

22 July 2014

Mr. Robert B. Weisenmiller, Ph.D., Chair
Mr. David Hochschild, Commissioner
Ms. Janea A. Scott, Commissioner
California Energy Commission
1516 Ninth Street
Sacramento, California 95814

Ms. Karen Douglas, J.D., Commissioner
Mr. Andrew McAllister, Commissioner

California Energy Commission

DOCKETED

14-EUDP EMY-01

TN 73463

JUL 22 2014

Re: July 22, 2014, Business Meeting, Agenda Item #10: Nonresidential Building Energy Use Disclosure Program

Dear Chairman Weisenmiller and Commissioners of the California Energy Commission:

San Diego Energy Desk is a small business focused on improving energy efficiency in commercial buildings. Most of our work centers on energy efficiency performance benchmarking using Energy Star Portfolio Manager and A 1103 compliance is certainly a lever to generate business.

Revenue from AB 1103 compliance projects is lost, once the transaction is completed. Based on current and completed projects, a conservative estimate of lost revenue due to delayed implementation of AB 1103 requirements starting from January 1, 2013 can easily amount to hundreds of thousands of dollars - for my firm alone. In fact, any additional implementation delay can potentially bring significant financial hardship to small firms like San Diego Energy Desk that are competing to gain traction in this new marketplace.

In my opinion, the Finding for Emergency Proposed Regulations reads more as a project implementation status report and doesn't really illuminate any unexpected issues for a program roll-out of this scope. I think to the general reader, this document also mischaracterizes the California Energy Commission as either unaware or uninvolved in program roll-out including the most significant aspect of regulation implementation which pertains to the coordinated engagement of the energy service providers.

Market adoption of California AB 1103 is very low and the multiple delays have already undercut the credible implementation of AB 1103. In my opinion these multiple delays have injected the greatest amount of confusion in the market - separate from any technical challenges.

Until there is greater market adoption, we are all dealing with a smaller subset of potentially eligible compliance projects. Buildings between the 5,000 and 10,000 square foot size are a different animal altogether than those over 50,000 square feet. By virtue of the slow market adoption, the number of buildings falling into this category undertaking compliance projects at this time will be small - but it is important to bring them into the mix now so that our technological and programmatic refinements can be made based on access to the complete range of building sizes ultimately impacted by this legislation.

On behalf of San Diego Energy Desk, I strongly support the California Energy Commission's intention of further refining AB 1103, but based on the information presented and the reasons indicated in the Proposed Finding Emergency For Proposed Regulations, I don't believe sufficient grounds have been established to support either emergency response or delay in approved implementation schedule.

Sincerely,



Randy J. Walsh, CCIM, LEED AP
Chief Efficiency Optimizer