

# **2010-12 Statewide Retrocommissioning Policy & Procedures Manual Version 1.0**

**Effective Date: December 1, 2011**

Utility Administrators:

**Pacific Gas and Electric  
San Diego Gas & Electric®  
Southern California Edison  
Southern California Gas Company**

The 2010-12 Statewide Retrocommissioning Offering is a statewide program administered by Southern California Gas Company (SoCalGas), Southern California Edison (SCE), San Diego Gas & Electric (SDG&E®), and Pacific Gas and Electric (PG&E) in their respective service territories. The offering rules, incentive rates, incentive limits, program requirements, packaging, and individual offerings may vary slightly among the utilities.

Subject to all applicable federal, state, and local laws, and the California Public Utilities Commission (“CPUC”) rulings, each Utility Administrator reserves the right to approve otherwise eligible energy efficiency (EE) projects in its service territory by waiving project steps and/or sequencing guidelines. If the Utility Administrator determines program influence and can establish appropriate baseline and post operating conditions, with or without pre- or post-inspection and including energy savings calculations, such Utility Administrator shall have the right to make appropriate and reasonable business decisions regarding project eligibility and approvals.

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## **1.1 Introduction**

The 2010-12 Statewide Retrocommissioning (RCx) Offering provides financial incentives for energy savings resulting from permanent and/or automated operational improvement of equipment or systems. Qualifying non-residential customers that make permanent operation changes are eligible for energy efficiency incentives based on calculated energy savings and permanent peak demand reduction. Incentives for gas-related energy savings are eligible only in Pacific Gas & Electric Company, Southern California Gas Company, and San Diego Gas & Electric natural gas service territories.

Incentives are paid on the energy savings and permanent peak demand reduction over baseline energy performance, which in some cases include state-mandated codes, federal-mandated codes, industry-accepted performance standards, or other baseline energy performance standards as determined by the Utility Administrator.

The 2010-12 enrollment period began December 1, 2011. Applications for the 2010-12 enrollment period will be accepted until December 31, 2012 or until the Utility's incentive funds are fully committed or no longer available, whichever occurs first.

**Administered by Utilities.** The Statewide Retrocommissioning Offering is administered by four California Investor-Owned Utilities (Utility) — Pacific Gas & Electric Company (PG&E), San Diego Gas & Electric (SDG&E), Southern California Gas Company (SoCalGas) and Southern California Edison Company (SCE).

**Designed for Non-Residential Customers.** The Statewide Retrocommissioning Offering serves Non-Residential Customers who receive energy services from one or more Utilities and pay into the Public Purpose Program (PPP) surcharge.

**Offering Materials.** Incentive payments are based on careful adherence to offering requirements. See *Section 1: Offering Overview and Policies of the 2010-12 Statewide Retrocommissioning Policy & Procedures Manual* before starting a retrocommissioning project.

### **1.1.1 Retrocommissioning Types**

Retrocommissioning activities vary by type, and specific rules may apply to the different RCx types administered by a Utility. These are defined as follows:

1. **Commercial RCx.** Activities affecting building performance, specifically lighting and Heating, Ventilation and Air Conditioning (HVAC) systems, regardless of the type and segment of building(s) where the activities take place. For example, RCx activities intended to improve operations of the lighting and HVAC systems within an industrial facility fall under Commercial RCx.
2. **Industrial RCx.** Activities affecting performance of industrial processes and systems.
3. **Agriculture RCx.** Activities affecting performance of agriculture processes and systems.

# **1.2 How the Statewide Retrocommissioning Offering Works**

## **1.2.1 The Main Players**

The Statewide Retrocommissioning Offering involves three key parties:

1. **Customer (Applicant)** — An eligible non-residential customer who is applying for incentives through the Statewide Retrocommissioning Offering.
2. **Qualified Provider (Provider)** — An entity which is authorized by a Utility Administrator to deliver RCx services.

Qualified Providers include, but are not limited to: Authorized third-party energy efficiency program providers, RCx service providers contracted to the Utility Administrator, and Utility Administrator engineers.

