:M3AK@pge.com]
Sent: Wednesday, April 12, 2017 3:41 PM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Subject: [EXTERNAL] RE: Title 20 Priorities and funding dicussion Notes

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Let me know if you have any questions.

From: Garcia, Daniela [<mailto:DGarcia3@semprautilities.com>]
Sent: Monday, April 10, 2017 8:10 AM
To: Anderson, Mary
Subject: FW: Title 20 Priorities and funding dicussion Notes

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Good Morning Mary,

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Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Anderson, Mary [<mailto:M3AK@pge.com>]
Sent: Thursday, March 30, 2017 9:06 AM
To: Barbour, John L <JBarbour@semprautilities.com>; Reefe, Jeremy <JMReefe@semprautilities.com>; Garcia, Daniela <DGarcia3@semprautilities.com>; Sim, Michelle M <MSim@semprautilities.com>; Charles Kim <Charles.Kim@sce.com>; 'randall Higa' <randall.higa@sce.com>; Elliott, Ed <ESE1@pge.com>
Cc: Michelle Thomas (Michelle.Thomas@sce.com) <Michelle.Thomas@sce.com>; Eilert, Patrick <PLE2@pge.com>; Kristjansson, Sue <SKristjansson@semprautilities.com>
Subject: [EXTERNAL] RE: Title 20 Priorities and funding discussion Notes

Attendees
SDG&E – John,
SCG - Michelle
SCE – Charles, Randall
PG&E – Mary

- Phase 1 Topics – Current Leads and funding continue
- C&I Fans – SCE fans with co-funding, SDG&E is also interested in supporting – SCE funds 2017
- GSL – CEC will get back to the IOUs, waiting and seeing.
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- Irrigation Controllers – PG&E leads and funds, SDG&E can support
- Set top boxes roadmap – SCE may lead, co-funding might be helpful, PG&E has close relationships with CTA through RPP that might be able to support our effort, SCE will lead in 2017,
- Standby Power – PG&E lead and fund, SCE may collaborate on the Imaging equipment
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-

Appliance	Approach	Track	CEC Staff	Current Lead	F
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Com. Clothes Dryers	Test Procedure	Phase 1	Sean Steffensen	PG&E	S PG
Fans & blowers	Efficiency standards	Extended	Alex Galdamez & Ryan Nelson		
General service lamps	Efficiency standards	Regular	Pat Saxton	PG&E	F
Sprinkler spray bodies	Efficiency standards	Regular	Sean Steffensen	PG&E	F
Tub-spout diverters	Efficiency standards	Regular	Jessica Lopez		
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Set-top boxes	Roadmap to replace Vol. Agmt.	Roadmap	Pat Saxton & Soheila Pasha	SCE	S
Standby mode	Data gathering to identify 10 products	Roadmap	Soheila Pasha	PG&E	F
Solar inverters	Data gathering	Roadmap	Pat Saxton		

Agenda

- Review of Last week's conversation
- Lead discussion/decision making
- Next Steps

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Exhibit 11 - ORA-A1701013-SCG006
<051617_A>

Garcia, Daniela

From: Marc Esser <marc@negawattconsult.com>
Sent: Tuesday, May 16, 2017 2:35 PM
To: Garcia, Daniela
Subject: [EXTERNAL] Re: Re: Re: CALIFORNIA ENERGY COMMISSION - Notice of Invitation to Participate and Staff Webinar

Hi Daniela,

I gave this presentation another good look. The CEC is basically asking a number of research questions that could and should be answered as part of the study, and that's all well done.

The only things that come to my mind are

1) they don't justify the merit of the project with a water & therm savings (gu)estimate, and
2) there is no rudimentary assessment of technical feasibility. It may be prohibitively hard or expensive to go from the present 0.01/0.05gpm to something better.

The study would of course answer both questions. It's just that if the answers were somewhat "negative" or unimpressive, going through with the full study regardless could be construed as somewhat of a waste of ratepayer money. Let me know if you feel this is a concern that we should comment on; I am thinking probably not.

Oh also, do you mind if I buy a copy of the testing standard for these? I'll look on the internet as well, but I doubt I'll find it for free. It's a CSA standard again, like for DWHR. it's \$138.

Thanks
Marc

On Mon, May 15, 2017 at 8:12 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Thanks Marc, I went ahead and forwarded to engineering and the authors of the work paper internally for their review. I am still pending the documents from Mary but followed up with her this morning.

Please let me know if we need to set up any time to discuss next steps or if comments will be necessary by June 16th.

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

From: Marc Esser [mailto:marc@negawattconsult.com]

Sent: Thursday, May 11, 2017 11:24 AM

To: Garcia, Daniela <DGarcia3@semprautilities.com>

Subject: [EXTERNAL] Re: Re: CALIFORNIA ENERGY COMMISSION - Notice of Invitation to Participate and Staff Webinar

here they are, in case you need them. I deleted the rest of the presentation

On Thu, May 11, 2017 at 11:13 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

I was just sending you a note, I think they are way ahead of schedule. Sounds good, thanks!

From: Marc Esser [mailto:marc@negawattconsult.com]

Sent: Thursday, May 11, 2017 11:12 AM

To: Garcia, Daniela <DGarcia3@semprautilities.com>

Subject: [EXTERNAL] Re: CALIFORNIA ENERGY COMMISSION - Notice of Invitation to Participate and Staff Webinar

I joined around 11:08 but never saw them pull up any Tub spout slides; heard them ask for related questions, and then move on to afternoon topics. I'll get off the call and will download the slides for future reference

On Thu, May 11, 2017 at 8:34 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Marc,

I planned to call in but just in case you are free from 11:15-11:30 Tub Spout sis on the agenda.

