

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**

Order Instituting Rulemaking Concerning Energy
Efficiency Rolling Portfolios, Policies, Programs,
Evaluation, and Related Issues.

Rulemaking 13-11-005

**SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) SUBMISSION OF THE
SEMI-ANNUAL INDEPENDENT EVALUATOR REPORT ON THE THIRD-PARTY
SOLICITATION PROCESS**

PUBLIC VERSION

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Dated: **January 8, 2021**

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Pursuant to the Rules of Practice and Procedure of the California Public Utilities Commission (Commission or CPUC), and in compliance with Commission’s Decision D.18-01-004, Southern California Edison Company (SCE) submits, on behalf of the independent evaluators (IEs), this Semi-Annual Independent Evaluators’ Public Report on the Third-Party Solicitation Process of Southern California Edison Company. The Commission in D.18-01-004 required that the IEs, among other things, “shall also provide assessments of the overall third party solicitation process and progress, on at least semi-annual basis, to the Commission via reports filed in the relevant energy efficiency rulemaking (currently R.13-11-005).¹

Because the IEs are not parties to the energy efficiency proceeding, SCE is filing this semi-annual report regarding SCE’s third-party solicitation progress (from April 2020 through September 2020) on behalf of the IEs, who prepared the report. Concurrent with the submission

¹ D.18-01-004 at p.38 and Ordering Paragraph.

of the IEs' public version of the semi-annual report, SCE is filing a confidential version of the same report to the Commission through a Motion to File Under Seal.

Respectfully submitted,

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January 8, 2021

Appendix A

Semi-Annual Independent Evaluator Report [PUBLIC VERSION]

Semi-Annual Report

Southern California Edison Company

Third Party Energy Efficiency Program Solicitations

Reporting Period: April 2020 through September 2020

PUBLIC VERSION-REDACTED

Prepared by Independent Evaluators:

Barakat Consulting, Inc.

Don Arambula Consulting

MCR Corporate Services

December 16, 2020

Disclaimer: This report includes highly sensitive and confidential information.

INDEPENDENT EVALUATORS' SEMI-ANNUAL REPORT

SOUTHERN CALIFORNIA EDISON COMPANY

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I. Overview

A. Purpose

The Independent Evaluators' (IE) Semi-Annual Report (Semi-Annual Report or Report) provides an assessment of Southern California Edison Company's (SCE or the Company), third-party energy efficiency (EE) program solicitation process and progress by SCE's assigned IEs.

The investor-owned utility (IOU) is required to select and utilize a pool of IEs with EE expertise to serve as consultants to the Procurement Review Group (PRG).¹ For the entire solicitation process, the IE serves as a consultant to the PRGs, participates in PRG meetings, and provides assessments of the overall third party solicitation process and progress.² The IEs are privy to viewing all submissions and are invited to participate in the IOU's solicitation-related discussions and are bound by confidentiality obligations.

In Decision 18-01-004, the California Public Utilities Commission (CPUC) directs that a semi-annual report on the overall process and conduct of the third-party solicitations, to be filed in the relevant energy efficiency rulemaking proceeding.³ This Report is provided in response to this requirement and represents an assessment of the program solicitation activities conducted during the period from April 2020 through September 2020. This Report is intended to provide feedback to the CPUC on the progress of SCE's EE program solicitations in compliance with this CPUC direction. These Reports will be filed periodically throughout SCE's entire third-party solicitation process. This Report identifies areas for improvement and highlights best practices as noted by the IEs based on SCE's current program solicitations. The Report is not intended to replace the required Final IE Solicitation Reports, which will be provided to SCE and its PRG by the assigned IE at the conclusion of each solicitation.

B. Background

In August 2016, the CPUC adopted Decision 16-08-019, which defined a "third-party program" as a program proposed, designed, implemented, and delivered by non-utility personnel under contract to a utility program administrator (PA). In January 2018, the CPUC adopted Decision 18-01-004 directing the four California IOUs—SCE, San Diego Gas & Electric Company (SDG&E), Pacific Gas and Electric Company (PG&E), and Southern California Gas Company (SoCalGas)—to ensure that their EE portfolios contain a minimum percentage of third-party designed and implemented

¹ Decision 18-01-004, OP 2.

² Id, p. 38.

³ Id, OPN 5.c.

programs by predetermined dates over the next three years.⁴ Further directions were included in Decision 18-05-041, which states:

The third-party requirements of Decision 16-08-019 and Decision 18-01-004 are required to be applied to the business plans of the investor-owned utilities approved in this decision. All utility program administrators shall have at least 25 percent of their 2020 program year forecast budgets under contract for programs designed and implemented by third parties by no later than December 19, 2019.⁵

Two Stage Solicitation Approach

The IOUs are required by the CPUC to conduct a two-stage solicitation approach for soliciting third party program design and implementation services as part of the EE portfolio. All IOUs are required to conduct a Request for Abstract (RFA) solicitation, followed by a full Request for Proposal (RFP) stage.⁶

The CPUC also requires each IOU to assemble an EE PRG. The IOU's PRG, a CPUC-endorsed entity, is composed of non-financially interested parties such as advocacy groups, utility-related labor unions, and other non-commercial, energy-related special interest groups. The PRG is charged with overseeing the IOU's EE solicitation process (both local and statewide), reviewing procedural fairness and transparency. This oversight includes examining overall procurement prudence and providing feedback during all solicitation stages. Each IOU briefs its PRG on a periodic basis throughout the process on topics including RFA and RFP language development, abstract and proposal evaluation, and contract negotiations.

Extension Request

In a letter dated October 31, 2019, SCE requested an extension to December 31, 2020 to complete its Residential, Industrial and Commercial programs. In November 2019, the CPUC granted SCE's extension request with modification: SCE shall have until September 30, 2020 to comply with Ordering Paragraph 4 of Decision 18-05-041 and meet the 25 percent threshold⁷.

The CPUC further stated that, consistent with Decision 18-05-041, the IOUs must meet at least 40 percent of their EE portfolios under contract for programs designed and implemented by third parties by December 31, 2020. No further extensions of time will be granted to the IOUs for meeting the third-party percentage requirements specified in Ordering Paragraph 4 of Decision 18-05-041.

Guidance Letter from the Energy Division

On March 11, 2020, the Energy Division provided additional guidance to the IOUs, in response to specific challenges experienced in the market, as raised through the semiannual CPUC-

⁴ In Decision 18-05-041, OPN 4, the CPUC extended the original target date for the 25 percent threshold from December 31, 2019 to December 19, 2019.

⁵ Id.

⁶ Decision 18-01-004, p. 31. The Decision further states that the "two-stage process should be used unless there is a specific schedule-related reason that a shortcut must be used."

⁷ CPUC Letter to IOUs regarding the "Request for Extension of Time to Comply with Ordering Paragraph 4 of Decision 18-05-041", November 25, 2019.

hosted public workshops to identify process improvements directed at the following issues:

1) Delays in Schedules Guidance

- Allocate up to 12 weeks from RFA release to notification of bidders of invitation to respond to RFP.
- Allocate up to 15 weeks from RFP release to notification to bidders' invitation to contract negotiation.
- Execute contract 12 weeks after invitation to contract negotiation unless IOU is conducting multiple negotiations within the same solicitation, the program is complex, or contract is addressing challenging contract elements.
- Update the solicitation schedules in their next quarterly update.

2) RFA Guidance

- Adhere to the intent of the RFA stage explained in Decision 18-01-004.
- Refrain from requesting excessive detail in the RFA stage.

3) Bidder Communication

- Notify bidders of the status of the solicitation throughout the entire process.
- Provide better feedback to bidders by delivering on their commitments made in response to stakeholder requests.
- Provide non-advancing bidders notification if their abstracts/proposals did not advance due to incomplete or non-conforming, a violation, or an unmitigated conflict of interest.
- After the June 30 and September 30, 2020 deadlines are met, ED encourages the IOUs to make feedback available to bidders notified prior to date of this letter that they did not advance to the next stage of solicitations.

C. Overview of Solicitations

This Report represents a collection of individual IE assessments for each of SCE's active program solicitations. For ease of review, the Report also provides an overview of solicitation activities and a high-level summary of issues and potential recommendations gleaned from the individual IE assessments. The Report does not address program solicitations for which SCE has yet to release an RFA.

Table C.1 lists each of SCE's current third-party solicitations including a breakdown of each solicitation, assigned IE, and status.

Table C.1: Solicitations Overview		
Solicitations	Assigned IEs	Solicitation Status
Local Residential, Commercial, Industrial (RCI)	MCR Corporate Services	Contracted
Statewide Lighting	Barakat Consulting, Inc.	Contracted
Statewide Emerging Technologies (Electric)	Barakat Consulting, Inc.	RFA
Local Public & Agricultural (PAG)	Don Arambula Consulting	Pre-RFA (not addressed)
Statewide Higher Education	MCR Corporate Services	Pre-RFA (not addressed)
Statewide Water and Wastewater Pumping	MCR Corporate Services	Pre-RFA (not addressed)
<p>Legend</p> <p>Pre-RFA: Activities conducted prior to RFA release</p> <p>RFA: Includes bid preparation and evaluation period</p> <p>Pre-RFP: Activities conducted prior to RFP release</p> <p>RFP: Includes bid preparation and evaluation period</p> <p>Contracting: Contract negotiations</p> <p>Contracted: Contract executed with implementer</p> <p>Suspended: Solicitation held until a later date</p> <p>Cancelled: Solicitation withdrawn; scope may be included as part of a future solicitation.</p>		

As of the conclusion of this reporting period, the following contracts have been executed and applied to the IOU's minimum third-party program threshold requirement as directed by the CPUC in Ordering Paragraph 4 of Decision 18-05-041.

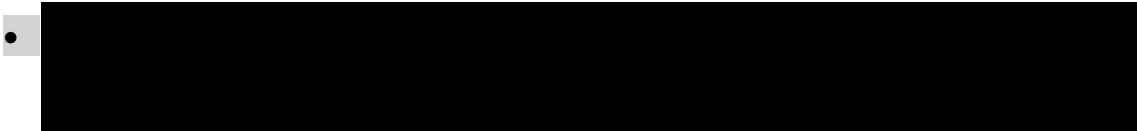
Table C.2: Summary of Executed Contracts					
Solicitation	Implementer	Program Name	Contract Execution Date	Contract Value ⁸	Diverse Business Enterprise (DBE) % ⁹
RCI – Residential	Envervee	Choice Engine	September 29, 2020	19,006,236	0%
RCI – Residential	ICF	Residential Behavioral	September 29, 2020	\$38,122,591	10%
RCI – Commercial	ICF	Commercial Behavioral	September 29, 2020	\$6,530,297	
RCI - Residential	Willdan	Multifamily	September 29, 2020	\$88,170,000	40%
RCI – Commercial	Willdan	Commercial	September 29, 2020	\$387,600,000	
RCI – Industrial	Willdan	Industrial	September 29, 2020	\$155,000,000	
Statewide Lighting	TRC Solutions, Inc.	Statewide Lighting	September 29, 2020	\$36,000,000	17%

D. IE Assessment of Solicitations

The following are key observations gleaned from the individual IE reports on specific solicitations, as presented in Attachment II. Corresponding details are provided in Table D.1, including a summary of IE recommendations and outcomes.

Key issues are related to the following areas:

- **Simplifying the Narrative Response for Bidders:** The IEs have recommended (supported by the PRG and feedback from bidders) that narrative responses be in a Word document, not Excel. This was not adopted in Statewide Lighting or the RCI solicitations but was put into place for the Statewide Electric Emerging Technologies solicitation.



⁸ All contract values as of September 30, 2020; final values will be reflected in Advice Letter filings and IE Final Reports.

⁹ The DBE spend is an estimate from the contracts to show percentage of the budget that is expected to be subcontracted with DBE firms. These programs may contain significant levels of customer incentives that are not eligible for DBE classification. Actual DBE spend will be reported by the IOU per GO 156.

- **The IEs continue to recommend that SCE should institute a continuous improvement process,** conduct a “lessons learned” review with its evaluation team at the end of each stage of the solicitation and apply learnings to future solicitations and solicitation stages.

- [REDACTED]
- [REDACTED]

Table D.1 reflects a detailed summary of IE recommendations and outcomes.

Table D.1: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome (IOU Action/Response)
Overall			
Narrative Q&A	The IEs have recommended (supported by the PRG and feedback from bidders) that narrative responses be in a Word document, not Excel.	SCE should create a Word-based response format for qualitative questions.	For the ETP solicitation, SCE removed the Qualitative Questions Tab in the workbook and created a Word-based response format for the questions to the bidder. We commend this action and believe that it will result in a better experience for bidders and scorers

Table D.1: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome (IOU Action/Response)
RFP Stage			
Tracking Lessons Learned	Immediately after the calibration process is an excellent time to survey team members and get feedback on how to improve the process going forward.	Suggest the team collect lessons learned through a survey with “what went well” and “what can be improved” on the solicitation materials development, review, and calibration.	SCE conducted a survey with scorers that had a very low response rate. The IEs hope that this process can be more effective with more robust response and clearly identified action items in future solicitations.
Contracting Stage			

Table D.1: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome (IOU Action/Response)
Open Office Hours	SCE established a new practice on a trial basis to provide PRG with additional opportunities to ask questions during this period of contract review.	IEs support this approach as it provides an effective solution when multiple contracts are being addressed at one time.	Should be considered as an effective practice moving forward for multiple contract negotiations.

E. Effective Solicitation Practices

As the EE Solicitations developed, the IEs observed effective practices that helped make the process more fair, efficient, and transparent. In some cases, these practices are applicable across all solicitations, and generally these were incorporated into the PRG guidelines to drive standard practice across all IOUs. In most cases, though, practices listed were effective in context: given the specific circumstances and approach taken by the IOU, what was done worked especially well. It is important to reinforce that many of these items are not generally standardizable across other

contexts, and that IEs have not performed the external research and deeper analysis necessary to deem these solicitation “best practices”.

The IEs recommend that these effective practices be reinforced and maintained by the IOU. Their relevance to other IOUs/solicitations should be considered by all of the IOUs for EE solicitations.