A Qualified Provider may require training to render RCx services. Please contact the Utility Administrator for training information.

3. **Utility Administrator**— PG&E, SDG&E, SoCalGas, or SCE, whichever provides natural gas and/or electric services to the Customer's project site.

## **1.2.2 The Basic Process**

The Statewide Retrocommissioning Offering works in eight phases:

1. **Investigation.** A Qualified Provider performs an audit to identify operational improvements within a facility and/or system documented in a report for the Utility Administrator.
2. **Investigation Review.** The investigation report is reviewed for approval by the Utility Administrator or its designated reviewers. The Applicant has the opportunity to review the report upon approval of the Utility Administrator.
3. **Project Application.** The Applicant selects the operational improvements to implement from those identified in the approved investigation report along with any measures that are deemed mandatory based on their payback period (See *Section 1.3.3*). Applicant completes and executes an RCx Project Application for financial incentives from the applicable Utility Administrator, payable upon successful implementation of the measures. The Applicant submits the Project Application to the Utility Administrator for review and approval.
4. **Application Review and Approval.** The Utility Administrator reviews and approves or disapproves the Project Application submitted by the Applicant. This process may include a pre-inspection site visit to the Customer's facility. The Utility Administrator provides confirmation in writing to the Applicant as to the approval of the project.

In addition to the review and approval by the Utility Administrator, the project Application may also be subject to further reviews by the CPUC or its designated entities.

5. **Implementation.** After receiving written confirmation of approval from the Utility Administrator, the Applicant implements selected measures using its own resources. The Applicant is responsible for notifying the Utility Administrator after implementation is completed.

6. **Implementation Review and Approval.** The Utility Administrator reviews the implementation, which may include a site visit to verify the work done. Upon satisfactory review, the Utility Administrator provides the final project approval in writing.

In addition to the review and approval by the Utility Administrator, the completed project may also be subject to further reviews by the CPUC or its designated entities.

7. **Incentive Payment.** The incentive payment is made to the Applicant based on the amount of savings successfully verified by the Utility Administrator and/or the CPUC during in the implementation review and approval.
8. **Follow Up.** RCx projects are subject to further follow-ups after the initial implementation. Requirements may vary depending on measure type. For additional information, see Section 1.7.

In addition to the review and approval by the Utility Administrator, the Applicant may also be subject to further reviews by the CPUC or its designated entities.

## **1.3 Eligibility for Participation**

### **1.3.1 Customer Eligibility**

The Statewide Retrocommissioning Offering is open to any Non-Residential Customer who (1) receives natural gas and/or electric services from PG&E, SCE, SoCalGas or SDG&E; and (2) pays the PPP surcharge on the gas or electric meter on which the energy efficient equipment is proposed.

### **1.3.2 Project Eligibility**

To qualify for the Statewide Retrocommissioning Offering, a project must meet the following criteria:

1. Technical analysis done during investigation must be performed or verified by a Provider.
2. New operational changes cannot be implemented until the Utility Administrator has the opportunity to review, inspect, and provide written approval of the project.
3. When Non-Utility supply is involved, any energy savings for which incentives are paid cannot exceed the net potential benefit provided to the Utility. Non-Utility supply, such as cogeneration or deliveries from another commodity supplier, does not qualify as usage from the Utility. Exceptions are Direct Access customers or customers paying departing load fees for which the Utility collects PPP surcharges. Eligibility of measures associated with a cogeneration system may differ depending on your Utility Administrator. Please contact your Utility Administrator for more information on measures associated with a cogeneration system.

*Under special circumstances and at its sole discretion, the Utility Administrator may waive in writing certain project eligibility conditions.*

Commercial RCx project eligibility rules apply as follows:

<b>Utility</b>	<b>Rule</b>
SCE, SDG&E	All investigation and analysis must be performed by a Provider.