Daniela García

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

Thursday, May 11, 2017 10 a.m. CALIFORNIA ENERGY COMMISSION Remote Access Available by Computer or Phone via WebEx™ (Instructions below)

Participation will be by computer or phone via WebEx

Presentations and audio from the meeting will be broadcast via our WebEx web meeting service. For additional details on how to participate via WebEx, please see the notice & agenda at:
<https://efiling.energy.ca.gov/getdocument.aspx?tn=217220>

10:00 AM to 10:45 AM PDT	Introduction
11:00 AM to 11:15 AM PDT	Commercial and Industrial Fans and Blowers
11:15 AM to 11:30 AM PDT	Tub Spout Diverters
11:30 AM to 11:45 AM PDT	Sprinkler Spray Bodies
11:45 AM to 12:45 PM PDT	Lunch
12:45 PM to 1:00 PM PDT	Afternoon Introduction
1:00 PM to 1:15 PM PDT	Irrigation Controllers
1:15 PM to 1:30 PM PDT	Low-Power Modes (Roadmap)
1:30 PM to 1:45 PM PDT	Power Factor (Roadmap)
1:45 PM to 2:00 PM PDT	Set-Top Boxes(Roadmap)
2:00 PM to 2:15 PM PDT	Solar Inverters(Roadmap)
2:15 PM to 2:30 PM PDT	General Service Lamps (Expanded Scope)
2:30 PM to 3:30 PM PDT	Questions & Conclusion

--

Marc Esser
NegaWatt Consulting, Inc.
(619) 309-4191
www.negawattconsult.com

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Exhibit 12 - ORA-A1701013-SCG006
<051817_A>

Garcia, Daniela

From: Anderson, Mary <M3AK@pge.com>
Sent: Thursday, May 18, 2017 11:23 PM
To: Garcia, Daniela
Subject: [EXTERNAL] FW: WS Bath & Shower Diverter Next Steps
Attachments: WS Tub Spout Diverter - NOI Summary.docx

Daniela,
I just debriefed with ES. They haven't completed the analysis on the tub spout diverters. Water Sense has issued a Notice of Intent (attached) and we need to respond to the questions outlined in the NOI. Here are the ideas on how to respond to the NOI. We can have Negawatt respond or I can have Energy Solutions respond. It is up to you. Let me know if you have questions. Thanks!

Mary

Next Steps

- We will conduct more research to answer EPA's questions they outlined in the NOI, including outreach to industry experts (e.g., test labs, NRDC, manufacturers, water utilities) who may provide input on scope, testing, labeling, marketing etc.

- We will reach out to test labs (see below table) to inquire about conducting a series of tests to determine:
 1. the appropriate savings factor(s) across a range of real-world scenarios, as requested by EPA,
 2. if the life-cycle test should be increased from 15,000 cycles to perhaps 20,000 or 25,000 cycles to better reflect product durability and lifetime, and
 3. how various factors (e.g., water hardness, water pH) could potentially cause a bath and shower diverter to leak in real-world applications, as requested by EPA.

The amount of time and cost it will take to conduct testing may pose a challenge in submitting data to EPA in a timely manner. As such, we will try to obtain information on test time and cost from the test labs as soon as possible.

- We will work in collaboration with NRDC, as they have been involved in the WaterSense diverter process and they are well-connected in the industry. We have already been in preliminary discussions with Ed Osann of NRDC with respect to the potential Title 20 update for tub spout diverters. Also, Mr. Osann previously spoke with Gauley Associates to conduct life-cycle testing of diverters, and so we plan on contacting them about potential testing.

Plumbing Fittings Test Labs

Company	Location	Notes
Gauley Associates	Canada	Recommended by NRDC. Works closely with John Koeller of MaP Testing
BR Laboratories, Inc.	Huntington Beach, CA	CEC-Approved Test Lab
IAPMO R&T Laboratory	Ontario, California	CEC-Approved Test Lab
Pfister - Spectrum Brands Hardware and Home Improvement	Lake Forest, CA	CEC-Approved Test Lab
U.S. Analytical Laboratories	Fullerton, CA	CEC-Approved Test Lab

Thank you,

Sarah

Sarah Yuko Schneider | Project Manager II | sschneider@energy-solution.com | (510) 482-4420 x202 | [449 15th Street, Oakland CA 94612](#)



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Exhibit 13 - ORA-A1701013-SCG006
<052217_C>

Garcia, Daniela

From: Marc Esser <marc@negawattconsult.com>
Sent: Monday, May 22, 2017 12:55 PM
To: Garcia, Daniela
Cc: Bo White
Subject: [EXTERNAL] Re: Re: FW: WS Bath & Shower Diverter Next Steps

Thanks Daniela, that all sounds good.

Let me get organized a bit, and when Bo is back next week we'll work on a plan of action for both the NOI and the T20 project. Does it make sense to try and be semi-ready with that by 6/1 in case any side conversations with the CEC develop? Or is that a different group at the CEC altogether? The analyst in charge per the slides was Jessica Lopez; I don't know her, do you?

Re budget & tracking, does it make sense to keep the NOI / Watersense under Advocacy, or do you feel it's so closely related to T20 that we should bundle it? Bundling is easier to track for us, but that doesn't have to be the determining factor.

Marc

On Mon, May 22, 2017 at 12:23 PM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Hi Marc,

Thank you for your quick reply! I agree, I think taking this on now will be very beneficial to our work for the CASE Report. As far as the timeframe I think we can work with Stephanie Tanner at Water Sense. Mary stated she is the contact and if we are friendly with our approach she is very good to work with and we can work out the details for the dates with her. The product is already in the CEC database so that may help with whether we need lab work etc.

So I think it's good to say I will let Mary know Negawatt/SoCalGas will take the lead on the NOI.

Please let know if you have any questions or concerns and we can check on a status update when you have made some progress. I will set a reminder to check in with you but please feel free to reach out if you need to touch base.

Thank You,

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

From: Marc Esser [mailto:marc@negawattconsult.com]
Sent: Monday, May 22, 2017 11:39 AM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Cc: Bo White <bo@negawattconsult.com>
Subject: [EXTERNAL] Re: FW: WS Bath & Shower Diverter Next Steps

Hi Daniela,

Sarah's document is good executive summary & high level action plan of the issue. The next steps proposed in Mary's email are verbatim from that document.

if you'd like for us to take over the project and the response to the NOI, I think we might as well do it now. If we let Energy Solutions respond, IMHO there will be some unnecessary overhead.