Table E.1: Effective Solicitation Practices	
Effective Practice	IE Analysis
Scorer Training	SCE developed a process for training the scoring team for each solicitation and held mock scoring sessions. This is an effective way to ensure that all scorers have the same expectations and understanding of what they are scoring. Included in PRG Guidelines.
Hold Open Office Hours During Contract Review	SCE established a new practice on a trial basis of set “office hours” to provide the PRG with additional opportunities to ask questions during this period of contract review for contract. This approach was especially useful when the PRG is reviewing multiple IOU contracts at the same time.
Pre-Read of PRG Materials	SCE holds an internal “pre-read” to go through all PRG materials one week before the PRG meeting. This allows the IEs and utility staff to provide feedback and to prepare materials that are relevant to the SCE presentations.
Real-Time Answers at Bidders Conference	The Bidders’ Conference was conducted on MS Teams, with key SMEs available on another call simultaneously and behind the scenes to field questions and provide answers in real time for bidders. All responses are also provided in writing and answers can also be deferred until after the Conference.
Multiple Rounds of Q&A	SCE provides more than a single round of Q&A following bidders’ conferences, which allows bidders to provide follow-up questions and afforded bidders more opportunity to ask questions.

F. PRG Feedback on Solicitations

PRG feedback has been considered by SCE throughout the solicitation process. While the majority of PRG feedback has been adopted during this reporting period, the major focus of PRG feedback



G. Stakeholder Feedback from CPUC Workshops

July 2020 Stakeholder Meetings

In July 2020, the CPUC, pursuant to Decision 18-01-004, held a two-session public stakeholder workshop on July 24, 2020 (Session I) and July 31 (Session II). Session I focused on recapping activities of all of the EE third-party solicitations from both the IOUs' and the IEs' perspectives and providing an opportunity for stakeholders to ask questions and receive updates on the EE Third-Party Solicitations. Session II featured reports on the process as a whole, with presentations from Energy Division on the IE role, observations and lessons learned (presented by the IEs), and interactive breakout sessions. The breakout sessions focused on key issues identified by stakeholders in Session I and allowed for brainstorming and additional input from the stakeholders. The breakout sessions were facilitated by PRG members and an IE. Participants included members from the PRG, IEs, CPUC Energy Division, IOUs, stakeholders, and bidders. Presentations and agendas from the workshop sessions are available on the California for Energy Efficiency Coordinating Committee's (CAEECC) website.¹⁰

Session I July 24, 2020

The IOUs reported on the status of their solicitations and the IEs presented observations since the last workshop with a moderated panel question and answer session after each presentation. There were also report outs from the working groups established at the previous workshop in February 2020 addressing the topics of the Cost-Effectiveness Tool (CET), and stakeholder engagement. Attendees had the opportunity to ask questions to the IOUs and IEs, which also helped in the development of breakout sessions for Session II.

The main topics that were raised and discussed by stakeholders in Session I included the following:

- **Feedback to Stakeholders from IOUs:** Stakeholders expressed concerns about when and how bidders would receive feedback on solicitations in which they did not move forward. IOUs addressed challenges on confidentiality and fairness and this topic was added as a breakout session for Session II. All IOUs committed to providing feedback to non-advancing bidders.
- **IEs Working with IOUs:** IEs noted that the relationship between IEs and IOUs has improved as IOUs have utilized their IE pools to help flesh out areas of improvement and develop ongoing lessons learned. IE recommendations included shortening schedules, using Word for narrative responses and formalizing a way to capture "lessons learned" at key points in the process.
- **COVID-19 and Related Economic Challenges:** Concerns were raised on how risks to the bidders would be addressed related to COVID-19.

¹⁰ <https://www.caeccc.org/third-party-solicitation-process>

- **Encouraging More Bidder Engagement in the Solicitations:** Concerns were raised on the best way to increase bidder engagement, especially from smaller companies.

In Session I, stakeholders heard from working groups that were established from previous workshops and provided updates on issues discussed at the February 7, 2020 CPUC workshop. These two IOU working groups will continue to address issues with the CET and to promote increased stakeholder engagement.

- **Team 3 CET:** Led by SoCalGas, the CET Team is working to address bidder feedback about using the CET to forecast and develop cost-effectiveness metrics. The team recommended developing a data dictionary/glossary for CET input fields, a CET Input Guide for guidance on when to use certain values and how it affects benefits and costs, and to update the E3 Technical Memo for the CET.
- **Team 4 Stakeholder Engagement:** Led by SCE, the Stakeholder Engagement Team collected concerns/questions from the CPUC's Session I to inform break-out groups for Session II. It is the intent of the team to hold quarterly stakeholder meetings and focus on continuous improvements in working with, understanding, and addressing stakeholder issues and concerns.

After Session I, a survey link was provided to gather specific input on the breakout session topics to address in Session II.

Session II July 31, 2020

For Session II, the CPUC addressed unanswered questions from Session I and presented on the evolved role of the IE. The IEs presented the lessons learned so far in the process.

California Energy and Demand Management Council (CEDMC) Presentation

This session included a presentation from CEDMC on stakeholder/bidder concerns with the third-party solicitation process, specifically:

Timing

- **Issue:** The solicitation process is still too slow and has lots of challenges.
Proposed solution: The IOUs should develop more granular timelines that will require the IOUs to reach certain interim milestones for finalizing program-specific contracting negotiations.

Transparency

- **Issue:** There is a lack of visibility for bidders in terms of providing meaningful feedback about the reasons why their bids were rejected.
Proposed solution: The IOUs should develop and CPUC approve a consistent approach for offering bidder feedback and build this into the solicitation process moving forward.

The Proposal Process

- **Issue:** CEDMC questions the viability and necessity of the current two-stage proposal process (RFA/RFP). From the market's perspective, a significant amount of effort goes into the RFA process which contributed to schedule delays, contained highly speculative estimates, and did not result in achieving progress.

Proposed Solution: The IOUs should move to a new two-stage process for future solicitations. First pre-qualify bidders through an RFQ process. Then issue RFPs to qualified bidders. This will result in achieving a faster outcome without losing any valuable information.

Risk Burden

- **Issue:** The contracting positions now being taken by the IOUs tilt the balance of risk almost entirely to the implementer community. This runs counter to CPUC policy and completely upends implementer business models that IOUs need to shoulder their share of the risk because they are afforded the benefit of cost recovery and shareholder incentives; none of those mechanisms apply to third party implementers.

Proposed Solution: CEDMC recommends that the CPUC confidentially engage bidders to learn more about specific examples of risk burdens that they experienced during prior negotiations. Once more information has been gathered by the CPUC, then it would be appropriate for the CPUC to order the IOUs to modify their contracting approaches to better align with industry needs, capabilities, and expectations.

COVID-19 Impacts

The CPUC's Energy Division presented the impacts of the COVID-19 pandemic on the IOUs' Energy Savings Assistance (ESA) and EE Programs. The IOUs suspended ESA programs on March 23, 2020 and lifted the suspension on June 1, 2020. In May 2020, the CPUC directed all EE PAs to follow appropriate state and local health orders in place. There is no need for the IOUs to have more restrictive rules on suspending EE programs than required by state or local law. All EE PAs are currently required to file new business plans by September 2021.

The Natural Resources Defense Council (NRDC) led the discussion on the impacts of COVID-19 seeking input on regulatory or administrator barriers to moving programs to remote implementation, challenges to meeting goals, and protocols on safely returning to work.

Discussion points included the following:

- **PA Processes:** The existing process is operationalized and appears to be working in a remote work environment.
- **CPUC Role in Economic Recovery:** There were discussions about the current situation and limitations on EE in a COVID environment and about possibly relaxing cost effectiveness requirements with no final resolution. The group also discussed potential benefits for the role EE can play in an economic recovery environment.

- **Programs Going Remote:** The group discussed what can be learned along the way that we can approve/streamline/speed up to move projects from concept to implementation more quickly and what remote elements of validation are viable, not just in the short-term, but over the long-term.

Breakout Sessions

Breakout sessions focused on **bidder feedback, risk allocation, and engaging bidder participation** and followed with a debrief of items brought forth. Each breakout group provided a quick report out describing the problems and potential solutions to improve the third-party solicitation process and bidder participation that the working groups took away to determine the best way to take action on these concerns.

Bidder Feedback

- Bidders want more useful, meaningful feedback to understand why they are not selected so they can improve their proposals in the future.
- Bidders want more specific information on how they scored in different categories.
- Bidders want feedback at each of the stages: RFA, RFP, and during contract negotiations.
- Feedback should be timely. If there is any feedback, it is so far down the line from after contracts are awarded.

Risk Allocation

- Bidders seek more clarification on terms and conditions regarding unalterable and changeable items.
- Stakeholders discussed risk balance and how implementors are taking on more risk in contracts. The negotiation process offers the opportunity to negotiate risks. It is important to clearly outline the risk expectations of both parties.

Encouraging Bidder Participation

- Stakeholders recommended the CPUC revisit the RFA/RFP submission structure due to questioning the efficiency of the RFA/RFP process given the detail needed. They recommended an evaluation and exploration on the CPUC's intent to see if this can be addressed differently.
- Stakeholders seek training on how to submit a proposal and use CET correctly before committing to participation (e.g., Public training on how to participate).
- Stakeholders recommended the creation some kind of bidding structure, identification, or network to enable smaller, less experienced bidders to partner with bigger, more experienced bidders. Ideas included enabling partnering through possible networking events.

Many of these items will be addressed in the next Semi-Annual Report Workshop.

II. Attachments: Individual IE Semi-Annual Solicitation Reports

Energy Efficiency Independent Evaluator's Semi-Annual
Report on the

Local Residential, Commercial, and Industrial Programs

Reporting Period: April 2020 through September 2020

Prepared by:
MCR Corporate Services



Disclaimer: **This report includes highly sensitive and confidential information.**

LOCAL RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL PROGRAMS

1. Solicitation Overview

1.1 Overview

SCE's Local RCI solicitation is focused on providing innovative third-party program approaches to support and help modernize energy efficiency (EE) programs and program delivery and provide the best chance of achieving shared EE and State goals at the lowest cost to customers and the economy. SCE will look to the marketplace to provide modern EE solutions for customers while adhering to program protocols and achieving program goals. Successful programs will serve customers' EE needs, be designed and implemented in SCE's service territory by third-party implementer(s), be innovative, and satisfy energy savings goals at the lowest cost.

Scope

As specified in the Participant Instructions for SCE's 2019 Local RCI Sector Request for Proposals (Participant Instructions),

SCE seeks Offers for EE or EE coupled with Integrated Demand Side Management ("IDSM") savings solutions for RCI customers located in SCE's service territory that provide innovative and deep energy savings in compliance with, and in support of, the CPUC's EE decisions and other filings. Offers may be designed to provide to-code energy savings, above code energy savings, increase EE acceptance, and enable the development and adoption of future California building codes and standards.¹¹ The Customer Sector, Delivery Channel, Savings Methodology and Incentive Structure of the Offer must be consistent with the shortlisted Abstract.¹²

Objectives

The Participant Instructions include objectives for the RCI solicitation.¹³ A primary objective is to obtain third-party proposals to design and implement RCI programs that serve customers' EE needs in SCE's service territory. The programs should be innovative¹⁴ and satisfy energy savings goals at the lowest cost.¹⁵ Offers with a Total Resource Cost (TRC) of at least 1.25 are strongly preferred. Bidders' pricing, credit/collateral terms, and program specifications must conform to the provisions in the pro forma agreement.¹⁶ The pro forma Agreement reflects SCE's preference for pay for performance, in which payment to implementers is tied directly to

¹¹ 2020 Local Residential, Commercial and Industrial Sectors Request for Proposals: Participant Instructions, Version 1.1, February 13, 2020, at Section 3.01, p. 14.

¹² Id., at pp. 15-16.

¹³ Id., at p. 9 and pp. 18-20.

¹⁴ Id., at Sections 3.02 and 3.08.

¹⁵ Id., at p. 9.

¹⁶ Id., at pp. 9-10.

energy savings delivered.¹⁷

Customer Sector objectives will be considered when reviewing Offers, including effective metric tracking and monitoring; reducing or eliminating market barriers and free-ridership; serving customer defined as Hard-to-Reach (HTR); maximizing energy savings for Disadvantaged Communities (DAC); and enhancing customer experience from existing SCE offerings. Bidders are encouraged to consider solutions that integrate demand side programs and technologies to achieve maximum benefits while avoiding duplicative efforts and reducing customer confusion.¹⁸

1.2 Timing

Table 1.1 presents a list of key solicitation milestones and expected completion dates.¹⁹ The CPUC completed its review of the RFP launch package earlier than anticipated, so SCE released its RFP ahead of schedule to provide market participants with additional time to complete their submittals.

Table 1.1: Key Milestones	
Milestones	Completion Date
RFA Stage	
Solicitation Launch	November 2018
Bidders' Conference	November 14 and 15, 2018
Offer Submittal Deadline	December 20, 2018
RFA Shortlist to PRG	May 21, 2019
Shortlisting Notification	June 3, 2019
RFP Stage	
Solicitation Launch	January 16, 2020 ²⁰
Bidders' Conference	January 30, 2020 ²¹
Offer Submittal Q&A Period	January 16, 2020-February 19, 2020
Offer Submittal Deadline	February 26, 2020
Cure Period	February 26, 2020-April 1, 2020
RFP Shortlist to PRG	April 21, 2020
Shortlisting Notification	May 7, 2020

¹⁷ Id., at p. 18.

¹⁸ Id., at p. 19.

¹⁹ Id., at Section 3.05: Solicitation Schedule.

²⁰ SCE was able to launch the RCI Solicitation ahead of schedule but retained the original submittal date to give bidders additional days to complete their submissions.

²¹ SCE notified the PRG on January 8, 2020 that the Bidders' Conference was moved from January 29, 2020 to January 30, 2020 to accommodate presenter schedules.

Table 1.1: Key Milestones	
Milestones	Completion Date
Contracting Stage	
Contracting and Negotiations Period	May-September 2020
Commercial Lockdown ²²	August 7, 2020
Best and Final Offers ²³	August 12, 2020
Contracts Presented to PRG	September 1, 2020
Contract Execution	September 29, 2020

1.3 Key Observations

Table 1.2 represents a collection of key IE issues, observations and outcomes, where applicable, from the assigned IE for the RCI Local Solicitation.

Table 1.2: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome (IOU Action/Response)

²²Commercial Lockdown indicates that negotiations have closed, and documents have been sent to bidders that reflect changes made throughout the negotiation process (final offers).

