

Date of Hearing: June 27, 2018

ASSEMBLY COMMITTEE ON UTILITIES AND ENERGY

Chris Holden, Chair

SB 782 (Skinner) – As Amended May 29, 2018

SENATE VOTE: 39-0

SUBJECT: Energy data transparency

SUMMARY: Requires the California Energy Commission (CEC) to establish a system for assigning global unique identifiers for each building in the state and requires the electrical service provider to assign the global unique identifier to the aggregated electricity usage of all the customers within the building. Specifically, **this bill:**

- 1) Requires the CEC, to the extent resources are available, to establish a system for assigning a “global unique identifier” for each building in the state.
- 2) Requires each electrical service provider, electrical corporation (IOUs), community choice aggregator (CCAs) or locally publically owned electric utility (POUs) to assign the “global unique identifier” of the building to the aggregated electricity usage of all customers within the same building, within a year of the commission disclosing the addresses and global unique identifier of each building to the utilities.
- 3) Permits that consent of the customer, to share or disclose electrical or gas consumption data, may be verified through an electronic signature authorization process.
- 4) Expands the definition of electrical or gas consumption data to include incremental and monthly meter-specific electricity data.
- 5) Expands the definition of covered buildings to include two or more buildings located on a single parcel or adjacent parcels with the same owner and with five or more active utility accounts.
- 6) Makes various declarations about California’s energy efficiency programs and goals.
- 7) Declares it is the intent of the Legislature to require maximum transparency and public review of electrical data.

EXISTING LAW:

- 1) Requires the California Public Utilities Commission (CPUC) to make certain information regarding electric service and electrical corporations available on its internet website. (Public Utilities Code § 8380)
- 2) Requires IOUs and POUs to use reasonable security procedures and practices to protect a customer’s unencrypted electrical or gas consumption data from unauthorized access, destruction, use, modification, or disclosure. (Public Utilities Code § 8380)
- 3) Requires the CEC to establish a building energy use benchmarking program for covered buildings. (Public Resources Code § 25402.10)

- 4) Defines covered building to be a building with no residential utility accounts or any building with five or more active utility accounts. (Public Resources Code § 25402.10)
- 5) Requires each utility to maintain records of the energy usage data of all buildings to which it provides service for at least the most recent 12 complete calendar months and upon request of the owner, owner's agent or operator of a covered building to provide aggregated energy usage data for a covered building to the owner, owner's agent building operator or to the owner's account in the ENERGY STAR Portfolio Manager. (Public Resources Code § 25402.10)

FISCAL EFFECT: According to SB 356 (Skinner), an almost identical bill, Assembly Appropriations estimated costs to be:

- 1) Increased ongoing annual PUC costs of approximately \$1.6 million for consultants and \$530,000 for staff to develop and administer the utility data requirements (Public Utilities Reimbursement Fund).
- 2) One-time PUC equipment costs of \$250,000 for servers needed to store and process large volumes of data in a secure environment (Public Utilities Reimbursement Fund.)
- 3) Increased one-time CEC costs of \$2.7 million in contracts to develop the global identifier system and assign global unique identifiers and ongoing annual costs of \$150,000 to manage the system. The CEC's Energy Commission's primary operating account, the Energy Resources Program Account, is currently in a structural deficit and cannot absorb these costs, however, this provision is only required to the extent funds are available.

BACKGROUND:

Assembly Bill 802 (Williams, 2015) – AB 802 directed the CEC to create a statewide building energy use benchmarking program for buildings larger than 50,000 square feet. Benchmarking provides a baseline understanding of energy use which allows building's energy use to be compared to its prior performance and to that of its peers. The CEC's regulations require building owners to report building characteristic information and energy use data to the CEC by June 1 annually, beginning in 2018 for buildings with no residential utility accounts, and in 2019 for buildings with 17 or more residential utility accounts. Building owners complete their reporting using ENERGY STAR Portfolio Manager, a free online tool provided by the United States Environmental Protection Agency. Assembly Bill 802 also required that energy utilities provide building-level energy use data to building owners, owners' agents, and operators upon request for buildings with no residential utility accounts and for buildings with five or more utility accounts. The CEC will publicly disclose some of the reported information beginning in 2019 for buildings with no residential utility accounts, and 2020 for buildings with residential utility accounts.

Benchmarking and Public Disclosure – Publicly disclosing the performance of buildings will allow building owners and tenants to make better informed purchasing and leasing decisions, and

the general public to better understand the buildings in which they live and work. Portfolio Manager allows for comparison with similar buildings across the state and the country.