- anyone wanting to have a dialogue about the response will reach out to them first, while we'll be in charge at some point.
- we'll be in a better position to have that dialogue, if we write the response and do the research ourselves.
- we may have other/more comments than they have drafted so far.

I agree with Sarah's next steps and proposed comments at a high level; in particular, there is a critical path item of figuring out whether lab work is needed. If that's the case, there will not be enough time to produce all the answers by "June/July". We could have a research plan for those questions ready, that would align with the Title 20 work for the CEC.

Marc

On Mon, May 22, 2017 at 8:33 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Marc,

Mary passed this along regarding where Energy Solutions is at with Tub Spout Diverters. Can you please review the attachment and her email. There is NOI that was issued by Water Sense that is pending a response. The NOI is an open process so there isn't a defined comment period. See email in attachment (pg.8) from March stating they had a few months.

Based on the timing I can have Mary let Energy Solutions respond to this NOI or we can take it from here. Please let me know your thoughts at the earliest.

Daniela Garcia

SoCalGas Customer Programs

Project Manager – Building Codes and Appliance Standards

555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6

Office: 213-244-4361 | Mobile: 951-847-1022

DGarcia3@semprautilities.com

From: Anderson, Mary [mailto:M3AK@pge.com]
Sent: Thursday, May 18, 2017 11:23 PM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Subject: [EXTERNAL] FW: WS Bath & Shower Diverter Next Steps

Daniela,

I just debriefed with ES. They haven't completed the analysis on the tub spout diverters. Water Sense has issued a Notice of Intent (attached) and we need to respond to the questions outlined in the NOI. Here are the ideas on how to respond to the NOI. We can have Negawatt respond or I can have Energy Solutions respond. It is up to you. Let me know if you have questions. Thanks!

Mary

Next Steps

- We will conduct more research to answer EPA's questions they outlined in the NOI, including outreach to industry experts (e.g., test labs, NRDC, manufacturers, water utilities) who may provide input on scope, testing, labeling, marketing etc.

- We will reach out to test labs (see below table) to inquire about conducting a series of tests to determine:
 1. the appropriate savings factor(s) across a range of real-world scenarios, as requested by EPA,
 2. if the life-cycle test should be increased from 15,000 cycles to perhaps 20,000 or 25,000 cycles to better reflect product durability and lifetime, and
 3. how various factors (e.g., water hardness, water pH) could potentially cause a bath and shower diverter to leak in real-world applications, as requested by EPA.

The amount of time and cost it will take to conduct testing may pose a challenge in submitting data to EPA in a timely manner. As such, we will try to obtain information on test time and cost from the test labs as soon as possible.

- We will work in collaboration with NRDC, as they have been involved in the WaterSense diverter process and they are well-connected in the industry. We have already been in preliminary discussions with Ed Osann of NRDC with respect to the potential Title 20 update for tub spout diverters. Also, Mr. Osann previously spoke with Gauley Associates to conduct life-cycle testing of diverters, and so we plan on contacting them about potential testing.

Plumbing Fittings Test Labs

Company	Location	Notes
Gauley Associates	Canada	Recommended by NRDC. Works closely with John Koeller of MaP Testing
BR Laboratories, Inc.	Huntington Beach, CA	CEC-Approved Test Lab
IAPMO R&T Laboratory	Ontario, California	CEC-Approved Test Lab
Pfister - Spectrum Brands Hardware and Home Improvement	Lake Forest, CA	CEC-Approved Test Lab
U.S. Analytical Laboratories	Fullerton, CA	CEC-Approved Test Lab

Thank you,

Sarah

Sarah Yuko Schneider | Project Manager II | sschneider@energy-solution.com | (510) 482-4420 x202 | 449 15th Street, Oakland CA 94612



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Exhibit 14 - ORA-A1701013-SCG006
<052317_B>

Garcia, Daniela

From: Anderson, Mary <M3AK@pge.com>
Sent: Tuesday, May 23, 2017 1:14 PM
To: Garcia, Daniela
Subject: [EXTERNAL] RE: Appliance Standards Subprogram Swimlane Meeting Notes

I am comfortable with you reaching out to the CEC and think it is the right thing to do. According to the SW team norms we need to inform the team after having a discussion with the CEC or other decision makers.

From: Garcia, Daniela [mailto:DGarcia3@semprautilities.com]
Sent: Tuesday, May 23, 2017 1:06 PM
To: Anderson, Mary
Subject: RE: Appliance Standards Subprogram Swimlane Meeting Notes

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Mary,

With our work starting on the Tub Spouts I wanted to see if there was any protocol on contacting the CEC assigned person for our measure. Jessica Lopez, I believe is our analyst. At some point in the next few weeks I was thinking of reaching out and introducing ourselves and letting her know we would be leading the measure.

Please let me know if this works or if we are waiting for any introductions or kick off meeting.

Thanks!

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Anderson, Mary [mailto:M3AK@pge.com]
Sent: Monday, May 22, 2017 2:25 PM
To: Barbour, John L <JBarbour@semprautilities.com>; Reefe, Jeremy <JMReefe@semprautilities.com>; Garcia, Daniela <DGarcia3@semprautilities.com>; Charles Kim <Charles.Kim@sce.com>
Cc: Eilert, Patrick <PLE2@pge.com>
Subject: [EXTERNAL] Appliance Standards Subprogram Swimlane Meeting Notes

Here are my notes from today. Please look and let me know if there are any edits that need to be made. Thanks!
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Exhibit 15 - ORA-A1701013-SCG006
<061517_A>

Garcia, Daniela

From: Garcia, Daniela
Sent: Thursday, June 15, 2017 2:58 PM
To: Kristjansson, Sue
Subject: RE: Check In on Diverters (Title 20)/ NRDC Call

Hey Sue,

The call went well, NRDC is very interested in the Tub Spouts so they want to make sure that we work in collaboration with them as they have conducted life-cycle testing of diverters. PGE started these conversations with them prior to us taking this measure so they had discussed potential testing. So I will just work to keep them in the discussions.