²³ Also referred to as “Price Refresh” based on final offer presented at Commercial Lockdown.

Table 1.2: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome (IOU Action/Response)
Customer Service Re-Platforming (CSRP) Initiative			

Table 1.2: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome (IOU Action/Response)
Negotiation			
	SCE established a new practice on a trial basis to provide PRG with additional opportunities to ask questions during this period of contract review.	IEs support this approach as it provides an effective solution when multiple contracts are being addressed at one time.	Should be considered as a best practice moving forward in multiple contract negotiations.

2. Solicitation Outreach and Bidder Response

2.1 Bidder Response to Solicitation

The bidder response to the solicitation was provided in the October 2018 through April 2019 Semi-Annual Report; however, the summary is included in Table 2.1 below.

Table 2.1: Solicitation Response			
	No.		
Abstracts Expected			
Abstracts Received			
Proposals Expected			
Proposals Received			

2.2 Bidders' Conference and Q&A

RFA

Detailed reporting on the RFA Bidders' Conference was reported in the November 2019 through March 2020 Semi-Annual Report.

RFP

Detailed reporting on the RFP Bidders' Conference was reported in the November 2019 through March 2020 Semi-Annual Report.

2.3 Solicitation Design Assessment

The RFP Solicitation Design Assessment was reported in the November 2019 through March 2020 Semi-Annual Report.

3. RFA and RFP Design and Materials Assessment

3.1 RFA Design Requirements and Materials

SCE's RFA design requirements were reported in the October 2018 through April 2019 Semi-Annual Report.

3.2 RFP Design Requirements and Materials

RFP design requirements and materials were reported in the May 2019 through October 2019 and the November 2019 through March 2020 Semi-Annual Reports.

3.3 Response to PRG and IE Advice

Response to PRG and IE Advice were reported in May 2019 through October 2019 and the November 2019 through March 2020 Semi-Annual Reports.

4. Bid Evaluation Methodology Assessment

4.1 Bid Screening Process

All previous Semi-Annual Reports provide information regarding the RFA and RFP Bid Screening Process.

4.2 Scoring Rubric Design


All previous Semi-Annual Reports provide information regarding the RFA and RFP Scoring Rubric Design.

4.3 Evaluation Team Profile

All previous Semi-Annual Reports provide information regarding the RFA and RFP Evaluation Team Profiles.

4.4 Response to PRG and IE Advice

The November 2019 through March 2020 Semi-Annual Report provided information regarding SCE's Response to PRG and IE Advice specifically about SCE's bid evaluation methodology.



5. Final Bid Selection Assessment

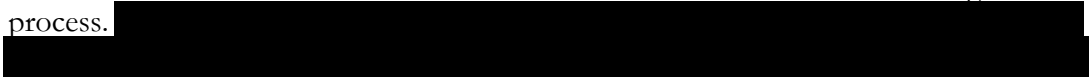
5.1 Conformance with Established Evaluation Processes

RFA

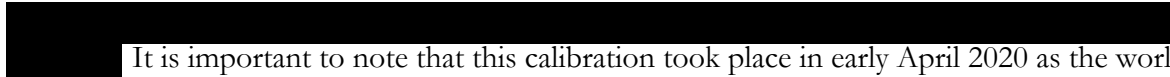
SCE conducted its RFA evaluation in conformance with its established scoring criteria and process. This is discussed in the May 2019 through October 2019 Semi Annual Report.

RFP

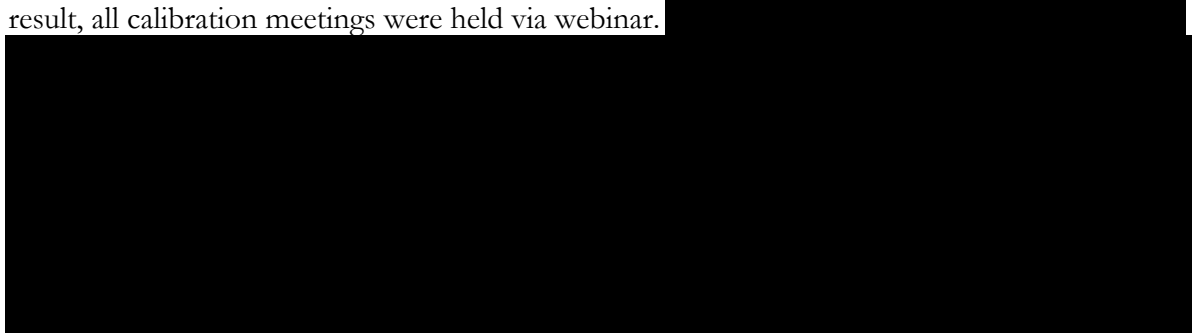
SCE conducted its RFP evaluation in conformance with its established scoring criteria and process.



Calibration



It is important to note that this calibration took place in early April 2020 as the world was adapting to working remotely during a pandemic, which we now all take in stride. As a result, all calibration meetings were held via webinar.



[REDACTED]

IE recommendation: [REDACTED]

The qualitative scoring rubric introduced challenges assessing some of the bidders' responses, as discussed in detail during the development of the PVC. Applying the rubric to actual bid responses highlighted some of the challenges such as:

- [REDACTED]
 - [REDACTED]
 - [REDACTED]
- [REDACTED]

5.2 Management of Deficient Bids

SCE [REDACTED] Due to various acquisitions, heading into the RFP stage, [REDACTED]

[REDACTED]

5.3 Shortlist and Final Selections

a) Conformance with Established Evaluation Processes

[REDACTED]

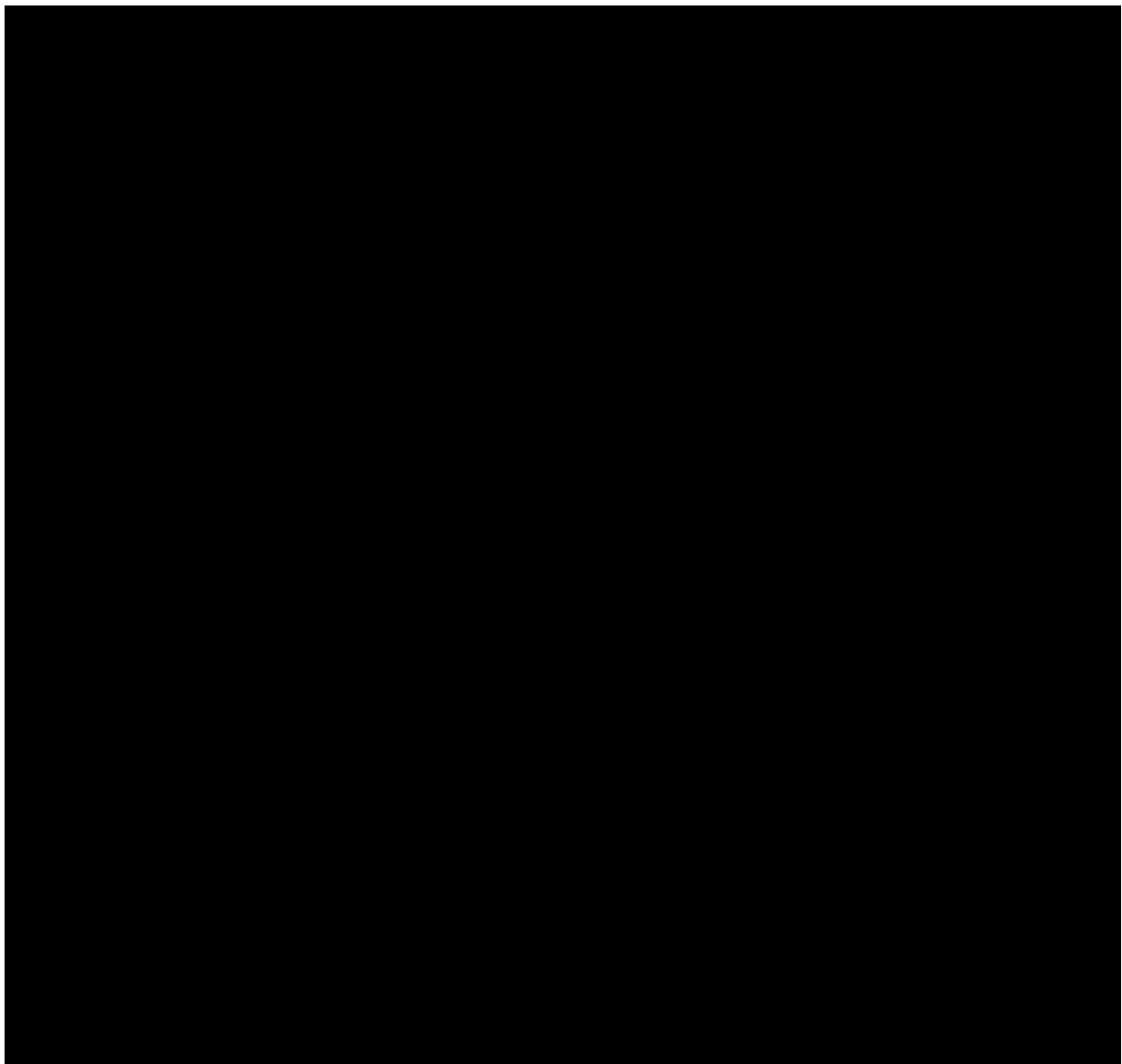


Table 5.1 lists the bidders/bids selected for contract negotiations by SCE and presented to the PRG.

Table 5.1: Bids Selected for Contract Negotiations			
Bidder	Bid#	Years	Program
	#102	3	
	#105	3	
	#106	3	
	#107	3	
	#108	3	
	#111	3	

Table 5.1: Bids Selected for Contract Negotiations				
Bidder	Bid#	Years	Program	
	#112	5		
	#115	3		
	#116	3		
	#117	3		
	#122	5		
	#123	3		
	#124	5		
	#125	3		
	#126	5		
	#127	3		
	#128	5		
	#129	3		

After the PRG reviewed and found no problems with SCE’s recommended shortlist, SCE sent [REDACTED] notifications on May 6, 2020:

1. Invitation to participate in contract negotiations for the RCI solicitation.
2. Notice informing bidders they were not selected to participate in contract negotiations for the RCI solicitation.

SCE offered bidders not selected to participate in contract negotiations the opportunity to request a 15-minute phone conversation to receive high-level feedback. The IEs recommended – and SCE agreed – that SCE also clarify for these bidders that the conversation may indicate the reason, in general terms, the offer is not moving forward. This aspect of the solicitation still needs improvement, as it is clearly very difficult and frustrating for bidders to attempt to improve future bids when they receive such limited feedback.

Contract Negotiations

Contract negotiations began May 14, 2020 [REDACTED]

[REDACTED]

Imposition of CSRP Initiative

[REDACTED]

Commercial Lockdown

On July 20, 2020, near the end of contract negotiations, [REDACTED]

[REDACTED]

- Lack of any delivery flexibility. [REDACTED]

[REDACTED]

- Lack of any assurance regarding overlapping programs. [REDACTED]

[REDACTED]

- Performance assurance and terms of default. [REDACTED]

[REDACTED]

- **Sharp downsides, low upsides.**

The contract negotiation process concluded on August 7, 2020, two days later than previously scheduled in response to bidders' requests for a brief extension to obtain bidder management approval of all required exhibits that proved challenging in real time. The extension did not impact the August 12 offer submittal deadline.

In the end, those meetings occurring during the final weeks of the negotiation period. As described throughout this report, many issues arose during negotiations that were common to most bidders, including:

-
-
-
-

Last, Best, and Final Offers

Last, Best and Final offers, also referred to by SCE as a post-negotiation "Price Refresh," were due on August 12, 2020. SCE received The offer submittals included revised

SCE's quality check of the Last, Best and Final offers found between their Contract Metrics workbook and CET files.

Final Selection

After receiving final offers on August 12, 2020 and determining which bids were complete and conforming, SCE began the process of

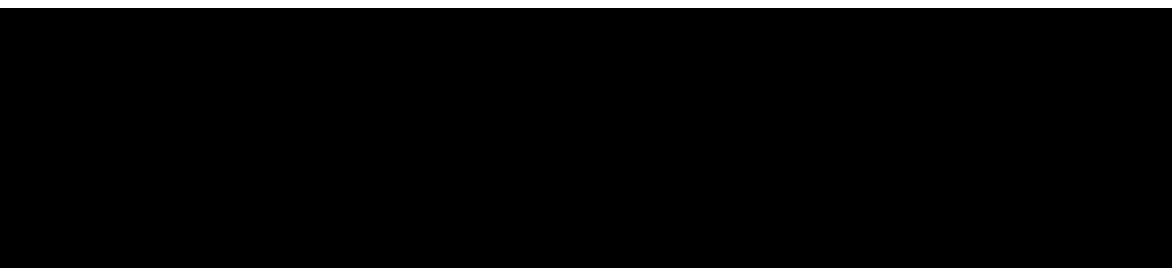
savings that were not mutually exclusive with other offers.

Contract Execution

On September 21, 2020, SCE sent out Contingent Selection Notifications to all bidders who submitted Last, Best and Final offers. The notifications indicated either 1) which bids were selected to proceed to the contract execution phase, or 2) which bids were not selected to proceed to the contract execution phase of the solicitation. Table 5.2 lists the offers selected to proceed to contract execution.

Table 5.2: Bids Selected for Contract Execution				
Bidder	Bid#	Years	Program	
	#102	3		
	#106	3		
	#107	3		
	#112	5		
	#122	5		
	#124	3		
	#126	5		

On September 22, 2020, SCE sent agreements and redline comparisons to the commercial lockdown versions, to bidders selected to proceed to contract execution. SCE asked Bidders to review and respond by September 23 with errors or provide confirmation that the document was ready for signature. [REDACTED] and SCE finalized contract execution on September 29, 2020.



On September 30, 2020, SCE notified the CPUC Energy Division that the contracts listed in Table 6.2 had been executed and that, based on the forecast budgets for its portfolio signed in SCE's RCI and Statewide Lighting solicitations, as well as several statewide third-party program, SCE now has 44 percent of its 2021 energy efficiency portfolio budget outsourced to third parties.

b) Response to PRG and IE Advice

SCE has been very open to IE and PRG feedback on suggestions for improving the process

and keeping the lines of communication and review open. Specific examples are included in Table 5.2 above.