SoCalGas	Only a limited number of Commercial RCx measures may receive financial incentives from SoCalGas, usually through a joint administration with SCE. A customer interested in applying for financial incentives for natural gas savings is encouraged to inquire with SoCalGas before starting the activities to determine if it qualifies for financial incentives.
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### **1.3.3 Mandatory Implementation of Measures**

In projects where the Utility pays for all or most of the investigation cost, the Customer may be required to implement measures within a specific simple payback period. The following Commercial RCx project mandatory measure implementation rules apply:

<b>Utility</b>	<b>Rule</b>
PG&E	Customers enrolled in PG&E's Core Commercial RCx must implement reasonable measures under one year in simple payback.
SCE, SoCalGas	Customers enrolled in SCE's Core Commercial RCx must implement reasonable measures under one year in simple payback.
SDG&E	Customers enrolled in SDG&E's Core Commercial RCx must implement reasonable measures under two years in simple payback.

## **1.4 Qualifying Energy Efficiency Measures**

The Statewide Retrocommissioning Offering accepts a wide variety of energy-saving projects, including a pre-defined list of common measures as well as custom-designed measures. Each project must meet the following criteria:

- 1. Project Technical Analysis must be performed or verified by a Provider.** An Applicant cannot submit an RCx Project Application without technical analysis performed or verified by a Qualified Provider.
- 2. Must Exceed Baseline Energy Performance.** Incentives are paid on the permanent energy savings and demand reduction over baseline energy performance as determined by the Utility Administrator. Any new equipment installed must meet the minimum requirements set forth in the most current Statewide Customized Offering policy and procedures manual.
- 3. Must Meet CPUC-Mandated DEER Peak Demand Definitions.** Incentives for demand reduction (kW) are paid only on that portion of permanent electrical demand which is reduced during peak periods, as defined by Database for Energy Efficiency Resources (DEER) (Refer to Manual *Section 1.4.4*).
- 4. Must Meet Operation Time Requirement.** The Project Agreement requires that the new equipment or operational change must produce energy savings for the effective useful life (EUL) of the product or for a period of five years, whichever is less, the failure of which may result in a refund from Applicant of all or a portion of the incentive paid.
- 5. Measures Cannot Overlap Other Incentive Programs.** Any measures included in the Project Application cannot be applied for through another California energy efficiency incentive or rebate program. Gas and electric components should be considered separately. Other California end user energy efficiency programs include, but are not limited to, any program offered by or through SoCalGas, PG&E, SDG&E, SCE, California Energy Commission (CEC), and California Public Utilities Commission (CPUC), including PPP funded local programs, third-party programs, or local government partnerships. No

Applicant can receive incentives from more than one energy efficiency program for the same measure. Contact the Utility Administrator for further details.

6. **Measures Must Be Pre-Qualified By Utility Administrator.** Measures not on the pre-qualified list as defined in this Policy Manual may be included for eligibility on a case-by-case basis. The Utility Administrator reserves the right to request additional details for any measures submitted for incentive eligibility. Measure eligibility determination is subject to additional processing time, and it is recommended that a request for measure eligibility be submitted as early as possible.
7. **Measures Must Demonstrate Persistence.** Any measure submitted for incentives must demonstrate persistence. See *Section 1.7* for further details.

### 1.4.1 Examples of Eligible Measures

If a measure is not specifically excluded by the eligibility conditions and the Applicant can provide documentation supporting energy savings beyond baseline energy performance standards, then it may be eligible for Statewide Retrocommissioning Offering incentives (subject to the approval of the Utility Administrator). Table 1-1 provides a sample, non-comprehensive list of qualifying efficiency measures. Please note that the category of a given measure is important because the category determines the corresponding incentive rate that will be paid (see *Section 1.6* of this manual).

Air conditioning and refrigeration (AC&R) related measures that qualify for the AC&R I incentive rate category generally include those Retrocommissioning measures that directly improve the efficiency of the A/C system (i.e. kW/Ton improvements). Evaporative cooler and evaporative condenser measures are also classified under the AC&R I incentive rate category. Air conditioning and refrigeration measures that involve reduced operation or reduced load such as controls, building shell, or components changes (e.g. motors, pumps, component variable speed drive (VSDs), or fans) are classified under the AC&R II incentive rate category. System measures involving both AC&R I and AC&R II measures are paid at \$0.15/kWh for the complete system measure.