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Kristjansson, Sue
Sent: Thursday, June 15, 2017 2:04 PM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Subject: Re: Check In on Diverters (Title 20)/ NRDC Call

Okay. Let me know how it goes.

Sent from my iPhone

On Jun 15, 2017, at 9:41 AM, Garcia, Daniela <DGarcia3@semprautilities.com> wrote:

Hi Sue,

I just wanted to keep you in the loop. We have taken on the Tub Spout T20 measure and NRDC has reached out asking for a meeting. I will be having a quick call with them today 2-2:15 and have included Marc and Bo.

From what Mary has previously stated PGE had already been in preliminary discussions with Ed Osann, Policy Analyst, of NRDC with respect to the potential Title 20 update for tub spout diverters about potential testing.

Thank You,

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Garcia, Daniela
Sent: Thursday, June 15, 2017 8:07 AM
To: 'Lee, Susan' <slee@nrdc.org>
Subject: RE: Check In on Diverters (Title 20)

Hi Susan,

Yes, we just took the lead for that measure. With that being said we don't have anything to share yet but we can set something up if there's something you would to share. We will have a draft project plan early to mid-July so we could always set something up then as well since Ed will be back by then.

Thanks!

Daniela Garcia

SoCalGas Customer Programs
Project Manager – Building Codes and Appliance Standards
555 W. 5th Street, Los Angeles, CA 90013 | ML: GT19A6
Office: 213-244-4361 | Mobile: 951-847-1022
DGarcia3@semprautilities.com

From: Lee, Susan [<mailto:slee@nrdc.org>]
Sent: Thursday, June 15, 2017 7:14 AM
To: Garcia, Daniela <DGarcia3@semprautilities.com>
Subject: [EXTERNAL] RE: Check In on Diverters (Title 20)

Hi Daniela,

My name is Susan Lee and I support Ed Osann at NRDC. I am following up on the email Ed sent yesterday. Will you be available for a call today?

Thank you,

SUSAN LEE

Program Assistant- Water & Corporate Counsel

**NATURAL RESOURCES
DEFENSE COUNCIL**
1152 15TH STREET NW, SUITE 300
WASHINGTON, DC 20005
T 202.289.2389
SLEE@NRDC.ORG
NRDC.ORG

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From: Osann, Ed
Sent: Wednesday, June 14, 2017 1:32 PM
To: DGarcia3@semprautilities.com
Cc: Lee, Susan <slee@nrdc.org>
Subject: Check In on Diverters (Title 20)

Hi Daniela –

I understand that you have the lead for the CA utilities team on CEC rulemaking for tub spout diverters. We also have an interest in supporting revised Title 20 standards for these products, as they offer a cost effective opportunity to save both energy and water. Any chance we can compare notes with you and/or your technical consultant? I'm around today and tomorrow, but after that I'll be out of the country for the rest of June.

Ed

Edward R. Osann | Senior Policy Analyst
Natural Resources Defense Council | 1152 15th Street, NW | Washington, DC 20005
Phone: (202) 289-6868 | email: EOsann@nrdc.org | www.NRDC.org
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Exhibit 16 - ORA-A1701013-SCG006
<062317_C>

Garcia, Daniela

From: Anderson, Mary <M3AK@pge.com>
Sent: Friday, June 23, 2017 11:07 AM
To: Eilert, Patrick; Kristjansson, Sue; Thomas, Michelle; Zeng, Kate
Cc: Garcia, Daniela; Reefe, Jeremy; Kim, Charles
Subject: [EXTERNAL] RE: Tub-Spout Diverters

For background for folks who haven't been involved in this process before here are some important items to keep in mind.

- The CEC released an Invitation to Participate(ITP) and the IOUs responded to all of the measures except tub spout diverters. While it isn't required for the IOUs to participate we have historically responded to all (that I am aware of) of the opportunities with some form of a response and public support.
- On the other measures we had been in communication with the CEC regarding our responses and didn't let the CEC know that weren't responding to the ITP for tub spout diverters.
- Daniela let the team know a few days before the ITP response deadline that she didn't believe we had sufficient information to respond to the ITP. None of the other IOUs expressed concern. It appears that wasn't communicated to the CEC.
- In the last meeting with the CEC they asked the IOUs about our lack of response and if we planned on submitting a response and we stated that we were not.
- In situations where there is little to no pushback (although the vast majority of rulemakings have some pushback) it could be okay not to respond, in my opinion.
- The CEC requested a meeting with the IOUs and the CASE authors (they stated it is a high priority for them)regarding the research plan on tub spout diverters.
- The draft standards proposal for all Phase 2 topics, including tub spout diverters is due middle to end of August.

From: Eilert, Patrick
Sent: Friday, June 23, 2017 10:11 AM
To: Kristjansson, Sue; Thomas, Michelle; Zeng, Kate
Cc: Anderson, Mary; Garcia, Daniela; Reefe, Jeremy; Kim, Charles
Subject: FW: Tub-Spout Diverters

Sue/Michelle/Kate-
I have asked Mary to send an Outlook invitation to discuss.
Thank you.
Pat

From: Driskell, Kristen@Energy [<mailto:Kristen.Driskell@energy.ca.gov>]
Sent: Thursday, June 22, 2017 4:45 PM
To: Eilert, Patrick
Cc: Anderson, Mary
Subject: Tub-Spout Diverters

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Hi Pat,

Hope you're doing well.

I was surprised not to receive comments from the IOUs on tub-spout diverters. We got a lot of opposition to the idea of lowering the leakage rate, and no support (EPA was neutral). It would be nice to know earlier rather than later whether IOU's will be supporting this effort or not. Let me know if you'd like to talk by phone.

