

AMENDED IN SENATE AUGUST 31, 2015

AMENDED IN SENATE AUGUST 18, 2015

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~~ 717 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 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 electrical or gas corporation to develop a program to provide incentives to a residential or small or medium business customer to acquire energy management technology for use in the customer's home or place of business. The bill would require the commission to require an electrical or gas corporation to develop a plan to educate residential customers and small and medium business customers about the incentive program. The bill would require the commission to require the electrical or gas corporation to annually report to the commission on actual customer savings resulting from the incentive program.

The bill would require the commission to evaluate all electrical or gas corporation energy savings claims achieved pursuant to the incentive program described above 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 717 is added to the Public Utilities Code,*
2 *to read:*

3 717. (a) *The commission shall require an electrical or gas*
4 *corporation to do all of the following:*

5 (1) *Develop a program no later than January 1, 2017, within*
6 *the electrical or gas corporation’s demand-side management*
7 *programs authorized by the commission, to provide incentives to*
8 *a residential or small or medium business customer to acquire*
9 *energy management technology for use in the customer’s home or*
10 *place of business. The electrical or gas corporation may allow*
11 *third parties or local governments to apply for incentives on behalf*
12 *of customers. The electrical or gas corporation shall work with*
13 *third parties, local governments, and other interested parties in*
14 *developing the program. The electrical or gas corporation shall*
15 *establish incentive amounts based on savings estimation and*
16 *baseline policies adopted by the commission.*

17 (2) *Develop a plan by September 30, 2016, to educate residential*
18 *customers and small and medium business customers about the*
19 *incentive program developed pursuant to paragraph (1). The*
20 *commission may require that the plan be integrated into, or*
21 *coordinated with, any education campaign required by the*
22 *commission.*

23 (3) *Annually report to the commission on actual customer*
24 *savings resulting from the incentive program established pursuant*
25 *to this section. The commission shall evaluate all electrical or gas*
26 *corporation energy savings claims achieved pursuant to the*
27 *incentive program in a manner consistent with commission-adopted*
28 *evaluation protocols and determine if the program shall continue*
29 *or be modified.*

30 (b) *For purposes of this section, “energy management*
31 *technology” may include a product, service, or software that allows*
32 *a customer to better understand and manage electricity or gas use*
33 *in the customer’s home or place of business.*

34 (c) *Nothing in this section shall be construed to amend or limit*
35 *the ability of a community choice aggregator to apply to administer*
36 *an energy efficiency or conservation program or a demand-side*
37 *management program as set forth in Section 381.1.*

1 SECTION 1.

2 SEC. 2. Section 2790 of the Public Utilities Code is amended
3 to read:

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

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

- 14 (A) Attic insulation.
- 15 (B) Caulking.
- 16 (C) Weatherstripping.
- 17 (D) Low flow showerhead.
- 18 (E) Waterheater blanket.
- 19 (F) Door and building envelope repairs that reduce air
20 infiltration.

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

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

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

33 (e) For purposes of this section, “energy management
34 technology” may include a product, service, or software that allows
35 a customer to better understand and manage energy *electricity or*
36 *gas* use in the customer’s home.

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

39 ~~8365. (a) The commission shall require an electrical or gas~~
40 ~~corporation to do the following:~~

1 ~~(1) Develop a program no later than January 1, 2017, within the~~
2 ~~electrical or gas corporation’s demand-side management programs~~
3 ~~authorized by the commission, to provide incentives to a residential~~
4 ~~or small or medium business customer to acquire energy~~
5 ~~management technology for use in the customer’s home or place~~
6 ~~of business. The electrical or gas corporation may allow third~~
7 ~~parties or local governments to apply for incentives on behalf of~~
8 ~~customers. The electrical or gas corporation shall work with third~~
9 ~~parties, local governments, and other interested parties in~~
10 ~~developing the program. The electrical or gas corporation shall~~
11 ~~establish incentive amounts based on savings estimation and~~
12 ~~baseline policies adopted by the commission.~~

13 ~~(2) Develop a plan by September 30, 2016, to educate residential~~
14 ~~customers and small and medium business customers about the~~
15 ~~incentive program developed pursuant to paragraph (1). The~~
16 ~~commission may require that the plan be integrated into, or~~
17 ~~coordinated with, any education campaign required by the~~
18 ~~commission.~~

19 ~~(3) Annually report to the commission on actual customer~~
20 ~~savings resulting from the incentive program established pursuant~~
21 ~~to this section. The commission shall evaluate all electrical or gas~~
22 ~~corporation energy savings claims achieved pursuant to the~~
23 ~~incentive program in a manner consistent with commission-adopted~~
24 ~~evaluation protocols and determine if the program shall continue~~
25 ~~or be modified.~~

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

30 ~~(c) Nothing in this section shall be construed to amend or limit~~
31 ~~the ability of a community choice aggregator to apply to administer~~
32 ~~an energy efficiency or conservation program or a demand-side~~
33 ~~management program as set forth in Section 381.1.~~

34 SEC. 3. No reimbursement is required by this act pursuant to
35 Section 6 of Article XIII B of the California Constitution because
36 the only costs that may be incurred by a local agency or school
37 district will be incurred because this act creates a new crime or
38 infraction, eliminates a crime or infraction, or changes the penalty
39 for a crime or infraction, within the meaning of Section 17556 of
40 the Government Code, or changes the definition of a crime within

- 1 the meaning of Section 6 of Article XIII B of the California
- 2 Constitution.

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