5.4 Affiliate Bids and Conflict of Interest

SCE did not receive any proposals from an affiliate. During the RFA stage of the RCI solicitation, the [REDACTED]

The CPUC recommended, among other things, that SCE remove and replace the SCE evaluator that had a conflict of interest. SCE removed the conflicted evaluator entirely from the solicitation and implemented a conflict of interest process for its scoring team. The scoring team was provided a list of bidders and subcontractors participating in the RFP and requested that each self-report any conflicts of interest. The IE monitored, tracked, and confirmed that all scoring team members responded and confirmed that they had no conflicts of interest to participate in the RFP evaluation.

[REDACTED]

6. Assessment of Selected Bids

6.1 Bid Selections Respond to Portfolio Needs

SCE's vision for its EE portfolio from 2018 through 2025 is to continue to achieve cost-effective energy savings, expand innovative energy efficiency solutions, and drive toward market transformation.²⁶ One of SCE's strategies is to increase energy efficiency adoption by providing customers with greater access to and understanding of their energy usage and expanded behavioral interventions. For non-residential customers, SCE plans to increase adoption and decrease costs by tailoring energy efficiency services based on customer energy usage and demand.²⁷

SCE's shortlist and final selections include a residential marketplace as well as residential and commercial behavioral programs that all conform to SCE's stated strategy to provide customers with greater access to their energy usage and expanded behavioral interventions. Along with the other programs selected in the RCI solicitation, these programs conform to SCE's solicitation needs as stated in the Solicitation documentation and goals outlined in SCE's Business Plan. Additionally, SCE's shortlist selections adhere to PRG contractor selection recommendations as defined in the EE PRG Contracting Guidelines document (Version 2.0, December 2019 [Draft]).

²⁶ SCE's Amended EE Rolling Portfolio Business Plan for 2018-2025, at p. 8.

²⁷ Id, at pp. 9 and 96.

6.2 Bid Selections Provide the Best Overall Value to Ratepayers

Due to factors articulated in prior sections of this report, SCE's bid pool at the negotiation stage was less robust than anticipated. The selected bids were chosen for contracting after a very lengthy, intensive, and comprehensive solicitation process. The IE is satisfied that SCE followed its established process and believes that the programs are consistent with goals stated in SCE's Business Plan and provide good value to ratepayers. The selected programs will provide a balanced portfolio of programs to address the needs in SCE's residential, commercial, and industrial sectors. Details on each contracted bid are provided in the sections that follow.

Brief Program Description

[REDACTED] under CPUC Resolution E-4820. The program will feature dozens of product categories to nudge residential consumers towards better buying decisions, without incentives, and offer financing on efficient products in seven measure categories for which approved statewide workpapers are available. The program is unique in its ability to eliminate market and financial barriers, reign in plug load and appliance load growth and transform markets at scale.

[REDACTED] SCE will initially launch with seven measures tied to financing offers for which approved workpapers are available. [REDACTED]

[REDACTED] the program will expand to capture savings achieved without financing (and without incentives), across a much wider selection of categories. Procedural workpaper approval consists of two stages: a procedural workpaper plan and a full workpaper. Regardless of whether the CPUC ultimately approves a new procedural workpaper, [REDACTED]

[REDACTED] that differ from the current SCE marketplace program include:

- Launching a Spanish language version to better serve DAC/HTR markets.
- Integrating smart thermostat energy efficiency incentives and DR pre-enrollment into a single online retail purchase transaction process to encourage DR enrollment.
- Offering instant online point-of-sale discounts for smart thermostats, and
- Tracking influenced purchases using a survey-based approach.

Quantitative Program Information

Table 6.1 below summarizes [REDACTED]

Table 6.1: [REDACTED]	
Metric	Value
Contract Term	36 months
Not-to-Exceed Budget	[REDACTED]
NPV of Net Lifecycle Benefits	
Simple Acquisition Cost (\$/kWh)	
Simple Acquisition Cost (\$/kW)	
Lifecycle Acquisition Cost per kWh (PAC levelized cost)	
Total Resource Cost test (TRC)	
Program Administrator Cost test (PAC)	
Realized Energy Savings (net first-year kWh)	
Realized Energy Savings (net lifecycle kWh)	
Realized Energy Savings (net first-year kW)	

Measurement and Verification

The program is a fully digital, automated offering. By serving as the intermediary between the customer and lender as well as between the customer and retailer, [REDACTED] loan and transaction details on every product purchased and is therefore able to report the information needed for the utility to submit savings claims. The data reporting system will be developed and quality tested in 2021, prior to program launch. During implementation, [REDACTED] performance and ensure that contracted targets are achieved. [REDACTED] that includes detailed specifications for each individual measure to be offered to customers for purchase with financing under the program. In addition to [REDACTED] [REDACTED] required by each workpaper during the customer validation process.

Compensation

Section 1.03 of the pro forma presents the expected monthly energy and demand savings and annual expected TRC ratios for the duration of the contract. These values are used to determine the bidder's compensation, based on [REDACTED] saved. Compensation payments are made monthly and quarterly with an annual true-up.

The bidder receives 60 percent of the compensation due each month based on monthly savings. The remaining 40 percent is paid quarterly based on quarterly savings. The quarterly payment also takes into consideration the extent to which the bidder has met its quarterly TRC goal. The annual true-up is a function of actual annual energy savings and TRC compared to expected values.

SCE is not obligated to pay the bidder for annual energy or demand savings greater than 120

percent of the bidder's annual expected savings. Likewise, SCE is not obligated to pay the bidder for an annual TRC of more than 120 percent of the expected annual TRC ratio.

Supports Portfolio and Applicable Sector Metrics Achievements

The proposed program will advance SCE's vision as stated in its Business Plan.²⁹

- [REDACTED] market-based savings. Of the 24 product categories on the SCE Marketplace (marketplace.sce.com), [REDACTED] (smart thermostats and electric lawn mowers). For the rest – including the all-important plug loads, appliances and lighting – rebates are not the answer; when there is little to no incremental cost to efficiency, the sizable gap between economic & market potential is largely due to the inability of consumers to choose efficient products, [REDACTED]
- The proposed customer-facing choice engine platform targets the largest electrical end uses within homes, including plug loads, appliances, and lighting—which, according to the Business Plan, account for 62 percent of electricity usage in the residential sector.
- The Existing Buildings Energy Efficiency Action Plan emphasizes the importance of online utility [REDACTED] market transformation strategy for plug load and appliances [REDACTED]

[REDACTED] fully aligned with SCE's vision for the residential sector: increase customer adoption of residential EE measures, enhance customer knowledge of energy-saving actions, and target EE market participants to maintain cost-effectiveness.

[REDACTED] SCE complies with the requirements of Resolution E-4820 (AB 793) regarding energy management technology marketplaces and advances the SB 350 Low-Income Barriers Study recommendation to “Ensure that low-income persons have product selection options and information necessary to avoid driving up their plug-load energy use” by empowering low-income household to shop energy smart and by offering targeted instant discounts for thermostat purchases.

Behavioral Programs

Brief Program Description

The Residential and Commercial Behavioral Programs will drive adoption of behavioral changes in households and small/mid-size commercial customers through personalized Home and Business Energy Reports, [REDACTED] and voice assistance (residential only). The programs will deliver paper and email energy reports to customers, including a wave of residential participants that are HTR, low-to-moderate income (LMI), and/or located in DACs. The objective is to give customers feedback on their energy use and recommend low-cost and no-cost ways to save energy. Additionally, the program will involve an ongoing targeted outbound coaching [REDACTED] to reinforce the energy reports by

²⁹ SCE's Energy Efficiency Rolling Portfolio Business Plan for 2018-2025, at p. 8.

³⁰ [REDACTED]

having data-driven conversations with SCE’s business customers about their lighting, HVAC, refrigeration, office equipment, cooking, water heating, and other business-related electric end-uses. The program will also include a rewards component that motivates action and ultimately drives business energy savings. Both programs will reward customers for taking action to save energy and engage with the program. The rewards will be targeted towards supporting customers in the HTR, LMI and DAC segments and generally come in the form of gift cards that can be mailed or emailed to customers.

Quantitative Program Information

Table 6.2 and Table 6.3 below show contract attributes for the [REDACTED]

Table 6.2: [REDACTED]	
Metric	Value
Contract Term	36 months
Not-to-Exceed Budget	[REDACTED]
NPV of Net Lifecycle Benefits	[REDACTED]
Simple Acquisition Cost (\$/kWh)	[REDACTED]
Simple Acquisition Cost (\$/kW)	[REDACTED]
Lifecycle Acquisition Cost (\$/kWh)	[REDACTED]
Total Resource Cost test (TRC)	[REDACTED]
Program Administrator Cost test (PAC)	[REDACTED]
Realized Energy Savings (net lifecycle kWh)	[REDACTED]
Realized Energy Savings (net first-year kW)	[REDACTED]
DAC and HTR Customers	
kWh Savings (% Lifecycle Net from DAC/HTR)	[REDACTED]

[REDACTED]	
Contract Term	29 months
Not-to-Exceed Budget	[REDACTED]

31 [REDACTED]

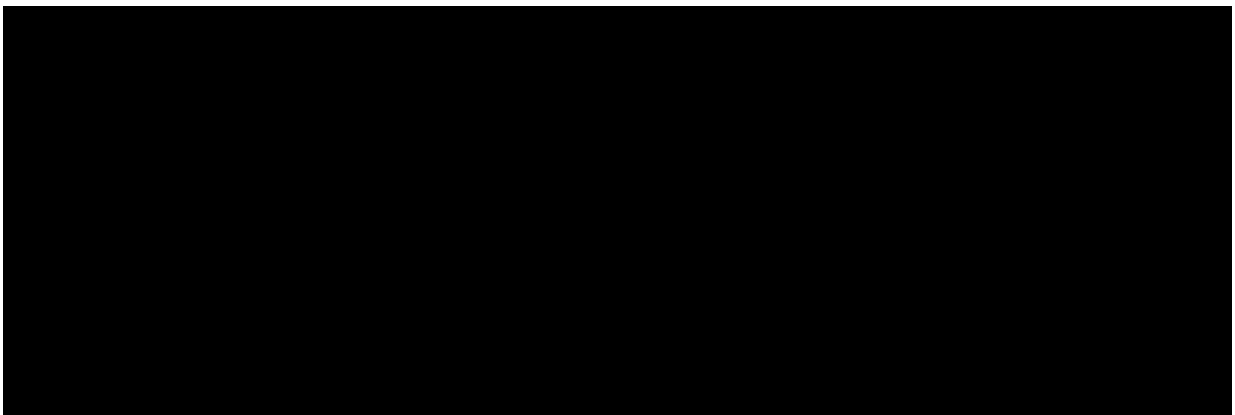
32 [REDACTED]

NPV of Net Lifecycle Benefits	
Simple Acquisition Cost (\$/kWh)	
Simple Acquisition Cost (\$/kW)	
Lifecycle Acquisition Cost (\$/kWh)	
Total Resource Cost test (TRC)	
Program Administrator Cost test (PAC)	
Realized Energy Savings (net first-year kWh)	
Realized Energy Savings (net lifecycle kWh)	
Realized Energy Savings (net first-year kW)	

Measurement and Verification

NMEC [REDACTED] The programs will employ a randomized control trial (RCT) experimental design that ensures comparisons of treatment and control groups are valid from a statistical standpoint. Savings are determined through a billing analysis which determines the difference between the treatment and control group average energy use. Decision 10-04-029 established the evaluation, measurement, and verification (EM&V) processes for savings claims of behavior-based programs based on experimental design. To calculate the energy savings, the treatment group will be compared with a randomly selected control group of customers that does not receive interventions using a regression model consistent with behavioral M&V protocols. The implementer will report savings calculations on a monthly basis and perform a true-up at each year-end. Savings may be verified on a periodic basis by a third-party evaluator.

Compensation



Supports Portfolio and Applicable Sector Metrics Achievements

The programs will deliver cost-effective savings and potentially increase customer adoption of residential and commercial EE measures and enhance customer knowledge of energy savings actions and target EE market participants to maintain cost-effectiveness. One of SCE's stated metrics for the commercial sector is

This new and unique delivery approach has been proven to drive greater on-going participation in other markets, resulting in deeper savings than first generation home energy reports generated in a "set and forget" fashion.

Brief Program Description

The program serves the entire Commercial and Industrial sectors, along with the Multifamily segment of the Residential sector. It offers a consolidated approach that includes segment-specific marketing, technical assistance, technologies, whole-facility opportunities, financing, and M&V. IDSM and electrification upgrades are offered to customers, excluding any storage technology. This approach minimizes the barrier of customer confusion, unlike the existing siloed programs. Energy efficiency/IDSM upgrades are delivered with a full-service, pay-for-performance approach.

Quantitative Program Information

Table 6.4 below summarizes the combined contract attributes of

Metric		Value
Contract Term		60 months

33

34

35

36

Metric		Value	
Not-to-Exceed Budget			
NPV of Net Lifecycle Benefits			
Simple Acquisition Cost (\$/kWh)			
Simple Acquisition Cost (\$/kW)			
Lifecycle Acquisition Cost (\$/kWh)			
Total Resource Cost test (TRC)			
Program Administrator Cost test (PAC)			
Realized Energy Savings (net first-year kWh)			
Realized Energy Savings (net lifecycle kWh)			
Realized Energy Savings (net first-year kW)			
kWh Savings (% Lifecycle Net from DAC/HTR)			

Measurement and Verification (for programs using NMEC)

Protocol that is consistent with the CPUC's *NMEC Rulebook*, the *International Performance Measurement and Verification Protocol*³⁷, and the CPUC's *Energy Efficiency Evaluation Protocol*.³⁸

Compensation

³⁷ Volume 1, December 2014, or its successor.

³⁸ 2006, or its successor.

Supports Portfolio and Applicable Sector Metrics Achievements

[REDACTED] In addition, consistent with SCE's EE Commercial Sector Savings Forecast, [REDACTED] to be 125 percent Total Net Incremental Market Potential for the more recent 2019 Energy Efficiency Potential and Goals Study⁴⁰ of 711,000 MWh.

[REDACTED] This level of savings appears to be 271 percent Total Net Incremental Market Potential for the more recent 2019 Energy Efficiency Potential and Goals Study of 141,000 MWh.