Thanks,
Kristen

Kristen M. Driskell
Appliances & Outreach & Education Office
Efficiency Division
California Energy Commission
(916) 654-3957
Kristen.Driskell@energy.ca.gov

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Exhibit 17 - A1701013-PGE006

<020215>

https://docs.wixstatic.com/ugd/0c9650_e2ca6ea1850145b69836cd6a700c6bfd.pdf

From: [Andrew deLaski](#)
To: [Bijit Kundu](#); [Bryan Boyce](#); [Harvey Sachs](#); [Hunt, Marshall](#); [Jennifer Amann](#); [Joanna Mauer](#); [Lis, David J.](#); [Longstreth, Ben](#); [Louis Starr](#); [Marianne DiMascio](#); [Meg Waltner](#); [Rodney Sobin](#); [Steve Nadel](#); [Timothy Balla](#)
Subject: prep for Thurs AHRI meeting - URGENT
Date: Monday, February 02, 2015 3:31:27 PM
Attachments: [Agenda - Negotiations ULE Products 02-05-15.docx](#)

Hi all: As decided at the end of our Jan 8 meeting with AHRI, we are slated to meet with AHRI again this Thursday at their offices to continue our talks about roof top units.

Our group really should talk before we get together with AHRI and time is short, so please respond as soon as you get this message to the doodle poll at

<http://doodle.com/b35rwtup4cdd2fyf>

I'll pick a time for tomorrow or Wednesday and send out a meeting invite as soon as a critical mass has filled out the poll.

I have attached here the draft agenda for the Thursday meeting. Feedback welcome by email and we can discuss on our call.

Also, please let me know whether you intend to participate by phone or in person.
Thanks

Andrew

--

Andrew deLaski
Appliance Standards Awareness Project
www.appliance-standards.org
(617) 363-9470

**Exhibit 18 - ORA-A1701013-PGE006
<021215>**

https://docs.wixstatic.com/ugd/0c9650_6aaf51bf95ee4b9097b7490cb33718b9.pdf

From: [Andrew deLaski](#)
To: [Mike Murza](#); [Hunt, Marshall](#); [Bijit Kundu](#); [Charlie Stephens](#)
Subject: Fwd: Furnace Stakeholder Planning Meeting
Date: Thursday, February 12, 2015 9:46:23 AM

Mike, Marshall, Charlie and Bijit: NRDC is pulling together a meeting of our team tomorrow and with industry next week concerning the furnace standards. In the past you all have been only a little involved in the furnace standards work, but I wanted to check again to see if you want to participate in these upcoming meetings in which we are working to find a way forward in this contentious docket. Do you want to participate in the call tomorrow and the meeting next Friday (presumably by phone)? Let me know and I'll ask NRDC to add you to the invite lists.

Andrew

----- Forwarded message -----

From: **Noll, Elizabeth** <enoll@nrdc.org>
Date: Thu, Feb 12, 2015 at 11:42 AM
Subject: Furnace Stakeholder Planning Meeting
To: "Roy, Robin" <roy@nrdc.org>, "Longstreth, Ben" <blongstreth@nrdc.org>, "Kennedy, Kit" <kkennedy@nrdc.org>, Andrew deLaski <adelaski@standardsasap.org>, "jmauer@standardsasap.org" <jmauer@standardsasap.org>, "Lis, David J." <djlis@ncep.org>, Timothy Ballo <tballo@earthjustice.org>, Harvey Sachs <hsachs@acece.org>, Steve Nadel <snadel@acece.org>, Rodney Sobin <RSobin@ase.org>, Mel Hall-Crawford <melhc@consumerfed.org>, Charlie Harak <charak@nclc.org>

Discuss and prepare for broad stakeholder call on Feb. 20th.

Call: [2127274600](tel:2127274600)

Participant code: [9866115](#)

Discuss:

- Initial thoughts on NOPR
 - Strengths and weaknesses
- Agenda for Feb. 20th (in development)
- Other?

For those unable to participate tomorrow, please send me your thoughts so we can be sure to integrate them into the discussion and reflect them in the agenda for the 20th. And again please forward to anyone I may have missed.

Thanks
Elizabeth

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A ShoreTel conference call has been created for this meeting.

Use either of the following to join the call:

Call 4600 (Extension)

[+12127274600](tel:+12127274600) (Local dial in)

and enter the access code below followed by the # key.

Participant code: 9866115

Or, click the link below:

Participant: <https://conf.nrdc.org/conference/9866115>

Test link: <https://conf.nrdc.org/test>

Mobile Auto Dial:

VoIP: voip://+12127274600;9866115#

iOS devices: +12127274600,9866115 and press #

Other devices: [+12127274600x9866115](tel:+12127274600x9866115)#

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Andrew deLaski
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Exhibit 19 - ORA-A1701013-PGE006

<061915>

https://docs.wixstatic.com/ugd/0c9650_b8a2f7bd75f140938b40f06ab4e1b2dc.pdf

From: [Andrew deLaski](#)
To: [Marianne DiMascio](#)
Cc: [Ben Longstreth](#); [Brad Penney](#); [Charlie Harak](#); [David Goldstein](#); [David J. Lis](#); [Elizabeth Noll](#); [Harvey Sachs](#); [Jeff Harris](#); [Joanna Mauer](#); [Kit Kennedy](#); [Kristen@Energy Driskell](#); [Marshall Hunt](#); [Hunt, Marshall](#); [Mel Hall-Crawford](#); [Mike Murza](#); [Patrick@Energy Saxton](#); [Robin Roy](#); [Steve Nadal](#); [Suzanne Watson](#); [Timothy Ballo](#); [Chris Granda](#)
Subject: draft agenda for today's furnace call
Date: Friday, June 19, 2015 11:04:56 AM
Attachments: [Furnace NOPR LCC & NIA Results \(1\).xlsx](#)

Hello ASAP furnace TAG:

The purpose of our call this afternoon

(206-402-0821 9660261)

is to coordinate on written comments for the furnace docket, which are due on July 10.

Draft call agenda

1. Any updates on talks with industry? (I distributed notes on last week's meeting earlier this week.)
2. How do our talks with industry affect written comments?
3. Who plans to submit written comments?
4. Topics
 - a. What level to support:
 - 92 v. 95
 - regional v. national
 - do we recommend a low btu class at 80AFUE? if so, regional or national? up to what btu/h input?
 - b. DOE cost estimates
 - what information can we offer to support cost estimates equal or lower than DOE's?
 - * equipment
 - * venting
 - c. impacts on low income consumers
 - d. what else?

