

Energy Efficiency Procurement Review Group Charter

Background

California Public Utilities Commission (“Commission” or “CPUC”) Decision (D.) 18-01-004 authorizes the investor-owned utilities (IOUs) to establish energy efficiency procurement review groups (EEPRGs) that advise the IOUs on solicitations for EE programs.¹

Considering the volume of solicitation activity anticipated in the transition to the new third-party program model and as required by D.18-01-004, the IOUs will convene EEPRGs that are involved at each stage of all third-party program solicitations and will provide feedback to the IOUs.² The PRGs will be conducted in a similar manner to the supply-side PRGs. Although EEPRG membership will likely overlap among the IOUs, each IOU will maintain its own EEPRG.³ To facilitate consistency to the extent possible, the IOUs coordinated to develop the following standard EEPRG materials (enclosed):

- Non-Disclosure Agreement (NDA),
- Conflict of Interest Form, and
- PRG Member Questionnaire

The purpose of this charter is to provide prospective EEPRG members with an overview of the EEPRGs’ objective and scope of review, eligibility and intervenor compensation requirements, and roles and responsibilities as described below.

Objective

The EEPRGs shall advise and provide feedback to the IOUs in connection with the IOUs’ solicitation for new third-party programs.

Scope

The EEPRGs will be involved at all stages of the solicitation process, including:⁴

- Draft Request for Abstract (RFA) review
- Review of RFA bids and shortlist
- Draft Request for Proposal (RFP) review
- Review of RFP bid selection criteria
- RFP shortlist and selected contractor review
- Review independent evaluator (IE) evaluations of all solicitations

Eligibility

All EEPRG members must be non-financially interested parties, as defined in D.05-01-055:

“A financially interested party is any person who engages in the purchase, sale or be [sic] marketing of energy efficiency products or services, or who is employed by a private, municipal, state or federal entity that engages in the purchase, sale or marketing of energy efficiency products or services, or who provides consulting services regarding the purchase, sale or

¹ D.18-01-004, Ordering Paragraph (OP) 4.

² D.18-01-004, Conclusion of Law (COL) 11.

³ D.18-01-004, OP 3.

⁴ D.18-01-004, p. 36.

marketing of energy efficiency products or services, or an employee of a trade association comprised of entities that engage in the purchase, sale or marketing or (sic) energy efficiency products or services

Energy efficiency services include among other things, performing energy audits and advising clients and potential customers about potential energy savings they can achieve, but does not include evaluating, measuring and verifying the installation and/or results of energy efficiency products or services, or research to develop new energy efficiency products or services.”

The Office of Ratepayer Advocates (ORA), Commission Staff, and IEs must participate in the EEPRG process, in accordance with D.18-01-004.⁵

Intervenor Compensation

EEPRG members will be eligible for compensation in accordance with the Commission’s intervenor compensation program.⁶ Parties interested in claiming intervenor compensation are encouraged to read the Commission’s “Intervenor Compensation Program Guide” and must submit all required documents to the Commission for review and approval.⁷

Roles and Responsibilities

The key parties involved in the EEPRG process are the IOUs, EEPRG members, and IEs. The primary roles and responsibilities for each of these parties as they relate to the EEPRG process are highlighted below:

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|---------------------------|--|
| IOUs⁸ | <ul style="list-style-type: none"> • Notice: the IOUs will notice all meetings at least three business days in advance, which will include call in numbers for all participants • Agenda: the IOUs will distribute an agenda and meeting materials at least 48 hours in advance of each PRG meeting • Facilitation: the IOUs will administer and facilitate PRG meetings • Meeting Notes: the IOUs will distribute meeting notes to PRG participants within one week of the meeting conclusion or before the next scheduled meeting, whichever comes first |
| EEPRGs⁹ | <ul style="list-style-type: none"> • EEPRG participants must commit to serving on an EEPRG until the end of 2019, attend meetings to the extent possible, and faithfully review meeting materials • EEPRGs are advisory groups and do not have decision-making authority • EEPRGs will be consulted at all stages of solicitations, including but not limited to: <ul style="list-style-type: none"> ○ Reviewing each sector-or segment-specific solicitation plan; ○ Providing timely input into draft solicitation language and evaluation criteria; and ○ Providing recommendations based on review of materials |
| IEs¹⁰ | <ul style="list-style-type: none"> • IEs will serve as consultants to the PRGs and participate in PRG meetings • IEs will observe each solicitation and prepare and submit a report including their findings and recommendations with the PRGs and the Commission (if required) at the end of the solicitation process |

⁵ D.18-01-004, OPs 3 and 4.

⁶ D.18-01-004, Finding of Fact (FOF) 11, COL 11.

⁷ These materials are available on the CPUC’s website at <http://www.cpuc.ca.gov/icompl/>

⁸ D.18-01-004, OP 4.

⁹ D.18-01-004, p. 35, OP 4.

¹⁰ D.18-01-004, pp. 37-38, OP 5.

Next Steps

Parties that would like to be considered for EEPRG participation are invited to submit the enclosed Questionnaire to the IOU(s) of their interest **by no later than March 12, 2018.**

- Pacific Gas and Electric Company: Chris Kato (chris.kato@pge.com)
- San Diego Gas and Electric Company: Athena Besa (ABesa@semprautilities.com)
- Southern California Gas Company: Elizabeth Baires (EBaires@semprautilities.com)
- Southern California Edison Company: Robert Brunn (Robert.F.Brunn@sce.com)

Each IOU will review prospective EEPRG members' responses to the Questionnaire and inform prospective EEPRG members of their recommendation for inclusion in its EEPRG. These recommended EEPRG members will review, sign, and submit the enclosed NDA and Conflict of Interest Form.

In cases where an approved organization desires more than one individual to participate in the PRGs, those individuals should each review, sign, and submit "Appendix A to Nondisclosure Agreement: Nondisclosure Certificate" as well as the Conflict of Interest Form to the IOU.

Any EEPRG member who wants to participate in EEPRGs for statewide solicitations must review, sign, and submit a NDA and Conflict of Interest Form to all four IOUs.

EEPRG members will be recommended for approval to the Director of the Commission's Energy Division via letter.¹¹ The letter will also describe any disputes about the composition of the EEPRGs. These disputes will be resolved by the Energy Division Director informally or brought to the Commission more formally, at the Director's discretion.¹²

¹¹ D.18-01-004, p. 36; OP 3.

¹² D.18-01-004, p. 36.