The Energy Efficiency Business Plan was responsive to Decision 15-10-028, however much has changed since 2015-2017. The projected savings of these programs appear to exceed current savings potential; however, the IE is still in the process of analyzing the savings for the Final Report.

Measure level definition was subject to rigorous scrutiny and cost-effectiveness review, and the IE finds the proposed programs are in compliance with relevant sector metrics incentive structures, savings forecast methodologies measurement and verification approaches and project review processes.

7. Collaboration on Final Program Design and Scope

As stated earlier in this report, SCE used a pro forma agreement as a starting point for bidder negotiations. Bidders were asked to come to negotiations with redlines to the pro forma agreement, and the first several months of the contract negotiation period were spent working back and forth on the pro forma terms and conditions. [REDACTED]

³⁹ [REDACTED]

⁴⁰ 2019 Energy Efficiency Potential and Goals Study Prepared for the CPUC by Navigant Consulting, Inc., July 1, 2019 <http://acp.analytica.com/acpbeta/shared/#dash/fca42209-b98d-4e83-852f-3d075f99ce9b>.

⁴¹ [REDACTED]

[REDACTED] The revised budgets and savings for each Final Offer are captured in Section 8.6.

7.1 Fairness of Negotiations

The IE saw no evidence of bias towards any bidder in contract negotiations. Some of the terms of SCE's pro forma agreement did present different challenges for bidders depending on factors such as their company's weighted average cost of capital. This impacted bidders' ability to post performance assurance in the form of cash or letter of credit. [REDACTED]

The negotiation process did go smoother for bidders who thoughtfully redlined SCE's pro forma agreement early in the negotiation process and maintained a steady pace of negotiation meetings throughout the negotiation period. Bidders who came to negotiation meetings with decision makers also advanced positions more quickly than those who had to take positions back to management for multiple turns. This is true for SCE also. When SCE had the appropriate engineering, cyber, or financial experts on the calls to address questions, bidders' concerns could often be dealt with more quickly.

Throughout negotiations bidders indicated that SCE's pro forma agreement [REDACTED]

The IE observed that incumbent/legacy suppliers often had an inherent advantage in negotiations due in part to their knowledge of processes and procedures as well as schedules and evolving performance assurance procurement practices. The IE believes this is not new and is probably not avoidable. At the end of the lengthy solicitation period, bidders chose to enter into contracts negotiated between the parties and accepted the inherent risks. The state is moving into a new paradigm where IOUs are being asked to allow third parties to step up and implement large percentages of their portfolio. Third parties are stepping up and taking on the risks associated with that challenge.

7.2 Changes to Contract Terms & Conditions

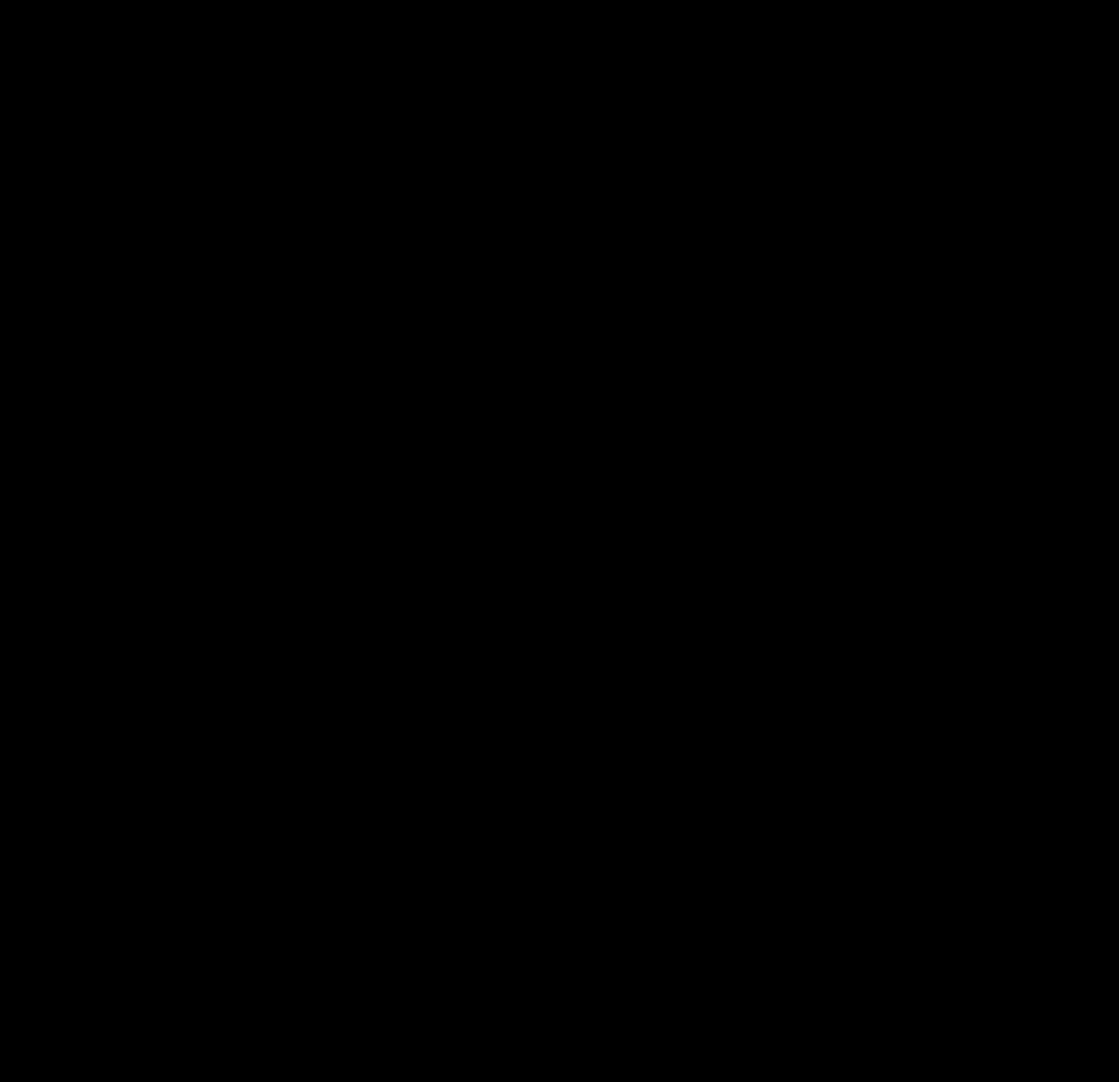

The IE confirms that the CPUC's Standard Contract Terms and Conditions⁴² were applied to the final 2019 Residential, Commercial, and Industrial Energy Efficiency Energy Efficiency Purchase and Sale Agreements (Final Contract). The non-modifiable terms and conditions, as categorized by the CPUC in Attachment A of Decision 18-10-008, are identified below and included in the following sections of the Final Contract:

A. Eligibility Terms and Conditions: Sections 7.08 and 9.02

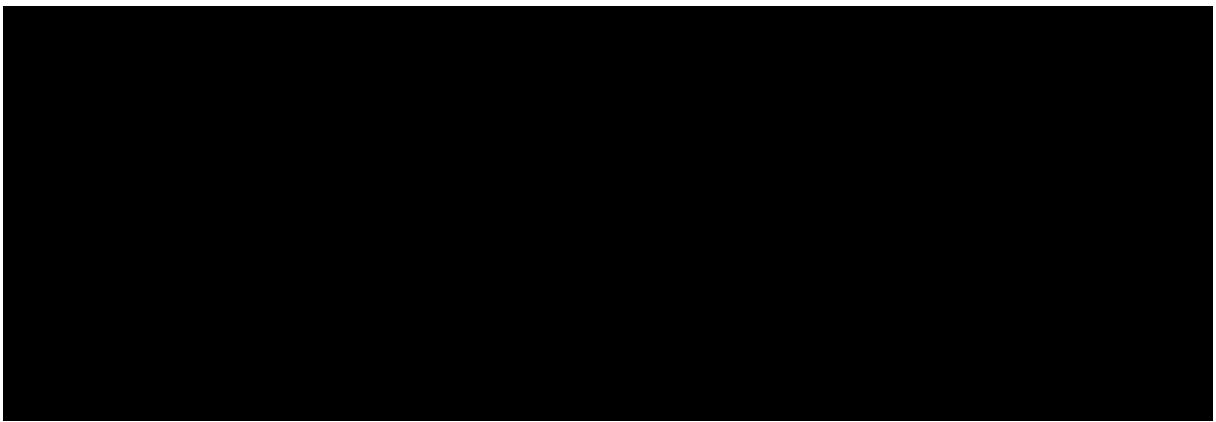
⁴² Decision 18-10-008, Attachment A.

- B. Safety Requirements: Section 6.03
- C. Dispute Resolution Process: Sections 12.01, 12.02 and 14.03
- D. Termination Process: Sections 10.01-10.04

The CPUC adopted Modifiable Terms and Conditions in Decision 18-10-008 and included a Table of Payment Term Options intended to be the starting point for negotiation.⁴³ SCE introduced bidders to its pro forma at RFP launch. This document was used as the vehicle for accommodating modifications to CPUC and SCE terms and conditions throughout the negotiation process. One modification was to remove the CPUC's starting point on payment terms.

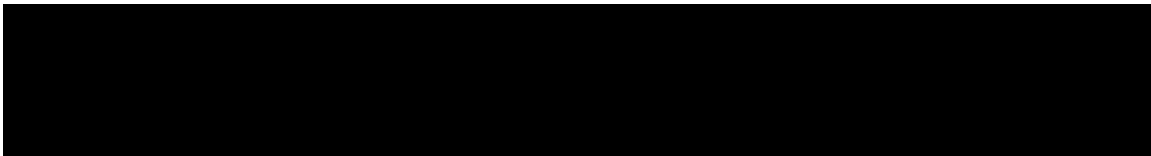


⁴³ Decision 18-10-008, Attachment B, Table 2: Payment Terms.

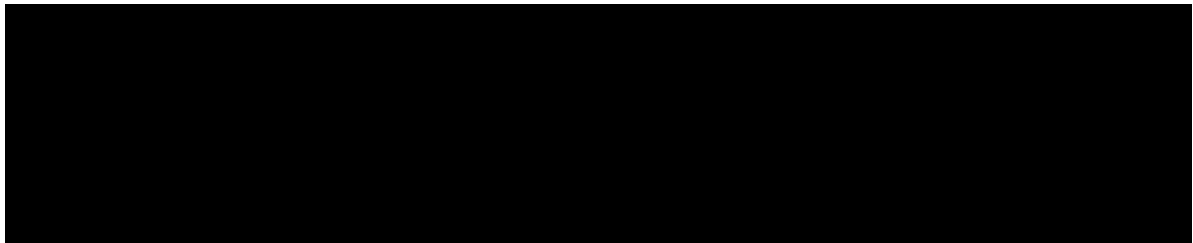


7.3 Conformance with CPUC Policies and Objectives

On September 29, 2020, SCE [REDACTED]
[REDACTED] In conformance with CPUC policy, on September 30, 2020, SCE management informed the CPUC Energy Division that based on the forecast budgets for the portfolio of contracts signed in its RCI and Statewide Lighting solicitations, as well as several statewide third-party programs, SCE now has 44 percent of its 2021 Energy Efficiency portfolio budget outsourced to third parties⁴⁴. SCE achieved the September 30, 2020 compliance requirement to have 25 percent of the energy efficiency portfolio under contract to third parties as well as the December 31, 2020 compliance requirement to have 40 percent of the energy efficiency portfolio budget under contract to third parties.



Incentive Guidelines



Innovation

The key innovations [REDACTED]

- [REDACTED]

⁴⁴ September 30, 2020 email from Mike Bushey (SCE) to Jennifer Kalafut, CPUC Energy Division.

⁴⁵ [REDACTED]

- Customer-centric online appliances choice engine, featuring: 1) a new Spanish version, to better serve HTR and DAC customers, 2) [REDACTED] 3) personalized energy bill savings and total cost of ownership estimates.
- [REDACTED] Advantages over traditional rebates include the ability to reduce the up-front purchase price; real-time utility verification of users and previous claims verification to avoid double-dipping; support targeted incentives, with dynamic discounts; simplify DR program registration, so that a DR incentive can be provided to a customer without them having to take any action after their thermostat is installed.
- Demonstrated ability to achieve 90 percent downstream rebate conversion rate by [REDACTED] which leads to greater participation and EE/DR savings.

ICF's Behavioral Programs

Incentive Guidelines

There are no traditional incentives used for recruitment in [REDACTED]


[REDACTED]

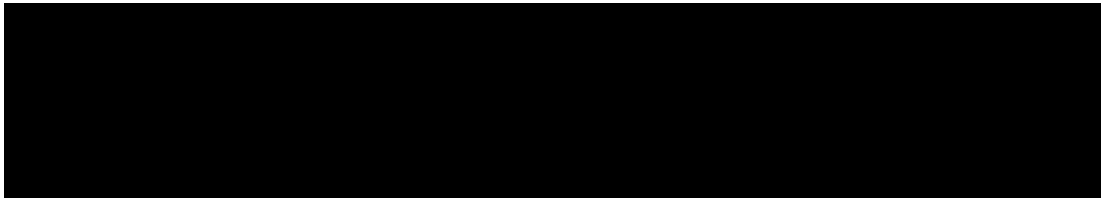




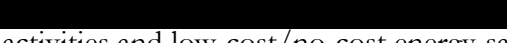


Savings Measurement


[REDACTED]



Innovation

 provides the following opportunities for meaningful savings, consistent with the CPUC's definition of innovation:

- 
- **High-touch strategy using**  
 to make outbound calls and nudge commercial customers to assist in new energy-saving habits and action. 
 greater customer engagement in program activities and low-cost/no-cost energy-saving actions.
- **Ongoing stream of customer feedback:** 
 This behavioral intervention contributes to overall customer intelligence for cross-marketing, lead generation, and scaling to other DSM opportunity areas.
- **Rewards market strategy to incent customer action and drive loyalty:** Previous programs have not incorporated rewards for businesses to earn and redeem gift cards. In turn, businesses can promote their energy savings progress to build loyalty with their community and customers.