For everyone's convenience, I've attached here the summary of impacts at 92 and 95 national which Joanna put together and which we've circulated previously.

- Andrew

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On Wed, Jun 17, 2015 at 4:13 PM, Marianne DiMascio <mdimascio@standardsasap.org> wrote:
Thanks for completing the doodle poll. Could you all tentatively hold Friday from 3-4:30 EST (12-1:30 PST) for the furnace call and we'll confirm in the morning?

Marianne

On Tue, Jun 16, 2015 at 9:56 PM, Marianne DiMascio <mdimascio@standardsasap.org> wrote:

Hi all,

Here's the doodle poll for the call to coordinate July 10th comments to DOE. We are trying for this Friday, next Monday or Tuesday. Thanks for responding quickly.

<http://doodle.com/d6csxkawkk2x9rzs>

Marianne

On Tue, Jun 16, 2015 at 8:49 PM, Andrew deLaski <adelaski@standardsasap.org> wrote:

CONFIDENTIAL: Here's a report on last week's meeting with industry stakeholders and us. Key next step is to prepare our written comments for the DOE docket, due July 10. I know some of you have already commenced work on yours. I'm traveling tomorrow so have asked Marianne to get a poll around to find a call time. Please be on the lookout for that and respond as soon as you can. Thx.

Report on 6/11 furnace meeting

At the meeting last week, AGA proposed the following: 80% AFUE standard below 5000 HDD; 92% above. Furnaces at or below 80kbtu/h input would need to meet an 80% standard, regardless of region.

AHRI seconded the proposal for the 5000 HDD line, with 92% in the North and 80% in the south. AHRI also wants to allow 80% furnaces below a certain input capacity anywhere, but they did not have a position on the input capacity break point (previously, they also had said 80 kbtu/h)

On the other elements of our previous proposal, AHRI said:

- #1. they are pulling the furnace fan efficiency proposal off the table (we estimated small savings potential, given the 2019 fan rule).
- #2. they cannot support 81% AFUE for non-condensing furnaces.
- #3. they did not mention the AC standards (separately, they've requested a formal reg neg on the next round of AC standards, which is likely to be approved tomorrow).
- #4. they remain open to a provision related to learning thermostats, but have a lot of questions about how it would be done.
- #5. they did not respond on the building code, saying they viewed it as a secondary issue to be worked out after the main issues (Note: FWIW - when the codes option came up, Craig Drumheller said that NAHB while not favoring it would not object if it were part of the package.)
- #6. In response to our suggestion that we get more info on savings from modulating furnaces, several manufacturers in private said the energy savings are very small – the advantage of such units is comfort from more even heating.

The manufacturers expressed a strong preference for an approach that is simple.

AGA justified their position, in part, with an argument that they don't believe the DOE analysis has withstood the scrutiny of AGA's consultant (GTI) and that therefore the DOE proposal and any national standard in the condensing range is not cost-effective. They'll release that GTI critique of the DOE analysis as part of their written comments to the docket in early July. We need to be prepared to review, understand and critique it.

We responded to say that the AGA proposal was considerably short of what makes sense for consumers and energy savings. We said that there is some combination of north/south border, kbtu/h cut off for non-condensing products and condensing AFUE level (92 v 95), and ways to get additional savings from 80% furnaces that will allow for some non-condensing furnaces where they make economic sense and still deliver the large savings potential for this rule, but the AGA proposal does not come close to capturing it. All of these issues need to be further considered.

Steve shared his draft language on performance based approach for T-stats. This element achieves some of the savings lost by allowing some 80% furnaces.

The gas and furnace industries are going to review the performance based concept for T-stats.

We agreed to form a small technical working group on data issues that can help inform the kbtu/h cutoff, N-S line and 92 vs 95 AFUE issues, Harvey is our designee to that group and will convene that group.

AHRI asked if there was a quad target we had in mind for this rule. We said our goal is maximum cost effective savings, but would think about if we can reduce it to a quad number.

All sides said they'd like to continue working to see if a consensus can be reached. We also recognized that everyone would be focusing on their written comments to the docket in the near term now.

My sense is that our team needs to shift our full attention to preparing our written comments, which are due on July 10. To that end, please fill out the doodle poll Marianne will send around so we coordinate our written comments.

- Andrew

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**ATTACHMENT C:
DOE Energy Conservation
Standards for Residential
Furnaces**



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**BEFORE THE
OFFICE OF ENERGY EFFICIENCY AND RENEWABLE ENERGY
UNITED STATES DEPARTMENT OF ENERGY
WASHINGTON, DC**

**Energy Conservation Program)
for Consumer Products:) Docket No. EERE-2014-BT-STD-0031
Energy Conservation Standards) RIN 1904-AD20
For Residential Furnaces)**

SOUTHERN CALIFORNIA GAS (SoCalGas®) COMMENTS:

In response to the United States Department of Energy’s (DOE) Supplemental Notice of Proposed Rulemaking (SNOPR) regarding non-weatherized gas furnaces (NWGF) and mobile home gas furnaces (MHGF), as well as the introduction of a separate product class for non-condensing furnaces with a designated input rating threshold, SoCalGas respectfully submits our comments and analyses on the impact to our customers should this standard advance. We commend DOE for revisiting energy conservation standards for residential furnaces and appreciate this opportunity to provide the following comments about this SNOPR.

SoCalGas has been delivering clean, safe and reliable natural gas to its customers for more than 140 years. We are the nation’s largest natural gas distribution utility, serving 20.9 million consumers through 5.8 million meters in more than 500 communities. The company’s service territory encompasses approximately 20,000 square miles in diverse terrain throughout Central and Southern California, from Visalia to the Mexican border.

California leads the nation in energy policy. The state’s Investor Owned Utilities are advancing energy efficiency not only to protect the environment but also to serve our residential, commercial and industrial customers. For decades, SoCalGas has been actively pursuing strategies to promote the efficient use of natural gas and energy efficiency. We have driven advancements in natural gas equipment and low emissions technologies and invested significantly in the advancement towards renewable natural gas and distributed generation.