**Table 1-1. Examples of Eligible Measures**

<p><b>Air Conditioning and Refrigeration I</b></p> <p>Energy – \$0.15 / kWh \$1.00/Therm</p> <p>Peak Demand \$100 / kW</p>	<ul style="list-style-type: none"> <li>▪ Replace refrigeration compressor <b>(C, I, A)*</b></li> <li>▪ Replace boiler <b>(C, I, A)</b></li> </ul>
<p><b>Air Conditioning and Refrigeration II</b></p> <p>Energy - \$0.09 / kWh \$1.00 / Therm</p> <p>Peak Demand - \$100 / kW</p>	<ul style="list-style-type: none"> <li>▪ Correct actuator/damper operations <b>(C)</b></li> <li>▪ Correct economizer operations <b>(C)</b></li> <li>▪ Adjust condenser water reset <b>(C)</b></li> <li>▪ Adjust supply air temperature reset <b>(C)</b></li> <li>▪ Adjust zone temperature deadbands <b>(C)</b></li> <li>▪ Adjust equipment scheduling <b>(C, I, A)</b></li> <li>▪ Adjust duct static pressure reset <b>(C)</b></li> <li>▪ Adjust hot or cold deck reset <b>(C)</b></li> <li>▪ Install or repair energy management system <b>(C)</b></li> <li>▪ Install or repair Variable Frequency Drive on fans or pumps <b>(C, I, A)</b></li> <li>▪ Reduce simultaneous heating and cooling <b>(C)</b></li> </ul>
<p><b>Lighting</b></p> <p>Energy - \$0.05 / kWh</p>	<ul style="list-style-type: none"> <li>▪ Reduce lighting intensity <b>(C)</b></li> <li>▪ Install or repair lighting controls <b>(C)</b></li> </ul>

Peak Demand - \$100 / kW	
Motors and Other Equipment Energy - \$0.09 / kWh Peak Demand - \$100 / kW	<ul style="list-style-type: none"> <li>▪ Adjust equipment scheduling (C, I, A)</li> <li>▪ Install or repair Variable Frequency Drive on motors (I, A)</li> <li>▪ Repair compressed air leaks (I, A)</li> </ul>
Natural Gas Measures** \$1.00 / Therm	<ul style="list-style-type: none"> <li>▪ Adjust boiler lockout schedule (C, I, A)</li> </ul>

\* Denotes type of RCx: C – Commercial; I – Industrial; A – Agriculture.

\*\* Natural Gas measures applicable only in PG&E, SoCalGas, and SDG&E service territories.

Measures not explicitly specified in the eligible measure list (Table 1-1) or the ineligible measures list (Table 1-2) are addressed on a case by case basis as determined by the Utility Administrator. A Customer must submit a request for measure eligibility determination to the Utility Administrator servicing the territory in which the project will be implemented.

### 1.4.2 Summary of Ineligible Measures

Table 1-2 summarizes the types of measures that do not qualify for RCx incentive funds. This table provides a sample, non-comprehensive list of ineligible efficiency measures.

**Table 1-2. Ineligible Measures**

<ul style="list-style-type: none"> <li>▪ Non-automated Operational Changes</li> <li>▪ Manual Control of Equipment</li> <li>▪ Filter Cleaning</li> <li>▪ Lamp/Fixture Cleaning</li> <li>▪ Pneumatic to Pneumatic Control Changes</li> </ul>
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### 1.4.3 Fuel Substitution Measures

Fuel substitution (fuel switching) measures involve RCx projects where all or a portion of the existing energy use is converted from either “electricity to natural gas” or “natural gas to electricity”. Fuel substitution measures are calculated using a baseline energy performance of the replacement fuel. Incentives are paid on the energy savings over the baseline energy performance standards as determined by the Utility Administrator.

For SCE service territory, only fuel substitution measures involving RCx projects where all or a portion of the existing energy use is converted from “natural gas to electricity” are eligible. Incentives are not paid for switching from gas to electricity, but for implementing energy efficient operational changes.