Buildings Energy Efficiency Action Plan – The Existing Buildings Energy Efficiency Action Plan published by the CEC in 2015 provides a 10-year roadmap to activate market forces and transform California’s existing residential, commercial, and public building stock into high performing and energy-efficient buildings. The goal of this effort is: accelerated growth of energy efficiency markets, more effective targeting and delivery of building upgrade services, improved quality of occupant and investor decisions, and vastly improved performance of California’s buildings. Additionally, the goal behind this plan is to deliver substantial energy savings and greenhouse gas emissions reductions, contributing to the collective goal of reducing the impacts of climate change while improving the resilience of the state’s built environment and economy. The plan provides a comprehensive framework centered on five goals, each with an objective and a series of strategies to achieve it. One recommendation was to create a new statewide large commercial benchmarking and disclosure program with the hope that easy, regular access to energy use data for building owners and their agents is a key.

Global unique identifier – A global unique identifier is a identification system for benchmarking buildings that would provide a standardized framework under which a unifying field is used to match building data from various sources to a single building. Right now there lacks a standardized way to identify buildings making it difficult to accurately associate data with a specific facility, creating a barrier to effective asset management, research and analysis. Building data can be mixed up because of different address abbreviation, multiple entrances to the same building marked at different addresses or misspellings. Creating a global unique identifier system would facilitate data management and sharing by reducing the risk of mismanaging or duplicating building data thereby simplifying the data exchange. This may benefit government entities that would be able to jointly track building information. This would identify the space a building occupies rather than the building itself. It would improve data collection and tracking over time because the identifier stays the same, while a building may change addresses or an address may represent multiple buildings. The U.S. Department of Energy (DOE) has developed a system for assigning global unique identifiers to buildings but it is unclear if the CEC would use the system developed by DOE as it would depend on a rulemaking process.

Smart meter data – The smart meter is a two-way communication device which transmits data back to the utility and negates the need for manual meter readings. They allow consumers to access consumption data in real time and to manage their energy use more proactively. The smart meter system collects electric and natural gas use data from your home or business. Smart meter electric meters record residential electric use hourly and commercial electric use in 15-minute increments. This data is sent to the utility through a secure wireless network.

COMMENTS:

- 1) Author’s Statement. According to the author, “California’s energy sector is undergoing a transformation. By broadening access to energy information, SB 782 is designed to spur public and private innovation so that technology developers, entrepreneurs, researchers and others can assist California in meeting the state’s renewable energy, energy efficiency and energy reliability goals.”
- 2) Who pays the cost? Developing a program of this scale is a large undertaking for the electric utilities. They would be required to assign the global unique identifier to the

aggregated electricity usage of all customers within the building. Some large buildings have many meters and that information will need to be aggregated together. This currently happens for billing. On the other hand some large properties, like California State University of Sacramento, as Sacramento Municipal Utility District (SMUD), pointed out have one meter for the whole campus which is made up of multiple buildings. So creating a system to track and meter each building would be a large undertaking especially for small publically owned utilities. At the end of the day the ratepayers will be paying the cost of creating a system to track and collect building specific electricity usage. Yet the individual customers are not the ones advocating for this type of data to be collected and publically shared. Instead it is market actors who have a desire for this level of data which they can use to facilitate market deployment of energy technologies to sell to customers.

- 3) *Suggested Amendments: The committee may wish to strike the Community Choice Aggregator (CCA) provisions throughout the bill because the CCAs do not collect, store and manage electricity usage customer data that is still done by the IOU since the IOU is still responsible for billing.*
- 4) Related Legislation.

SB 356 (Skinner, 2017) Requires the PUC to direct each electrical corporation to make available electronically to the public certain information, including, among other things, pricing data for electricity, on the electrical corporation's Internet Web site. The bill would require the Independent System Operator to make available electronically to the public certain information regarding the operation of the transmission grid. The bill would require the State Energy Resources Conservation and Development Commission, to develop a system for assigning a global unique identifier for buildings within the state. The bill would require electrical corporations and local publicly owned electric utilities to track the aggregated electricity usage data of all customers in the same building for those buildings within their service territories by the global unique identifier. Status: Held in the Assembly Appropriations Committee.

- 5) Prior Legislation.

AB 802 (Williams) Among the provisions, requires the CEC to adopt regulations providing for the delivery to the Commission and public disclosure of benchmarking results for covered buildings Status: Chapter 590, Statutes of 2015.

Assembly Bill 758 (Skinner) requires the Energy Commission, in collaboration with the California Public Utilities Commission and stakeholders, to develop a comprehensive program to achieve greater energy efficiency in the state's existing buildings. Status: Chapter 470, Statutes 2009.

REGISTERED SUPPORT / OPPOSITION:

Support

California Efficiency + Demand Management Council
Center for Sustainable Energy

Common Sense Kids Action
School Energy Coalition
Technet-technology Network

Opposition

None on file.

Oppose Unless Amended

California Municipal Utilities Association
SMUD

Analysis Prepared by: Elle Hoxworth / U. & E. /