We appreciate the DOE’s efforts to find a resolution by recommending a split standard. However, the analysis shows that even with the split standard, it continues to be an economic hardship on Southern California customers. SoCalGas submitted two sets of analyses to the original NOPR that provided a comprehensive evaluation of the underlying inputs, assumptions and methods of DOE’s life cycle cost (LCC) analysis and data filtered by region (California and Southern California). We have now conducted a

second analysis based on the updated LCC calculations and associated technical support document (TSD) released with the SNOPR.

Notwithstanding our proven commitment to advancing energy efficiency and our long-standing support of DOE’s efficiency actions, SoCalGas respectfully requests the DOE review the summary of findings below and address all concerns with the TSD and LCC prior to issuing a final rulemaking. We have provided the supporting documents again for your review as well as a recalculation of the impacts to our customers conducted based on the SNOPR.

SUMMARY OF FINDINGS:

- 1) Economic infeasibility for Southern California customers. The California climate and market is drastically different than the states representing the “Rest of the Country,” however, the DOE has regionally categorized California with this group. For this reason, we have conducted a non-weatherized gas furnace (NWGF) LCC analysis using the DOE’s applied model with updated Annual Energy Outlook (AEO) 2016 forecast pricing in the table below. To summarize:
 - a) The average savings for Southern California is over 99 percent less than the “Rest of the Country” region California is identified under for the proposed split standard, putting our customers at a severe disadvantage and making this economically infeasible;
 - b) The simple payback for Southern California is more than three times the “Rest of the Country” region California is identified under for the proposed split standard, making this not cost-effective;
 - c) The average payback for impacted customers in Southern California is more than double the “Rest of the Country” region, again, making this not cost-effective.

Table 1.1 – Lifecycle Cost Analysis for NWGFs¹

Metric	Location	Split Standard Threshold [kBtu/hr]				
		55	60	65	70	75
Average Savings [\$]	National	\$629	\$662	\$621	\$637	\$637
	North	\$607	\$669	\$607	\$621	\$610
	Rest of Country	\$644	\$654	\$638	\$656	\$677
	California	\$383	\$715	\$260	\$281	-\$37
	Southern California	\$3	\$229	\$169	\$187	-\$5
Simple Payback Period [yrs]	National	6.7	6.6	6.8	6.7	6.6
	North	7.3	7.2	7.3	7.2	7.0
	Rest of Country	5.3	4.9	5.0	4.8	5.0
	California	10.4	7.7	11.6	11.0	11.8
	Southern California	19.0	11.0	13.8	11.4	12.5
Average Payback Period [yrs]	National	11.7	10.7	10.0	10.1	10.0
	North	10.6	10.1	10.4	10.5	10.6
	Rest of Country	12.5	11.3	9.6	9.7	9.2
	California	21.3	17.2	19.4	20.5	24.4
	Southern California	26.1	21.7	16.3	17.3	21.0

Assumptions: AEO 2016; 92% AFUE for large furnace category; residential buildings only for California due to sample size; results omitted when there are < 10 samples above the threshold per DOE.

¹ NegaWatt, “Evaluation of DOE Supplemental Proposed Rulemaking on Residential Furnace Standards Life Cycle Cost Analysis: Inputs and Results with Emphasis on Southern California,” pages 9-10, December 20, 2016.

In keeping with SoCalGas' commitment to energy efficiency, we would have welcomed this rulemaking had it proven to be economically feasible to our customers.

- 2) Burden on low-income communities. DOE's own analysis shows that low-income consumers in the "Rest of Country" region may bear a larger burden than other consumers with this rulemaking, despite the split standard.² This burden is compounded by the fact that low- and fixed-income homeowners typically live in smaller spaces, which require less energy to heat and therefore will achieve less annual savings. Additionally, low- and fixed-income renters will likely be forced to deal with higher rents when landlords are required to install high-efficiency furnaces, passing the cost to the renters, contrary to DOE assertions.

DOE maintains that these increased costs are necessary and worthwhile given the energy needs of the nation. The US Census Bureau estimates that nearly a quarter of California residents live in poverty. With a total state population of 38.7 million people,³ that percentage amounts to approximately 9.7 million residents statewide and over 5.2 million within SoCalGas' service territory. This rule may create an undue burden on a significant number of vulnerable residents who do not have the economic flexibility to absorb what might seem to some to be an incidental cost.

- 3) Increases energy consumption. The increased costs of moving to a 92% AFUE minimum efficiency gas furnace from the current industry standard of 80% AFUE, particularly in the retrofit market where the switch from non-condensing to condensing furnaces require changing the flue and providing a condensate drain, make fuel-switching (using split-system or mini-split heat pumps) an attractive alternative to consumers on a cost, rather than performance, basis. A switch from gas to electricity space heating will, however, *increase* source energy consumption due to the inefficiencies of losses in generation, transmission and distribution of electricity.⁴ This is particularly true if the heat pumps with lower performance are selected for cost reasons and when, on very cold weather days, heat pumps don't function well, built-in backup resistance heaters are triggered. The resulting increased source energy use is contrary to the stated goals of the legislation that provides the basis for efficiency standards. The introduction of a 55,000 Btu/h split standard does not change the potential for fuel switching and therefore does not reduce the potential for the increase in source energy consumption, negating the intent of the rulemaking.
- 4) Data requires additional clarification and transparency. The TSD requires clarification on the probability distribution, labor rate, and teardown analysis inputs into the LCC calculation. DOE's LCC calculation is complex and additional documentation and justification for some critical input data is necessary for stakeholders to accurately assess the methodology of the calculations. We have several concerns with this approach:
 - a) Appendix 8B of the TSD⁵ includes some rudimentary statistics background about probability distributions and a table showing the distributions. However, stakeholders are not provided sufficient details and/or information to review and determine the reasonableness and equitability of the inputs on more than one hundred probability distributions.