For SoCalGas service territory, only fuel substitution measures involving RCx projects where all or a portion of the existing energy use is converted from “electricity to natural gas” are eligible. Incentives are not paid for switching from electricity to gas.

Fuel-substitution measures must reduce the need for source energy use without degrading environmental quality. Fuel-substitution measures must pass a three-prong test to be eligible for RCx incentives. These tests include a source-BTU comparison, a benefit-cost ratio calculation, and an environmental impact analysis. The Utility Administrator performs these analyses.



### 1.4.4 DEER Permanent Peak Demand Reduction Calculations

The CPUC has requested that peak demand reduction be evaluated using the DEER Peak method. The CPUC-mandated method more closely ties demand reduction to grid level impact. The complexity of estimating CPUC Mandated Peak varies based on the measure type, measure operation, and level of data available. The Statewide Retrocommissioning Offering software offers the most accurate DEER calculations for weather dependent measures, so customers are encouraged to use the tool. All other calculations are subject to a rigorous review by IOU engineers and consultants.

#### 1.4.4.1 CPUC Mandated DEER Peak Definition

The CPUC Mandated DEER Peak method is summarized from Version 4 of California's Energy Efficiency Policy Manual as *"the average grid level impact for a measure between 2:00 p.m. and 5:00 p.m. during the three consecutive weekday periods containing the weekday temperature with the hottest temperature of the year."*

The CPUC Mandated DEER Peak Periods are further defined by individual climate zones. Because the definition is based on average grid-level impacts all measures must use the predefined "heat wave" periods (Table 1-3).

**Table 1-3. CPUC Mandated DEER Peak Periods by Climate Zone**

Climate Zone	Start Date	End Date
1	30-Sep	2-Oct
2	22-Jul	24-Jul
3	17-Jul	19-Jul
4	17-Jul	19-Jul
5	3-Sep	5-Sep
6	9-Jul	11-July
7	9-Sep	11-Sep
8	23-Sep	25-Sep
9	6-Aug	8-Aug
10	8-Jul	10-Jul
11	31-Jul	2-Aug
12	5-Aug	7-Aug
13	14-Aug	16-Aug
14	9-Jul	11-Jul
15	30-Jul	1-Aug
16	6-Aug	8-Aug

The CPUC Mandated DEER Peak Periods are based on a typical year using a 1991 calendar. If the Peak Period falls on a weekend, the proceeding three-days are to be used.

## 1.5 Direct Savings and Multiple Measures

A project must achieve significant energy savings, subject to the following provisions:

1. **Direct Savings Only.** Only direct energy savings—not indirect energy savings due to interactive effects—count in determining a project’s incentive. Direct savings result directly from as the primary purpose of the project. Indirect energy savings from interactive effects are those savings that occur from other than the primary purpose of RCx. For example, high-efficiency lighting with improved controls typically lowers the air conditioning load. However, only the avoided lighting energy, not the avoided air conditioning energy, would count as energy savings in determining the energy savings and incentives for a lighting project.
2. **Either Single or Multiple Measures.** An RCx project may consist of a single energy efficiency measure (e.g., a variable frequency drive installation on a motor) or a variety of measures (e.g. a variable frequency drive installation with rescheduling of the equipment’s operating hours).

## 1.6 Incentive Payments

The incentive payment amount is based on a flat incentive rate (per kWh) applied to one year of estimated energy (kWh) savings, plus a flat incentive rate (per peak kW) applied to the resultant permanent peak demand reduction (as defined in 1.4.4).

When reviewing the Project Application, the Utility Administrator verifies that the Applicant has designated the proper incentive category for each efficiency measure. As shown in Table 1-4, the incentive rate is dependent on the type of efficiency measure installed (Lighting, AC&R I, AC&R II, Motors/Other Equipment, or Natural Gas).