- 
- Increasing cost-effectiveness to a TRC of 1.95, a 42.7 percent increase over the 2018 Residential Home Energy Advisor program.
 - Using highly accurate information including end-use disaggregation, weather patterns, household characteristics, income insights, rate plans, and third-party demographic and premise data to deliver hyper personalized performance metrics and savings tips to customers.

- Optimizing and expanding segmentation and treatment of content, channels, and cadence of messaging, strategically varied based on household and customer attributes. [REDACTED] and opt-in voice assistance is introduced for a subset of customers.
- Leveraging AI insights comprised of over 24 billion data points from hundreds of customer attributes mined from utility data, third parties, customers, smart devices, meter and CIS, census and weather data, customer action data, and device-level data like thermostat set points and EV charging behavior.
- Applying disaggregated analytics and AI/ML-analytics to expand customer strata, including adding HTR and DAC customer cohorts while utilizing advancements in AI/ML-analytics and real-time measurement emerging technologies to recalibrate messaging and nudge underperformers.
- Employing a [REDACTED] and draw attention to energy and inform use and buying decisions, a strategy that has produced nearly 70% increase in participation in other programs. It also unlocks savings and participation for often-underserved customers, low income and HTR customers who are well-served by this hands-on care.
- Rewarding customers to motivate action and drive loyalty. Rewards typically come in the form of gift cards that can be mailed or emailed to customers.

[REDACTED]

[REDACTED]

[REDACTED] 100 percent pay-for-performance incentive design, offering financing and technical incentives first, followed by monetary incentives as needed to address customer barriers. The incentive design, with tiered rates that increase with degree of efficiency, reduces free-ridership and dedicates more ratepayer-funded program dollars to higher efficiency long-life measures. [REDACTED] to present business cases to customers, including higher efficiency options, offering only the services or incentives needed to motivate customers. When monetary incentives are needed, [REDACTED] with the CPUC's guidance in D.18-05-041.

- Incentives are based on net life-cycle savings by multiplying annual (first year) savings by the net-to-gross ratio and discounted effective useful life value for each measure.
- Incentives are tiered and increase with degree of efficiency.
- Incentives strategically target commercially available products with the highest degrees of efficiency.
- An incentive multiplier is offered for DAC and HTR customers.
- Incentives are tied to 50% or more independently verified savings with 12-24-month post-implementation period.

Measurement and Verification

[REDACTED] NMEC approach to capture full to-code savings for its comprehensive measure packages. [REDACTED] Implementation Plan a program-level EM&V Plan that follows the Implementation Plan Template Guidance version 2.1.

Innovation

[REDACTED]

- Integrated Delivery Team
- EE, DR & Energy Management Technologies
- Online Platform
- Simplified Offer Including Financing Options with No Upfront Cost
- Intelligent Outreach
- Small Business Do-It-Yourself for Simple Measures
- Integrated DSM Strategies in Single Bundle

[REDACTED]

- **Single EE offer to all commercial customers using a single SPOC.** This SPOC provides IDSM to customers through concierge services of financing and technical services, which reduces customer confusion, overcoming a major enrollment barrier and reducing costs by eliminating duplicate acquisition efforts.
- **Single prime implementer manager of an integrated team** to deliver services. The team includes EE experts with CA, CPUC and national expertise. Capabilities include data analytics, DER engineering, small business EE, engineering design/build, integrated QA/QC and M&V, and policy consulting. The elimination of silos improves quality of calculations.
- IDSM offer.
- Program design provides flexibility and adaptability to rapidly change and address evolving regulatory requirements, market conditions, and customer needs.

7.4 Uniformity of Contract Changes

[REDACTED]

Other positions, however, were developed in response to requests from one bidder or developed by SCE in response to a specific issue that arose in a negotiation. SCE classified these as “Fallback” positions and gave their negotiating teams the discretion to use the positions if they found them helpful or necessary in their particular negotiations. These positions were not shared with all bidders. Bidders received pro forma Agreement updates from their negotiation team at the scheduled weekly negotiation meetings.

Final Offers Compared to Original Proposals

Table 7.1 below illustrates the

Table 7.1:			
Metric	As Proposed	Final Offer	Difference
Contract Term	36 Months	36 Months	—
Program Cost			
Acquisition Cost (\$/kWh)			
Total Resource Cost test (TRC)			
First Year Net Energy Savings (kWh)			

Table 7.2 below illustrates details of

Metric	As Proposed	Final Offer	Difference
Contract Term	36 months	36 months	—
Program Cost			
Acquisition Cost (\$/kWh)			
Total Resource Cost test (TRC)			
First Year Net Energy Savings (kWh)			

Table 7.3 below illustrates details of

Metric	As Proposed	Final Offer	Difference
Contract Term	36 months	36 months	—

[REDACTED]			
Metric	As Proposed	Final Offer	Difference
Program Cost	[REDACTED]		
Acquisition Cost (\$/kWh)			
Total Resource Cost test (TRC)			
First Year Net Energy Savings (kWh)			

Table 7.4 below illustrates details of [REDACTED]

Table 7.4: [REDACTED]			
Metric	As Proposed	Final Offer	Difference
Contract Term	60 months	60 months	–
Program Cost	[REDACTED]		
Acquisition Cost (\$/kWh)			
Total Resource Cost test (TRC)			
First Year Net Energy Savings (kWh)			

8. Conclusion

The RCI solicitation had some challenges along the way, but that was to be expected given that this was the first solicitation out of the gate for SCE. The Solicitation's timeline definitely suffered due to challenges, particularly at the RFA stage. The timeline took further hits when SCE introduced its pro forma and additional tools to the pool of IEs and the PRG at the RFP stage. Several work sessions were required to discuss modifications to the pro forma to address IE/PRG concerns before taking the pro forma to the market. Many of the issues encountered and the lessons learned are being incorporated into the next round of solicitations. SCE frequently expresses a willingness to learn from the market with each solicitation.

From the standpoint of the IE, it was disappointing, although not unexpected, to see the market's response to the RFP. Given the response to the RFA, the response to the RFP was less than it could have been. Timing was certainly a factor. There was a significant delay between the release of the RFA and the release of the RFP. [REDACTED]

[REDACTED] In any case, it is always disappointing to see bidders intentionally choose not to respond to an invitation to bid into such an opportunity after putting in all the time and effort to make it to the RFP stage. [REDACTED]

[REDACTED] The quality of most of the submittals SCE received, however, was generally very good and led to robust negotiations. SCE's decision to negotiate with multiple bidders introduced additional complexities for all parties and added to the timeline but also provided SCE with flexibility and enabled multiple bidders to enter into contracts

with SCE. The RCI solicitation resulted in contracted Programs that appear to provide cost-effective energy savings in the Multi-Family, Commercial, and Industrial sectors with strong emphasis on DAC and HTR customers in these communities.

In our view, the solicitation process was conducted fairly and transparently, as were the contract negotiations [REDACTED] represent the best from among the RCI submittals. By extension, they also provide the best overall value to ratepayers.

Energy Efficiency Independent Evaluator's Semi-Annual
Report on the

Statewide Lighting Program

Reporting Period: April 2020 through September 2020

Prepared by:

Barakat Consulting, Inc.

Barakat Consulting
I N C O R P O R A T E D

Disclaimer: This report includes highly sensitive and confidential information.

STATEWIDE LIGHTING PROGRAM

1. Solicitation Overview

1.1 Overview

SCE sought offers for Statewide EE or EE coupled with IDSM lighting resource programs for all IOU customers that utilize highly efficient lighting technologies and that provide energy savings in compliance with, and support of, the IOUs' business plans, CPUC's EE decisions and other filings. Offers needed to be designed to provide to-code energy savings, above code energy savings, increase EE acceptance, and enable the development and adoption of future California building codes and standards.

The Statewide Lighting Program RFP was released February 6, 2020. During the April through September 2020 reporting period, proposals were short-listed and contract negotiations began in May 2020. A final [REDACTED] on September 29, 2020.

Scope

The scope of this solicitation is to seek programs designed to be delivered consistently and uniformly throughout the electric IOUs' service territories. Local or regional variations in incentive levels, measure eligibility, or program interface are generally not permissible.

Upstream (at the manufacturer level) and midstream (at the distributor or retailer level, but not the contractor or installer level) interventions are required to be delivered statewide.⁴⁶

Objectives

The objective of this solicitation is to seek programs and to execute contracts with selected Offerors for new lighting programs.

1.2 Timing

Timing and key milestones of the solicitation is shown in Table 1.1.

⁴⁶ Decision 16-08-019.

Table 1.1: Key Milestones	
Milestones	Completion Date
RFA Stage	
RFA Released	July 2, 2019
Bidder's Conference	July 10, 2019
RFA Offer Submittal Deadline for bidders	July 30, 2019
Complete & Conforming Process & Cure Period	July 31 – August 6, 2019
Technical Scoring Period	August 5 – 12, 2019
RFA Scoring Calibration & Shortlist	August 16 – September 19, 2020
Market Notification of RFA Shortlist	September 20, 2019
RFP Stage	
RFP Release	February 6, 2020
Bidders Conference	February 13, 2020
Proposals Submitted	March 16, 2020
Scoring	March 16 – April 1, 2020
Contracting Stage	
Shortlisting	April 21, 2020-May 5, 2020
Contract Negotiations	May 7 – August 7, 2020
Commercial Lockdown ⁴⁷	August 7, 2020
Best & Final Offers ⁴⁸	August 12, 2020
Contract Executed	September 29, 2020

⁴⁷Commercial Lockdown indicates that negotiations have closed, and documents have been sent to bidders that reflect changes made throughout the negotiation process (final offers).

⁴⁸ Also referred to as “Price Refresh” based on final offer presented at Commercial Lockdown.

1.3 Key Observations

Table 1.2: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome (IOU Action/Response)
Tracking Lessons Learned	Immediately after the calibration process is an excellent time to survey team members and get feedback on how to improve the process going forward.	Suggest the team collect lessons learned through a survey with “what went well” and “what can be improved” on the solicitation materials development, review, and calibration.	SCE conducted a survey with scorers that had a very low response rate. The IE hopes that this process can be more effective with more robust response and clearly identified action items in future solicitations.
Open Office Hours	SCE established a new practice on a trial basis to provide PRG with additional opportunities to ask questions during this period of contract review.	IEs support this approach as it provides an effective solution when multiple contracts are being addressed at one time.	Should be considered as an effective practice moving forward in multiple contract negotiations.

2. Solicitation Outreach and Bidder Response

2.1 Bidder Response to Solicitation

Bidder response to the solicitation was reported in a previous Semi-Annual Report⁴⁹, but the following data is included for reference.

Table 2.1: Solicitation Response	
	No.
Abstracts Expected	
Abstracts Received	
Proposals Expected	
Proposals Received	

2.2 Bidder's Conference and Q&A

RFA

The RFA Bidders' Conference was reported in the May 2019 through October 2019 Semi-Annual Report.

RFP

The RFP Bidders' Conference was reported in May 2019 through October 2019 Semi-Annual Report. Table 2.2 is included as a reference.

Table 2.2: Bidders' Conferences	
RFP Bidder Conference Date	February 13, 2020
No. of Attendees	
No. of Q&A Received	15

2.3 Solicitation Design Assessment

The Solicitation Design assessment was provided in the May 2019 through October 2019 Semi-Annual Report.

⁴⁹ Complete reporting on the RFA bidders' response to the solicitation can be found in the SCE Semi-Annual Report submitted in December 2019.

3. RFA and RFP Design and Materials Assessment

3.1 RFA Design Requirements and Materials

Not applicable for this report. This was provided in the May 2019 through October 2019 Semi-Annual Report.

3.2 RFP Design Requirements and Materials

SCE provided a draft of the RFP materials to the IE for review and feedback in early October 2019. The IE provided significant number of comments on the RFP Instructions and Workbook. SCE adopted the majority of the feedback and comments from the IE and the RFP was significantly improved.

3.3 Response to PRG and IE Advice

RFA

SCE considered and adopted PRG and IE recommendations into the RFA as reported in May 2019 through October 2019 Semi-Annual Report.

RFP

SCE considered and adopted PRG and IE recommendations into the RFP as reported in May 2019 through October 2019 Semi-Annual Report.

4. Bid Evaluation Methodology Assessment

Bid Evaluation for the RFP stage of the solicitation took place in April 2020.

4.1 Bid Screening Process

RFA

Not applicable for this report. This was provided in May 2019 through October 2019 Semi-Annual Report.

RFP

[REDACTED] Each of the proposals was complete and conforming and advanced to the evaluation and scoring phase.

Table 4.1: [REDACTED]	
Company Name	Program Description (from the proposals)
[REDACTED]	

4.2 Scoring Rubric Design

RFA

Not applicable for this report. This was provided in May 2019 through October 2019 Semi-Annual Report.

RFP

The scoring rubric for the evaluation of proposals in the RFP stage is shown in Table 4.2.

[illegible]

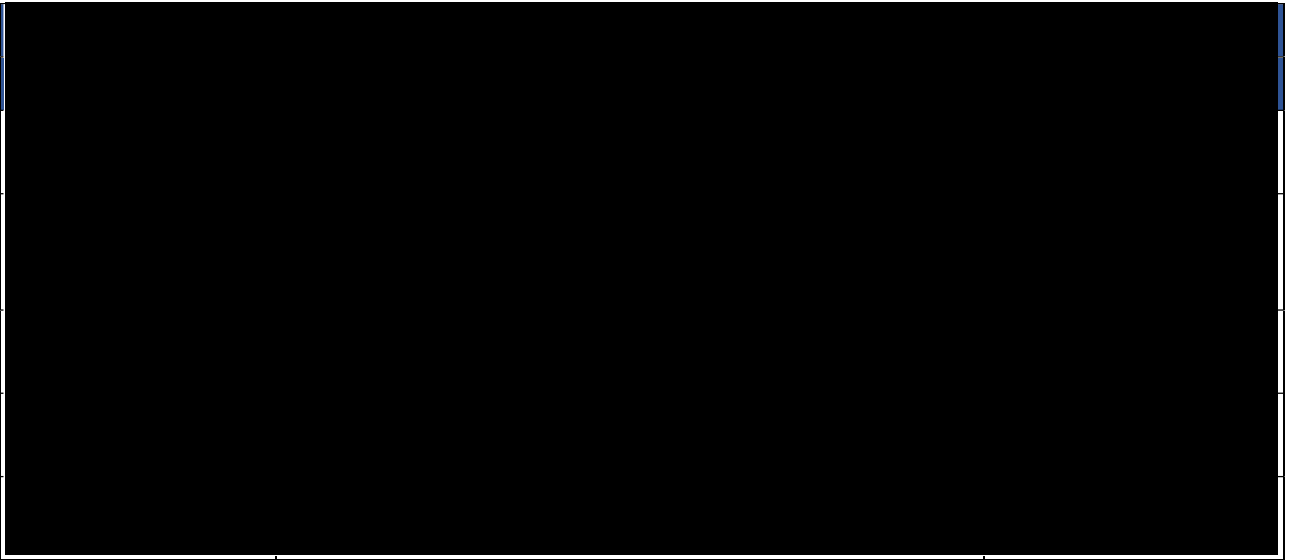
4.3 Evaluation Team Profile

RFA

Not applicable for this report. This was provided in May 2019 through October 2019 Semi-Annual Report.