² Table 11.3.10 and Table 8.6.10 of the TSD, <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0217>

³ January 2015 population, California Department of Finance

⁴ NegaWatt, "Evaluation of DOE Supplemental Proposed Rulemaking on Residential Furnace Standards Life Cycle Cost Analysis: Inputs and Results with Emphasis on Southern California," page 6, section "General Observations, Three," December 20, 2016.

⁵ <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0217>

- b) RS Means, a reference cited by DOE, includes city-level labor rates but DOE up-sampled that data to statewide or multi-state averages before using it.⁶ We recommend that the city level data be used instead to improve the regional accuracy of the LCC results.
- c) The DOE used teardown analysis to create the furnace first cost input for the LCC model. Per Chapter 5 of the TSD, the DOE did physical teardowns of 31 models, virtual teardowns of 46 models, and obtained some real-world manufacturer selling prices. However, DOE does not provide detailed selection criteria, nor make, model, and specifications of the equipment that were studied. Stakeholders are unable to confirm the representativeness of the selection and the conclusions drawn.

With additional clarification on these important items, stakeholders will be able to better understand and review the LCC calculations that are believed to be yielding overstated LCC savings.

- 5) No-New-Standards Case Furnace Assignment Methodology: SoCalGas, along with various stakeholders were concerned with the no-new-standards case furnace assignment methodology during the NOPR phase. In the SNOPR, the DOE discussed this comment but did not implement any improvements. Furthermore, the addition of the split standard makes the accuracy of this methodology even more critical. National energy savings are calculated against the no-new-standards case. It therefore makes a significant difference whether a building sample is placed in the small furnace category, and is thus certainly not impacted, or placed in the large category and potentially impacted.

The DOE's no-new-standards-case furnace efficiencies are based on shipment data and an AHRI directory of furnace products. The shipment data is at best, categorized by state and by condensing versus noncondensing and the directory does not include sales data. This is very coarse data to apply to the specific buildings in the RECS database. DOE states that they have requested sales data but have not received it. We recommend that DOE and the manufacturers further pursue the sharing of non-proprietary data given its importance in improving the accuracy of the selection model. We also recommend that the DOE use building specific data (e.g. heating load) when assigning a furnace efficiency during each trial to improve accuracy.

The DOE's furnace capacity section model is currently based on building square footage, outdoor design temperature, and the aforementioned shipment and directory data. It does not include building specific data such as building age or heating load. The DOE responded to a comment during the October 17, 2016 public meeting stating that home vintage was not an input into their furnace capacity assignment algorithm. Given the importance of building envelope tightness when evaluating HVAC sizes and energy/thermal efficiency, the absence of this information in the no-new-standard furnace selection model makes the DOE's offer of a new split standard inadequate.

The DOE also assumes that furnaces are typically oversized and therefore consumers that would otherwise choose a furnace that has a capacity slightly above the threshold in a given split standard would downsize in order to purchase a cheaper furnace.⁷ DOE cites two sources to support their choice of a 35 percent oversizing factor. The possibility that existing oversizing factors may vary by retrofit versus new construction, region, capacity range, home vintage, air conditioning requirements, and home size is not addressed.

- 6) LCC Savings Overstated: DOE's predictive LCC model results combine general assumptions and a limited consumer model that overstate LCC savings compared to a more robust Consumer Economic

⁶ TSD, page 8D-37, <https://www.regulations.gov/document?D=EERE-2014-BT-STD-0031-0217>

⁷ Appendix 8M of the TSD provides a brief explanation of the downsizing methodology.

Decision-making (CED) framework methodology,⁸ offered by GTI. In response, DOE discussed this comment in the SNOPR but did not change the consumer model. DOE did not further utilize the American Home Comfort Study as GTI and others recommended. They also did not address the significant deviation the GTI model shows from what DOE claims to be the LCC results.

We recommend that prolonging furnace replacement by way of deep maintenance repairs should be accounted for as a consumer choice in the fuel switching model. This may be the most economical option for some retrofit consumers who need equipment with capacity above the threshold but for which switching to electric equipment would be too expensive. If this option were added, it will increase the accuracy of the fuel switching model and reduce nationwide savings. Additionally, a consumer's choice to prolong aged equipment may delay the commercialization of higher efficient equipment, invariably, adversely affecting the consumers with overstated LCC savings.

- 7) Aged Price Forecasts: DOE's use of AEO 2015 price forecasts for energy prices is outdated. We recommend that DOE implement AEO 2016 price forecasts into a revised LCC spreadsheet and SNOPR immediately rather than when the final rule is determined. This would give stakeholders a chance to review and understand the true impacts the price forecast changes would have on the LCC outputs.

Attached for your further review and consideration is (1) the GTI technical analysis originally provided at the time of our NOPR comment submission, and (2) an updated NegaWatt technical analysis of supplemental TSD.

CONCLUSION

SoCalGas has dedicated decades to advancing efficiencies in energy use and our results in that area are substantial. We will continue to work to drive higher efficiency standards wherever it is proven to be cost effective for our customers. Our efforts have realized savings equivalent to almost 152 million therms over the past five years and over 560 million therms since 1990. Currently, we run 82 energy-efficiency programs, have an annual savings goal of over 25 million therms, an annual budget of \$89.5 million and employ 186 people to deliver these programs. In addition, our low-income energy efficiency programs have treated over 569,000 low-income households with energy efficiency upgrades at no cost to those households. In 2014 alone, we avoided 170,000 tons of CO₂ emissions. Our energy efficiency programs alone have also helped to create over 8,000 jobs in California.

We would like to reiterate our support for the DOE for their tremendous effort in trying to update the energy conservation standards for residential furnaces. We thank the DOE for the opportunity to be involved in this process and encourage the DOE to carefully consider the recommendations outlined in this letter prior to the issuance of a final decision.

Sincerely,



Lisa Alexander
Vice President, Customer Solutions

⁸ GTI, "Technical Analysis of DOE Notice of Proposed Rulemaking on Residential Furnace Minimum Efficiencies and Its Impact in Southern California," pages 6-9, July 7, 2015.