**Table 1-4. 2009 Energy Savings Incentive Rates**

Measure Category	Annual Energy Savings Incentive Rate (kWh)	Permanent Peak Demand Reduction Incentive Rate (kW)
Lighting (Fluorescent, Other Lighting, or Lighting Controls)	\$0.05 per kWh saved	\$100 / kW
Air Conditioning and Refrigeration (AC&R) I	\$0.15 per kWh saved	\$100 / kW
Air Conditioning and Refrigeration (AC&R) II	\$0.09 per kWh saved	\$100 / kW
Motors and Other Equipment	\$0.09 per kWh saved	\$100 / kW
Natural Gas ( <i>Applicable only in PG&amp;E, SoCalGas and SDG&amp;E service territories</i> )	\$1.00 per therm saved	

Other limitations to the incentive amount and cap may apply depending on the customer segment and end-uses. The following specific rules apply to Commercial RCx measures:

Utility	Rule
SCE, SoCalGas	All Commercial RCx measures with a simple payback of less than one year do not qualify for financial incentives.
SDG&E	The incentive amount for Core Commercial RCx is custom calculated and different from the amounts shown in Table 1-4.

### **1.6.1 Incentive Payment May Vary from Contracted Value Based on Performance**

The final incentive may be less than the amount approved in the review and approval phase if actual equipment installation or operational changes differs from that described in the approved Project Application. For example, if the installed equipment or operating schedule is different from the approved Project Application, the incentive amount may be adjusted to reflect the operating conditions found during implementation review and approval.

### **1.6.2 Incentive Limits**

#### **1.6.2.1 First Come, First Served**

Program funds are available on a first-come, first-served basis until program funds are fully committed or no longer available.

#### **1.6.2.2 Incentives from other Programs**

Incentives for any measure in the Project Application cannot be applied for through another California energy efficiency incentive or rebate programs. Gas and electric components are considered separately. Other California end user energy efficiency programs include, but are not limited to, any program offered by or through SoCalGas, PG&E, SDG&E, SCE, California Energy Commission (CEC), and California Public Utilities Commission (CPUC), including PPP funded local programs, third-party programs, or local government partnerships. An Applicant cannot receive incentives from more than one energy efficiency program for the same measure.

#### **1.6.2.3 Incentive Caps**

Retrocommissioning project incentive caps may vary between the Utility and/or by type. The rules for incentive caps are outlined below:

Commercial	PG&E, SCE, and SoCalGas	Incentive is capped at 50% of the measure cost.
	SDG&E	SDG&E uses custom calculation to determine incentive cap. Please inquire with the utility Administrator for further details.
Industrial and Agricultural	PG&E	Incentive is capped at 50% of measure cost, except for some third-party implemented programs where the incentive is capped at 50% of the project cost. A project can include multiple measures.
	SCE, SoCalGas and SDG&E	Incentive is capped at 50% of the project cost. A project can include multiple measures.

### **1.6.3 Payment Schedule**

For most projects, 100 percent of the final approved incentive amount is paid after the implementation review and approval. Payments are made only after the Utility Administrator has approved the necessary submissions.

### **1.6.4 Payment Disbursement**

The Utility Administrator calculates the incentive payment based on its review of the submitted paperwork or site inspection. The Utility Administrator notifies the Applicant in writing of the final approved incentive payment amount upon approval of the Final Report, as applicable, and begins processing the incentive check. As soon as the check is processed, the Utility Administrator mails it to the payee designated on the Project Application. If the Applicant

disputes the findings of the review, the Applicant should notify the Utility Administrator as soon as possible. This should be done before the Payee receives the incentive payment.

## 1.7 Project Persistence

Due to the flexible nature of RCx measures, both the Provider and Applicant are required to take steps to ensure persistency. Acceptable follow-up steps include any one or a combination of the following:

1. **Follow Up Training and Documentation (Commercial RCx Measures Only).** The Provider submits documentation on post-implementation training with facility's staff and any changes made to the operation manual for impacted systems.
2. **Service or Maintenance Contract.** Applicant provides a service or maintenance contract with the duration of at least three years for the rebated measures. The service contract needs to be submitted during Implementation Review and Approval.
3. **Post-Installation Visits.** Both the Applicant and Provider may be required to complete a Post Installation Consent Form during Project Application that obligates the Provider to make follow-up visits to the project site as requested by the Utility Administrator. If deviations from post-installation performance specifications or other deficiencies that adversely impact energy savings are found, the Applicant is required to restore rebated measure to the conditions verified at implementation review. The frequency of post-installation visits may vary by segment and Utility. Please contact the Utility Administrator for further details.