RFP

SCE had five staff on the RFP evaluator team with no reported conflicts of interest. The roles and responsibilities of the final score team are listed in Table 4.3. SCE held CET training and technical scoring training for all scorers and all SCE IEs in February 2020 that was very well received, informative and effective. All of this information was included in the last Semi-Annual Report, November 2019 through March 2020.



4.4 Response to PRG and IE Advice

RFA

Not applicable for this report. This was provided in the November 2018 through March 2020 Semi-Annual Report.

RFP

Discussions between the IE, PRG, and IOU regarding bid evaluation methodology were generally held during meetings prior to evaluation and then at the PRG meeting where the shortlist was presented. The PRG generally agreed with recommendation of SCE to proceed to negotiations [REDACTED] RFP stage.

The IE recommended and some PRG members supported the IE's recommendation to [REDACTED] The IE noted that the nature of the [REDACTED]

SCE decided to move this proposal to negotiations and clarify the midstream nature of the program in negotiations.

5. Final Bid Selection Assessment

5.1 Conformance with Established Evaluation Processes

RFA

Not applicable for this report. This was provided in the November 2018 through March 2020 Semi-Annual Report.

RFP

To date, SCE's decisions appeared to be consistent and reasonable to the IE and to conform with established evaluation processes and PRG guidelines.

5.2 Management of Deficient Bids

There were no deficient proposals in the RFP stage.

5.3 Shortlist and Final Selections

a) Conformance with Established Evaluation Processes

Based on the results of the proposal evaluation process conducted in the RFP stage of the Statewide Lighting Solicitation, SCE entered into [REDACTED] in May 2020 to pursue a comprehensive lighting program across all of the California electric IOU service territories. [REDACTED] SCE on August 7, 2020.

After analyzing both final offers through SCE's optimization selection tool (OST), [REDACTED]

[REDACTED]

b) Portfolio Fit

A statewide comprehensive program is an appropriate fit for the overall portfolio. The scope and budget [REDACTED] met the needs on a statewide and programmatic basis.

c) Response to PRG and IE Advice

As discussed in Section 5, the IE and PRG members agreed that the [REDACTED] it to the negotiations. After about three negotiations meetings, [REDACTED]

5.5 Affiliate Bids and Conflict of Interest

There were no affiliate bids at the RFP Stage.

6. Assessment of Selected Bids

6.1 Bid Selections Respond to Portfolio Needs

As described in the SCE Business Plan:

The Lighting Program engages lighting manufacturers who enroll in the Primary Lighting component of the program and supply retailers with energy-efficient lighting products. These products are then sold to customers at a reduced price. An incentive reimbursement is paid to the manufacturer that facilitated the discounted rate at its own expense. 100 percent of the incentive is passed on to the customer, making the Residential Lighting Program a "pass-through" of incentives, which is one form of an Upstream Program. In addition, the Lighting Program will work in collaboration with the Electric Emerging Technologies Program or via new, innovative third-party programs to bridge the gap between early adopters and the consumer majority.⁵⁰

The California Statewide Lighting Program that will be implemented by [REDACTED]

[REDACTED] The objective of the Program is consistent with the Business Plan and portfolio needs to promote the sale and installation of high efficiency lighting products through midstream channels. [REDACTED]

[REDACTED] wholesalers and distributors to offer mark-downs/buy-downs for approved lighting measures to serve the Commercial and Industrial Sectors. Sales of these products are made to trade professionals who ultimately install them at the end-user's site.

Tables 6.1 and 6.2 describe the Business Plan objectives and metrics and their alignment with Statewide Lighting Program objectives and Key Performance Indicators from the contract with [REDACTED] beyond what is described in the Business Plan.

Table 6.1: Business Plan Program Objectives		
SCE Business Plan Program Objectives		
<ul style="list-style-type: none">Support and reinforce the 2018 and 2019 Title 20 Equipment Code changes for general service lighting products	<ul style="list-style-type: none">••••	[REDACTED]

⁵⁰ SCE Business Plan, January 2017, page 78

Table 6.1: Business Plan Program Objectives	
SCE Business Plan Program Objectives	
<ul style="list-style-type: none"> • Create and maintain persistence LED sales in market sectors not likely to persist otherwise • Transform the retail LED market more rapidly than codes alone can • Identify new lighting measures for incorporation into the Lighting Program in collaboration with the ETP 	<ul style="list-style-type: none"> • • • •

Table 6.2: Program Metrics and Key Performance Indicators	
SCE Business Plan Metrics	
<ul style="list-style-type: none"> • Number of retailers in each assigned sector persisting in carrying and selling the manufacturer's high-efficiency general service lighting products (excluding products left over from 2017 program activity) • Number of retailer locations that display utility designed educational signs or displays for at least five consecutive months, verified by inspections • Number of retailers trained and subsequently scrutinized as a result of suspected non-compliance 	<ul style="list-style-type: none"> • • • Percent achieved to date of annual kWh goal divided by percent of overall annual budget spent to date • Average score (0-5 scale) of customer (distributor, retailers) customer satisfaction surveys administered by implementer • • • • • Measures spend performance with Diverse Business Enterprises • An evaluation of the implementer's overall approach to safety and the quality of the implementer's safety program

These metrics will be reviewed throughout each year. Year-end sector results in 2019 will set the baseline for each subsequent year.

6.2 Bid Selections Provide the Best Overall Value to Ratepayers

The [REDACTED] the best overall value to ratepayers compared to other programs that were proposed. The program is cost-effective and innovative and will use data to target HTR/DAC customers. Table 6.3 details some of the best overall program components from a quantitative standpoint.

[REDACTED]	
Three Year Program NTE Contract Budget (including Start up and Ramp Down period)	[REDACTED]
Contract Term	[REDACTED]
Program Benefits	
Net Lifecycle acquisition costs (PAC Costs includes NPV)	[REDACTED]
Cost per kWh	[REDACTED]
Net kWh Savings	[REDACTED]
Net kW Savings	[REDACTED]
Total Resource Cost (TRC) Ratio ⁵¹	[REDACTED]
Program Administrator Cost (PAC) Ratio	[REDACTED]
Lifecycle Net kWh	[REDACTED]
Expected Savings from HTR/DAC	Unknown ⁵²
Cost Efficiency	
NPV of Net Lifecycle benefits	[REDACTED]
PAC Levelized Costs Per kWh	[REDACTED]
PAC Cost per Lifecycle kWh	[REDACTED]

The program aligns with California's energy efficiency policies including the following:

- a) Achieve all cost-effective energy efficiency through implementation of the program design at a TRC of 1.12. In addition, the program delivers positive TRC in each year of the program as shown below.

[REDACTED]

⁵¹ Includes six percent Administrative fee from SCE. The TRC is 1.16 without the SCE administrative fee.

⁵² TRC Solutions will analyze sales data to determine underserved market segments and HTR customers using demographic tools. TRC Solutions will promote the program to manufacturers, wholesalers, distributors and retailers located in and serving the HTR/DAC customers throughout California.

Table 6.4: Delivery Period Year			
Delivery Period Year			
2021			
2022			
2023			
2024			

b) **Innovative features** include the following:

- [REDACTED]
- [REDACTED]
- Delivery Approach Innovation, including IDSSM. Partner staff is trained on the benefits of the Program and EE lighting product trends in order to promote program-qualified lighting products to their customers. [REDACTED]
- c) The program proposes to engage **hard-to-reach and customers** by analyzing sales data to determine underserved market segments and HTR customers using demographic tools. [REDACTED] the program to manufacturers, wholesalers, distributors and retailers located in and serving the HTR/DAC customers throughout California. [REDACTED]
- d) The program promotes deep and persistent savings by through close monitoring and confirmation of the ultimate installations of the lighting products at a customer site. This has been an issue in past midstream lighting programs and the metrics of this program require a sample of sites being inspected to ensure that savings are being achieved.
- e) The structure of the contract pays the Implementer for savings delivered at a price per kWh, so the risk is on the Implementer to deliver the savings agreed to in the contract [REDACTED]

The realized energy savings are shown in Table 6.5:

Table 6.5: Realized Energy Savings						
	Year 1	Year 2	Year 3	Year 4	Total	Lifecycle
kWh						
kW						

As described in Section 6.1, the objective of the Program is consistent with the Business Plan and portfolio needs to promote the sale and installation of high efficiency lighting products through midstream channels.

to offer mark-downs/buy-downs for approved lighting measures to serve the Commercial and Industrial Sectors. Sales of these products are made to trade professionals who ultimately install them at the end-user's site.

The contract includes requirements for the Implementer to inspect a sampling of projects at the customer site to ensure installation.

7. Reasonableness of Contracting Process

7.1 Collaboration on Final Program Design and Scope

After

- The objective of the Program is to promote the sale and installation of high efficiency lighting products through midstream channels.
- through implementation of a cost-effective midstream program for the non-Residential (C&I) market throughout the IOUs' territories.
- to serve the Commercial and Industrial sectors. Sales of these products are made to trade professionals who ultimately install them at the end-user's site.

The final offer reflects notable modifications from the original proposal, (primarily as a result of

new workpapers) [REDACTED]. It is important to note that new workpapers came out in late July through early August. [REDACTED]
[REDACTED]
[REDACTED] which resulted in an overall increase in the program's net to gross ratio from proposal to final offer.

Table 7.1: [REDACTED]		
Metric	As Proposed	Final Offer
Contract Term	36 months	35 months
Program Cost	[REDACTED]	
Acquisition Cost (\$/kWh)		
Total Resource Cost test (TRC)		
Net Energy Savings (kWh)		
Net Energy Savings (kW)		

Innovation

Innovative program features include:

- **Technology Innovation.** [REDACTED] monitor the market for new technologies and develop processes by which to pilot and deploy them in the Program. They will also monitor regulatory developments such as issuance of standards, rollout of new technologies, and certifications having significant impacts on the industry.
- **Marketing Innovation.** Captures tracks KPIs, program guideline compliance, program partner information, and [REDACTED]
[REDACTED] to direct customers to program-qualified products.
- **Delivery Approach Innovation, including IDSM.** Distributors and installers pass the savings directly on to consumers. Partner staff is trained on the benefits of the Program and EE lighting product trends in order to promote program-qualified lighting products to their customers. The lighting program also leverages additional funding resources from other programs. [REDACTED]
[REDACTED]

HTR/DAC Customers

[REDACTED]

7.2 Fairness of Negotiations

[REDACTED]

As the assigned IE, Barakat Consulting monitored all bidder negotiations meetings, reviewed and provided feedback. During the negotiations and contract review process, the IE did not observe or otherwise uncover any issues that would prevent contract execution at this time.

[REDACTED] SCE was fair in the process of offering comparable and/or uniform changes to each of the companies so that the playing field was truly level moving into development of the best and final offers of the bidders. SCE also worked with bidders to incorporate the impacts of new workpapers during the negotiations process as these changes had significant impacts on program savings and economics.

In reviewing the final offers, [REDACTED]

[REDACTED] Given the limited measures currently available to the program and the potential for future changes to CEC's lighting standards, it is important to reap savings in the first few years of the program and to drive uptake in the market in the early years. [REDACTED]

The IE believes that the results of the negotiation are reasonable and appropriate. [REDACTED]

[REDACTED] and conditions improved considerably as a result.

7.3 Changes to Contract Terms & Conditions

CPUC standard terms are unmodified in the final pro forma. Changes to the modifiable terms and conditions were minimal. SCE has provided a table that maps the elements of the Modifiable Contract terms and conditions to the contract. The non-modifiable terms and conditions, as categorized in Attachment A of Decision 18-10-008, are identified below and included in the following sections of the Final Contract:

- Eligibility Terms and Conditions: Sections 7.08 and 9.02
- Safety Requirements: Section 6.03
- Dispute Resolution Process: Sections 12.01, 12.02 and 14.03
- Termination Process: Sections 10.01-10.04

Barakat monitored all bidder negotiations meetings, reviewed and provided feedback on the original SCE pro forma materials (contract template), and has reviewed all of the materials associated [REDACTED]. The pro forma includes all CPUC standard and modifiable terms and conditions and SCE has provided the PRG with a mapping of the CPUC terms and conditions to their location in the final pro forma agreement.

The combination of Exhibit H – Program Plan Framework and sections of the Pro Forma viewed together provide a clear description of the scope and most relevant terms for the program. The contract as written provides a strong basis for administration and performance management for both SCE and the implementer.

As reported earlier to the PRG, the IEs had concerns about the [REDACTED]

[REDACTED]

The main discussion points and key areas [REDACTED] focused on the following:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

7.4 Conformance with CPUC Policies and Objectives

Incentive Design

The program incorporates the CPUC best practices⁵⁵ in the incentive design as appropriate through establishing an incentive reimbursement paid to the manufacturer that facilitated the discounted rate at its own expense. One hundred percent of the incentive is passed on to the customer, making the Residential Lighting Program a "pass-through" of incentives.

Innovative Program Features

As defined by the PRG, an innovative program is one that will:

⁵⁵ Decision 18-05-041, Conclusion of Law 3.

increase the uptake of cost-effective EE by advancing a technology, marketing strategy, or delivery approach in a manner different from previous efforts.”⁵⁶ Ideally, such strategies could be scalable and replicable across sectors, segments, and technologies in the future, or seek to integrate other demand side technologies where feasible, such as demand response and distributed generation. While each innovative program may not individually be cost-effective, the intent is to lead to cost-effective savings over time.

