

Energy Efficiency Procurement Review Group Charter

Background

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

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

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

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

Objective

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

Scope

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

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

Eligibility

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

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

¹ D.18-01-004, Ordering Paragraph (OP) 4. ²

D.18-01-004, Conclusion of Law (COL) 11. ³

D.18-01-004, OP 3.

⁴ D.18-01-004, p. 36.

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

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

The Public Advocates Office, Commission Staff, and IEs must participate in the EE PRG process, in accordance with D.18-01-004.⁵

Intervenor Compensation

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

Governance

Attendance. EE PRG participants must commit to attend meetings to the extent possible, and faithfully review meeting materials. EE PRGs are advisory groups and do not have decision-making authority.

Operating Procedures

Key Parties: EE PRG Members, Independent Evaluators, IOU Solicitation Teams

(1) Proposed Schedule, Cadence and Structure

- a. Monthly
- b. Notices, agendas, meeting materials and notes will be provided in accordance with D.18-01-004, OP 4.

(2) Regular Communication

- a. Communication with the EE PRG by IOU
- b. Communication if required on a SW basis
- c. Independent Evaluator interface
- d. Areas to consider for messaging (CAEECC, IOU Websites, CPUC Website, PEPMA)

(3) Roles and Responsibilities

EE PRG Members

- PRG participants must commit to attend meetings to the extent possible, and faithfully review meeting materials
- PRGs are advisory groups and do not have decision-making authority
- PRGs will be consulted at all stages of solicitations, including but not limited to:
 - Reviewing each sector-or segment-specific solicitation plan;
 - Providing timely input into draft solicitation language
 - Providing timeline input into evaluation and scoring criteria
 - Providing recommendations based on the review of materials

Independent Evaluators (IEs)

- IEs will serve as consultants to the PRGs and participate in PRG meetings
- IEs will observe each solicitation, per contracted scope of work
- IEs will provide consultation, notes and report findings and recommendations to the EE PRG and the Commission staff (if required) during and at the end of each solicitation process

IOU Solicitation Team

- Manage the schedule for solicitations (local and SW)
- Notice: the IOUs will notice all meetings at least three business days in advance, which will include call in numbers for all participants
- Agenda: the IOUs will distribute an agenda and meeting materials at least 48 hours in advance of each PRG meeting
- Facilitation: the IOUs will administer and facilitate PRG meetings
- Meeting Notes: the IOUs will distribute meeting notes to PRG participants within one week of the meeting conclusion or before the next scheduled meeting, whichever comes first

Next Steps

Parties that would like to be considered for EE PRG participation are invited to submit the attached Questionnaire to the IOU(s) of their interest by no later than **December 6, 2021, for immediate consideration.**

- Pacific Gas and Electric Company: EESolicitationsPRG@pge.com
- San Diego Gas and Electric Company: SDGE_EE_PRG2@semprautilities.com
- Southern California Gas Company: SoCalGasEE_PRG@socalgas.com
- Southern California Edison Company: EESolicitations@sce.com.

Each IOU will review prospective EE PRG members' responses to the Questionnaire and inform prospective EE PRG members of their recommendation for inclusion in its EE PRG. These recommended EE PRG members will review, sign, and submit the enclosed NDA and Conflict of Interest Form. In cases where an approved organization desires more than one individual to participate in the PRGs, those individuals should each review, sign, and submit "Appendix A to Nondisclosure Agreement: Nondisclosure Certificate" as well as the Conflict of Interest form to the IOU. Any EE PRG member who wants to participate in EE PRGs for statewide solicitations must review, sign, and submit a Nondisclosure Agreement and Conflict of Interest form to all four IOUs. EE PRG members will be recommended for approval to the Director of the Commission's Energy Division by letter, no later than **12/10/2021**. The letter will also describe any disputes about the composition of the EE PRGs. These disputes will be resolved by the Energy Division Director informally or brought to the Commission more formally, at the Director's discretion.

⁵ D.18-01-004, OPs 3 and 4.

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

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

⁸ D.18-01-004, OP 4.

⁹ D.18-01-004, p. 35, OP 4.

¹⁰ D.18-01-004, pp. 37-38, OP 5.

¹¹ D.18-01-004, p. 36; OP 3.

¹² D.18-01-004, p. 36.