In addition to the post-installation visits by the Utility Administrator, the Applicant may also be subject to further inspections by the CPUC or its designated entities.

## 1.8 How to Apply

The RCx Project Application process requires careful attention to detail. Incomplete or incorrect applications will be returned, so it is highly recommended to follow the program instructions carefully. An Applicant can call its Utility Administrator for assistance in completing its Project Application and to obtain answers to specific program questions as well. Table 1-5 lists the Statewide Retrocommissioning Offering contact information for each Utility Administrator. Specific application instructions and contact information may apply for different RCx programs and offerings. Inquire with the Utility Administrator for additional details.

**Table 1-5. Utility Administrator**

Utility Administrator	Contact Information
<b>San Diego Gas &amp; Electric</b> <a href="http://www.sdge.com/business/esc/">http://www.sdge.com/business/esc/</a>	San Diego Gas & Electric 8335 Century Park Ct., CP12C San Diego, CA 92123-1569
<b>Southern California Edison</b> <a href="http://www.sce.com/business/ems/default.htm">http://www.sce.com/business/ems/default.htm</a>	Southern California Edison Business Incentives & Services P.O. Box 800 Rosemead, CA 91770
<b>Southern California Gas Co.</b> <a href="http://www.socalgas.com/rcx">http://www.socalgas.com/rcx</a>	Southern California Gas Co. 555 W. Fifth St Los Angeles, CA 90013-1046
<b>Pacific Gas and Electric</b>	Pacific Gas and Electric Company

## **1.9 Other Important Terms and Conditions**

By virtue of participation in the Statewide RCx Offering, an Applicant agrees to the following terms and conditions:

1. All parties consent to participate in any evaluation of the Statewide RCx Offering. The CPUC or its representatives may contact participants to answer questions regarding their experience with the offering and/or request a site visit. All participants agree to comply with such program evaluations.
2. Utility Administrators expressly reserve all their rights, which include, but are not limited to, the right to use others to perform or supply work of the type covered by the Statewide Retrocommissioning Offering, as well as the unrestricted right to contract with others to perform the work or to perform any such work themselves. Utility Administrators may employ third-party engineering firms to conduct site inspections, review calculations, and make recommendations for project status. The information reviewed is considered confidential and is not shared with any party not included in the Project Application, other than the CPUC as requested, or with other Utility Administrators as described in Section 1.9 of this Policy Manual.

The CPUC has decided that the Utilities may continue to administer the program through the end of 2012. After December 31, 2012, a Program Agreement may be assigned to a new administrator by the CPUC. An Applicant must agree to terms and conditions in the Program Agreement allowing for such a transfer without consent.

### **Notice of Public Record**

Because the program is funded by the PPP surcharge, Applicants are advised that Statewide Retrocommissioning Offering projects are a matter of public record and may be reviewed and evaluated by the CPUC upon program commencement. The estimated total project costs will be in the public record. The Utilities may discuss projects and disclose project information among Utility Administrators (SDG&E, PG&E, SoCalGas, and SCE) to ensure statewide consistency and eligibility. However, projects are not shared or available for viewing by other customers or sponsors, and information about specific projects is not divulged to parties not included on the Project Application.

The Utility Administrators are not liable to any Applicant or other party resulting from any public disclosure to the CPUC for program "Measurement and Evaluation" purposes, or as otherwise required by the CPUC.

### **Contract Termination**

Statewide Retrocommissioning Offering contracts may be terminated at the Utility Administrator's discretion, under the following conditions but not limited to:

- The Utility Administrator determines that significant information was purposely withheld or falsely stated in the Project Application.
- The project fails to be implemented, fully commissioned, or fully operational prior to the implementation deadline.
- The Applicant formally requests withdrawal from the program.
- Direction of the CPUC or depletion of RCx program funding.