[REDACTED] meets this definition with features that include the following:

- [REDACTED] the market for new technologies and develop processes by which to pilot and deploy them in the Program.
- [REDACTED] real time data and point-of-sale [REDACTED] ers to program-qualified products.
- **Delivery Approach Innovation, including IDSM.** The lighting program leverages additional funding resources from other programs, allowing for upgrades to be integrated and function alongside other improvements such as DR, EE, or water efficiency.

Contract Execution Deadline

The contract met the CPUC requirements as it was executed on September 29, 2020, which is prior to the September 30, 2020 CPUC deadline.

7.5 Uniformity of Contract Changes

SCE conducted contract negotiations with bidders in the Statewide Lighting and the local Residential, Commercial, Industrial solicitations during the same time period. For the purpose of negotiations positions, SCE made a distinction between “[REDACTED]

[REDACTED] See Section 8.3 for more details. SCE was fair in offering uniform contract changes to all bidders and this benefitted all parties and allowed for agreements on pro forma language to be reached [REDACTED] the bidders in the Statewide Lighting solicitation.

8. Conclusion

The overall process was extremely lengthy, particularly given the pause in the process for several months as SCE made modifications to its approach to the solicitation process. As the assigned IE for this solicitation, Barakat expressed concern initially about the delays and the supply-side influence of the revised solicitation documents and pro forma. We raised our issues and concerns to SCE and to the PRG and provided transparent feedback throughout the solicitation process.

⁵⁶ Bidders should note that the following definition of “innovative” is a refinement of the definition provided with the Request for Abstracts.

Ultimately, during the negotiations and contract review process, the bidders raised and SCE addressed to their satisfaction many of the issues that Barakat and the other IEs identified in contract review and feedback.

During the bidder selection and negotiations process, Barakat did not observe or otherwise uncover any issues that would prevent contract execution. SCE was fair in the process of offering comparable and/or uniform changes to bidders so that final contract terms were comparable moving into development of the best and final offers of the bidders. SCE also worked with bidders to incorporate the impacts of new workpapers during the negotiations process as these changes had significant impacts on program savings and economics for the Statewide Lighting program in particular.

Going forward, Barakat highly recommends that changes to the final agreement are incorporated as the new starting point for future solicitations and that lessons learned are gathered and applied to improve future the solicitations.

Energy Efficiency Independent Evaluator's Semi-Annual
Report on the

Statewide Electric Emerging Technologies Program

Reporting Period: April 2020 through September 2020

Prepared by:

Barakat Consulting, Inc.

Barakat Consulting
I N C O R P O R A T E D

Disclaimer: This report includes highly sensitive and confidential information.

STATEWIDE ELECTRIC EMERGING TECHNOLOGIES PROGRAM

1. Solicitation overview

1.1 Overview

SCE seeks offers for managing the Statewide Electric Emerging Technologies Program (ETP or EETP) on behalf of itself, SDG&E, and PG&E, that include new approaches to the ETP, that serve residential and non-residential customers' needs for highly energy efficient equipment, designed and implemented by offerors uniformly throughout each of the Statewide Electric IOU's service territories and that satisfy shared EE and statewide goals at the lowest cost.

After being on hold since 2019, the Statewide Electric Emerging Technologies ramped up again, in coordination with the scope of the Statewide Emerging Technologies Gas Program, during this reporting period when the team began preparing the RFA for release. The RFA was released on August 4, 2020. During the April through September 2020 reporting period, SCE held the Bidders' Conference and abstracts were submitted on September 9, 2020.

Scope

SCE seeks Offers for electric ET Program(s) that satisfy shared EE and ETP goals at the lowest cost and in compliance with, and support of, the IOUs' business plans,⁵⁷ CPUC's EE decisions and other filings.⁵⁸

ETP's vision is to identify and bring commercially-available technologies promptly to the EE program portfolio by determining the latest emerging technology trends. It is important for ETP to be on the forefront of these trends because it allows ETP to identify, track, and vet the efficacy and claims of these technologies, products, and solutions through a variety of program tactics to:

- 1) assess and confirm their potential energy savings and operational performance,
- 2) help estimate long-term cost-effectiveness,
- 3) recognize technologies with significant energy savings opportunities, and
- 4) identify potential barriers to market adoption.⁵⁹

⁵⁷ SCE's Amended Application (A.) of its EE Rolling Portfolio Business Plan for 2018-2025 (A.17-01-013) filed on February 10, 2017; SDG&E's Application to Adopt Energy Efficiency Rolling Portfolio Business Plan Pursuant to Decision 16-08-019 (A.17-01-014) filed on January 17, 2017; and PG&E's Application for Approval of 2018-2025 Rolling Portfolio Energy Efficiency Business Plan and Budget (A.17-01-015) filed on January 17, 2017. Offers may consider the strategies described in the business plans but are not limited to those strategies.

⁵⁸ See Appendix B for a list of Decisions and applicable links.

⁵⁹ Decision 12-05-015, OP 97, p. 419 "Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company shall utilize enhanced market behavioral.

ETP supports the EE program portfolio and Codes & Standards in their need to offer new EE measures to customers by:

- 1) Providing a comprehensive set of suitable technology options for new EE measures.
- 2) Providing actionable market information to inform program delivery.
- 3) Conducting outreach to disseminate new technology assessment and demonstration findings and information.

Objectives

The objective of this solicitation is to seek programs and to execute contracts with selected Offerors for innovative management and evaluation of emerging technologies. A successful ETP Offer contains innovative design approaches, cost-efficient implementation, and supports the timely introduction of new energy efficiency emerging technologies by performing the following activities:

- Identify, screen, assess, demonstrate, showcase and pilot emerging, underutilized, commercially-available electric EE emerging technologies, products and services as appropriate for inclusion in the California IOUs' EE program portfolios and code adoption^{60, 61} (in coordination with the Codes and Standards program.).
- Provide information about program portfolio EE measure needs to technology, product, and service developers, manufacturers, technology development actors, and other stakeholders that engage in the California technology development pipeline so they may tailor their offerings accordingly.⁶²
- Identify the non-energy benefits of emerging and underutilized energy-saving technologies, products and services to help utility customers better understand the value proposition of the product, thus stimulating their adoption.

research to address customer and end users acceptance and adoption of new technologies, in particular for technologies that are being considered for transfer into the energy efficiency portfolio.”

⁶⁰ Decision 12-05-015 OP 99 – “Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company shall coordinate with the Codes and Standards program and the California Energy Commission’s Codes and Standards programs to (a) support the advancement of emerging technologies and approaches, including demonstration of technologies, that are candidates for adoption into future codes and standards as well as Reach Codes, and (b) identify critical early planning workforce training needs for advanced technologies.”

⁶¹ Decision 12-05-015 OP 91 - "In the Codes and Standards program implementation plan sections of their 2013-2014 applications, Pacific Gas and Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, and Southern California Gas Company shall include a detailed description for the statewide “Planning and Coordination Subprogram” that implement the “integrated dynamic approach.” The program implementation plan should include an outline of the relevant roles of each of the Codes and Standards sub-programs relative to other IOUs programs and non-IOUs initiatives, as well as program objectives, strategies, expected outcomes, and program budgets.”

⁶² Decision 12-05-015 p. 270: "The Emerging Technologies Program is well suited to take on a leadership role to bring all market actors together in order to increase coordination and to leverage the R&D opportunities, funds, and collaborative prospects."

1.2 Timing

The development of the RFA was originally delayed so the IOU could go through modifications consistent with changes in the RCI solicitation and then the process got back on track with the development of the RFA in the Spring of 2020 and the release of the RFA on August 4, 2020.

Table 1.1: Key Milestones	
Milestones	Completion Date
RFA Stage	
RFA Released	August 4, 2020
Bidder's Conference	August 11, 2020
RFA Offer Submittal Deadline for bidders	September 9, 2020
RFA Scoring Calibration & Shortlist	October 9 – 20, 2020
Market Notification of RFA Shortlist	October 27, 2020
RFP Stage (expected)	
RFP Release	December 8, 2020
Proposals Submitted	January 22, 2021
Shortlisting	March 10-25, 2020
Contracting Stage (expected)	
Contract Negotiations	March 25-April 23, 2021
Final Selection	May 18, 2021
Contract Signed	June 15, 2021

1.2 Key Observations

Table 1.2: Key Issues and Observations			
Topic	Observation	IE Recommendation(s)	Outcome (IOU Action/Response)
Overall			
Narrative Q&A should be in Word, not Excel	The IEs have recommended (supported by the PRG and feedback from bidders) that narrative responses be in a Word document, not Excel.	SCE should create a Word-based response format for qualitative questions.	SCE removed the Qualitative Questions Tab in the workbook and created a Word-based response format for the questions to the bidder. We commend this action and believe that it will result in a better experience for bidders and scorers
Managing bidders' conferences in a virtual environment	During a pandemic when everyone must work remotely, it is a challenge to collaborate with an internal team on how to answer questions. Instead of tabling all of the questions, SCE had a Microsoft Teams meeting with internal staff and SMEs being held in parallel to the Skype bidders conference. This allowed for SCE team members to collaborate on answers and pass them over to the Bidders' Conference facilitator to answer in writing.	Although not an emerging issue, we believe that SCE has developed a best practice related to bidders' conference Q&A coordination.	
Clarifying the nature of this program.	It appeared from the bidders' conference and question that some parties interested in this solicitation appear to be technology developers as opposed to program administrators/implementers.	It will be important for SCE to clarify the nature of this program as being focused on an implementer of the program.	SCE clarified the nature of the program in responses to the bidders. Bidders were also informed of the ETP website and options for proposing technologies that can be included in the existing program.

2. Solicitation Outreach and Bidder Response

SCE's outreach through traditional methods (e.g., Website, CAEECC, etc.) resulted in a robust and competitive solicitation with robust participation in the Bidders' Conference and an appropriate number of responses to the RFA as shown below.

2.1 Bidder Response to Solicitation

Table 2.1: Solicitation Response	
	Number
Abstracts Expected	██████████
Abstracts Received	██████████

2.2 Bidder's Conference and Q&A

RFA

The Bidders' Conference was held on Tuesday, August 11, 2020 via Skype with more than ██████████. There were numerous questions submitted via chat with a lot of inquiries about the nature of the abstract with perhaps some confusion on how this is about administrating the emerging technologies program, NOT about submitting specific technologies. Approximately 40 questions were asked and answered during the call by the moderator or tabled if more detail was needed. SCE stated in the meeting that the presentation recording and questions would be submitted within 48 hours following the meeting.

Table 2.2: Bidders' Conferences	
RFP Bidder Conference Date	August 11, 2020
No. of Attendees (via Skype)	██████████
No. of Q&A Received	40+

RFP

Not applicable for this report. The RFP Bidders conference will be reported in the next Semi-Annual Report.

3. RFA and RFP Design and Materials Assessment

3.1 RFA Design Requirements and Materials

The solicitation design adequately met the program portfolio need as presented in the IOU-approved Business Plan, as well as EE energy savings goals, and applicable portfolio metrics. The solicitation was conducted in accordance with CPUC requirements as a two-stage process, with robust IE engagement and regular coordination with the PRG on all aspects of the solicitation.

3.2 RFP Design Requirements and Materials

Not applicable for this report. This will be reported in the next Semi-Annual Report.

3.3 Response to PRG and IE Advice

RFA

SCE has been thoughtful in its consideration of all recommendations from the IE, IOUs and the PRG, while also coordinating with [REDACTED]. The SCE made several changes to the solicitation materials based on PRG feedback prior to launching the RFA. Changes included the following based on PRG feedback:

- Energy Division guidance of no more than 12 weeks from RFA release to notification to bidder(s) of invitation to respond to RFP as outlined in the March 11, 2020 letter from Edward Randolph, Deputy Executive Director for Energy and Climate Policy / Director Energy Division
- Feedback from the other Electric IOUs
- [REDACTED]
- [REDACTED] Also included DAC/HTR description in the [REDACTED]

RFP

Not applicable for this report. This will be reported in the next Semi-Annual Report.

4. Bid Evaluation Methodology Assessment

Not applicable for this report. This will be reported in the next Semi-Annual Report.

4.1 Bid Screening Process

RFA

Not applicable for this report. This will be reported in the next Semi-Annual Report.

RFP

Not applicable for this report. This will be reported in the next Semi-Annual Report.

4.2 [REDACTED]

RFA

The [REDACTED] stage is shown in Table 4.1.

[illegible]

RFP

Not applicable for this report. This will be reported in the next Semi-Annual Report.

4.3 Evaluation Team Profile

RFA

The evaluation team consisted of [REDACTED]. The scoring team information is shown below.

session was very productive. It gave the SCE team the opportunity to test out the scoring guidance and to make some improvements to the criteria.

[illegible]

RFP

Not applicable for this report. This will be reported in the next Semi-Annual Report.

4.4 Response to PRG and IE Advice

RFA

As reported in section 3.3, above, SCE has been thoughtful in its consideration of all recommendations from the IE, IOUs and the PRG, [REDACTED]
[REDACTED]

RFP

Not applicable for this report. This will be provided in the next Semi-Annual report.

5. Final Bid Selection Assessment

Not applicable for this report. This will be provided in the next Semi-Annual report.

6. Assessment of Selected Bids

Not applicable for this report. This will be provided in the next Semi-Annual report.

7. Reasonableness of Contracting Process

Not applicable for this report. This will be provided in the next Semi-Annual report.

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**

Order Instituting Rulemaking Concerning Energy
Efficiency Rolling Portfolios, Policies, Programs,
Evaluation, and Related Issues.

Rulemaking 13-11-005

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to the Commission's Rules of Practice and Procedure, I have this day served a true copy of **SOUTHERN CALIFORNIA EDISON COMPANY'S (U 338-E) SUBMISSION OF THE SEMI-ANNUAL INDEPENDENT EVALUATOR REPORT ON THE THIRD-PARTY SOLICITATION PROCESS (PUBLIC VERSION)** on all parties identified on the attached service list(s) **R.13-11-005**. Service was effected by transmitting the copies via e-mail to ALJ Julie A. Fitch, ALJ Valerie Kao and all parties who have provided an e-mail address.

Executed this **January 8, 2021**, at Hacienda Heights, California.

/s/ Kelly Morikawa Kwong

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California
Public Utilities
Commission



[CPUC Home](#)

CALIFORNIA PUBLIC UTILITIES COMMISSION

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