

AMENDED IN SENATE JULY 7, 2015
AMENDED IN SENATE JUNE 9, 2015
AMENDED IN ASSEMBLY APRIL 16, 2015
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 793

Introduced by Assembly Member Quirk

February 25, 2015

An act to amend Section 2790 of, and to add Section 8365 to, the Public Utilities Code, relating to public utilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 793, as amended, Quirk. Energy efficiency.

(1) Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations and gas corporations, as defined. Existing law requires the commission to require an electrical or gas corporation to perform home weatherization services for low-income customers if the commission determines that a significant need for those services exists in the corporation's service territory. For these purposes, existing law authorizes weatherization, where feasible, to include certain measures for a dwelling unit. Existing law also authorizes weatherization, for these purposes, to include other measures determined by the commission to be feasible, taking into consideration the cost-effectiveness of the measures as a whole and the policy of reducing energy-related hardships facing low-income households.

This bill would require weatherization, for the above-specified purposes, to include energy management ~~technology, as defined,~~

technology determined by the commission to be feasible, taking into consideration the above-described factors.

(2) Existing law requires the commission, by July 1, 2010, and in consultation with the State Energy Resources Conservation and Development Commission, the Independent System Operator, and other key stakeholders, to determine the requirements for a smart grid deployment plan consistent with specified policies and federal law. Existing law requires each electrical corporation, by July 1, 2011, to develop and submit a smart grid deployment plan to the commission for approval.

This bill would require the commission to require an energy efficiency program administrator to develop and implement a plan to educate residential and *small and medium* business customers to better understand and control their use of electricity or gas, as provided. The bill would require the commission to require an energy efficiency program administrator to develop an incentive program to provide incentives to a residential or small or medium business customer who acquires energy management technology for use in the customer's home or place of business. The bill would require the commission to require the energy efficiency program administrator to annually report to the commission on actual customer savings resulting from the education plan and the incentive program.

The bill would require the commission to ~~authorize an~~ *evaluate all* energy efficiency program administrator ~~to count all~~ energy savings *claims* achieved pursuant to the education plan and incentive program described above ~~toward overall energy efficiency goals or targets established by the commission. The bill would require the commission, every 3 years, to evaluate the effectiveness of the education plan and the incentive program to determine whether they should continue. in a manner consistent with commission-adopted evaluation protocols.~~

(3) Because a violation of any part of any order, decision, rule, direction, demand, or requirement of the Public Utilities Commission is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2790 of the Public Utilities Code is
2 amended to read:

3 2790. (a) The commission shall require an electrical or gas
4 corporation to perform home weatherization services for
5 low-income customers, as determined by the commission under
6 Section 739, if the commission determines that a significant need
7 for those services exists in the corporation's service territory, taking
8 into consideration both the cost-effectiveness of the services and
9 the policy of reducing the hardships facing low-income households.

10 (b) (1) For purposes of this section, "weatherization" may
11 include, where feasible, any of the following measures for any
12 dwelling unit:

13 (A) Attic insulation.

14 (B) Caulking.

15 (C) Weatherstripping.

16 (D) Low flow showerhead.

17 (E) Waterheater blanket.

18 (F) Door and building envelope repairs that reduce air
19 infiltration.

20 (2) The commission shall direct any electrical or gas corporation
21 to provide as many of these measures as are feasible for each
22 eligible low-income dwelling unit.

23 (c) "Weatherization" may also include other building
24 conservation measures, energy management technology,
25 energy-efficient appliances, and energy education programs
26 determined by the commission to be feasible, taking into
27 consideration for all measures both the cost-effectiveness of the
28 measures as a whole and the policy of reducing energy-related
29 hardships facing low-income households.

30 (d) Weatherization programs shall use the needs assessment
31 pursuant to Section 382.1 to maximize efficiency of delivery.

32 (e) For purposes of this section, "energy management
33 technology" may include a product, service, or software that allows
34 a customer to better understand and manage energy use in the
35 customer's home.

36 SEC. 2. Section 8365 is added to the Public Utilities Code, to
37 read:

1 8365. (a) The commission shall require an energy efficiency
2 program administrator, as part of an existing statewide education
3 and outreach program, administrator to do the following:

4 (1) Develop and implement a plan by June 30, 2016, to educate
5 residential customers and *small and medium* business customers
6 to better understand and control their use of electricity or gas. The
7 plan shall include, where applicable, notification of the incentive
8 program developed pursuant to paragraph (2). The plan shall
9 identify the role of energy efficiency program administrators and
10 the statewide marketing administrator, administrators, demonstrate
11 how efforts will be coordinated, demonstrate how duplicative costs
12 and redundancies will be avoided, and consider existing educational
13 and outreach efforts. ~~The statewide marketing administrator shall~~
14 ~~be responsible for coordinating these efforts. The commission may~~
15 ~~require that the plan be integrated into any education campaign~~
16 ~~required by the commission.~~

17 (2) Develop a program no later than January 1, 2017, within the
18 energy efficiency program administrators demand-side management
19 programs authorized by the commission, to provide incentives to
20 a residential or small or medium business customer who acquires
21 energy management technology for use in the customer's home
22 or place of business. The energy efficiency program administrator
23 ~~shall may~~ allow third parties or local governments to apply for
24 incentives on behalf of customers. The energy efficiency program
25 administrator shall work with third parties, local governments, and
26 other interested parties in developing the program. The energy
27 efficiency program administrator shall establish incentive amounts
28 based on ~~all estimated or, where available, actual energy savings~~
29 ~~and energy usage reductions from installation or implementation~~
30 ~~of energy management technologies, taking into consideration the~~
31 ~~overall reduction in normalized metered energy consumption as a~~
32 ~~measure of energy savings. savings estimation and baseline policies~~
33 ~~adopted by the commission.~~

34 (3) Annually report to the commission on actual customer
35 savings resulting from the education plan and the incentive program
36 established pursuant to this section. The commission shall ~~authorize~~
37 ~~an evaluate all~~ energy efficiency program administrator to count
38 ~~all~~ energy savings *claims* achieved pursuant to the education plan
39 and incentive program toward overall energy efficiency goals or
40 targets established by the commission. Every three years, the

1 ~~commission shall evaluate the effectiveness of the education plan~~
2 ~~and the incentive program to determine whether they should~~
3 ~~continue.~~ *in a manner consistent with commission-adopted*
4 *evaluation protocols.*

5 (b) For purposes of this section, “energy management
6 technology” may include a product, service, or software that allows
7 a customer to better understand and manage electricity use in the
8 customer’s home or place of business.

9 SEC. 3. No reimbursement is required by this act pursuant to
10 Section 6 of Article XIII B of the California Constitution because
11 the only costs that may be incurred by a local agency or school
12 district will be incurred because this act creates a new crime or
13 infraction, eliminates a crime or infraction, or changes the penalty
14 for a crime or infraction, within the meaning of Section 17556 of
15 the Government Code, or changes the definition of a crime within
16 the meaning of Section 6 of Article XIII B of the California
17 Constitution.

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