CAEECC-Hosted Market Transformation Working Group   
  
Recommendations to the  
California Public Utilities Commission

DRAFT

February 20, 2019

Table of Contents

[List of Tables 5](#_Toc1479504)

[List of Figures 5](#_Toc1479505)

[Acronyms 6](#_Toc1479506)

[Section 1: Introduction & Overview 7](#_Toc1479507)

[Document Structure 8](#_Toc1479508)

[Section 2: Market Transformation Initiative Principles, Guidelines, & Strategies 9](#_Toc1479509)

[Introduction 9](#_Toc1479510)

[Market Transformation Guidelines & Strategies 10](#_Toc1479511)

[Section 3: Market Transformation Stage-Gate Proposal & Decision Criteria 12](#_Toc1479512)

[Introduction 12](#_Toc1479513)

[Ideation & Intake 12](#_Toc1479514)

[Phase I: Concept Development 13](#_Toc1479515)

[Stage 1 – Concept Scanning & Identification 13](#_Toc1479516)

[Stage 2 – Concept Development & Assessment 14](#_Toc1479517)

[Review 1 15](#_Toc1479518)

[Phase II: Program Development 15](#_Toc1479519)

[Stage 3 – Strategy Development 15](#_Toc1479520)

[Stage 4 – Strategy Testing 16](#_Toc1479521)

[Review 2 17](#_Toc1479522)

[Phase III: Market Deployment 17](#_Toc1479523)

[Stage 5 – Market Development 17](#_Toc1479524)

[Stage 6 – Long-Term Monitoring 17](#_Toc1479525)

[Review 3 18](#_Toc1479526)

[Stage 7 – Transition or Sunset MTI 18](#_Toc1479527)

[Section 4: Stakeholder Roles & Responsibilities 19](#_Toc1479528)

[Definitions 19](#_Toc1479529)

[Role of the Market Transformation Administrator (MTA) 20](#_Toc1479530)

[Concept Development Phase (Phase I) 20](#_Toc1479531)

[Program Development Phase (Phase II) 20](#_Toc1479532)

[Market Development Phase (Phase III) 21](#_Toc1479533)

[Role of the Market Transformation Advisory Board (MTAB) 21](#_Toc1479534)

[Concept Development & Assessment Stage (Stage 2 of Phase I) 21](#_Toc1479535)

[Composition of the MTAB 21](#_Toc1479536)

[Role of an Independent Review Committee (IRC) 22](#_Toc1479537)

[Section 5: Administration Options for the Market Transformation Portfolio 23](#_Toc1479538)

[Option 1: Administration by the Existing Program Administrators 23](#_Toc1479539)

[Rationale for Administration by the Existing PAs 23](#_Toc1479540)

[Unique Administration Features Related to Administration by the Existing PAs 25](#_Toc1479541)

[Option 2: Administration by a Single, Independent Statewide Administrator 27](#_Toc1479542)

[Rationale for Administration by a Single, Independent Statewide Administrator 27](#_Toc1479543)

[Selection of the Single, Independent Statewide Administrator 29](#_Toc1479544)

[Unique Administration Features Related to Administration by a Single, Independent Statewide Administrator 30](#_Toc1479545)

[Section 6: Budget 31](#_Toc1479546)

[Amounts & Caps 31](#_Toc1479547)

[Funding Split 31](#_Toc1479548)

[Section 7: Market Transformation Cost-Effectiveness (CE) Framework 32](#_Toc1479549)

[Scope of Recommended Modifications 32](#_Toc1479550)

[Recommendations: Counting Codes & Standards (C&S) Savings & Costs 32](#_Toc1479551)

[Inclusion of C&S into the CE Methodology 32](#_Toc1479552)

[Estimating the MTI C&S Savings & Costs 33](#_Toc1479553)

[Recommendation: Timeframe of Costs & Benefits (Separate from C&S) 34](#_Toc1479554)

[Recommendation: Net-to-gross Methodology 34](#_Toc1479555)

[Recommended Options: CE Threshold 34](#_Toc1479556)

[Option 1: 1.25 Total Resource Cost Test/Program Administrator Cost Test 35](#_Toc1479557)

[Option 2: 1.5 Total Resource Cost Test/Program Administrator Cost Test 35](#_Toc1479558)

[Section 8: Market Transformation Initiatives and Resource Acquisition Programs 37](#_Toc1479559)

[Introduction 37](#_Toc1479560)

[Overview 37](#_Toc1479561)

[Types of Overlap 38](#_Toc1479562)

[Activities to Encourage Cooperation 38](#_Toc1479563)

[Selecting MTIs to Enhance Positive and Minimize Negative Overlaps 39](#_Toc1479564)

[Identifying & Assessing Overlaps 39](#_Toc1479565)

[Activities to Avoid/Reduce/Mitigate Overlap 40](#_Toc1479566)

[Resolution of Conflicts 40](#_Toc1479567)

[Appendix A: Market Transformation Work Group Member Organizations & Representatives 42](#_Toc1479568)

[Appendix B: Ground Rules of the Market Transformation Work Group 44](#_Toc1479569)

[At Meetings: 44](#_Toc1479570)

[Between Meetings: 44](#_Toc1479571)

[Substantive Issues (Discussing Issues, Developing Options, & Exploring Agreement) 44](#_Toc1479572)

[Process Issues 45](#_Toc1479573)

[Appendix C: Stage-gate Criteria 46](#_Toc1479574)

[General MT Criteria Categories 47](#_Toc1479575)

[Appendix D: Draft Intake Application Form 52](#_Toc1479576)

[Draft Intake Form 52](#_Toc1479577)

[Section 1 53](#_Toc1479578)

[Section 2 (All Programs) 53](#_Toc1479579)

[Section 3 (All Programs) 54](#_Toc1479580)

[Section 4 (MT-Specific Intake Questions) 54](#_Toc1479581)

[Section 5: Turnkey MTI Intake Form & Criteria 57](#_Toc1479582)

[Appendix E: Staff Proposal’s Content Guidance for Market Transformation Accord/Plan 59](#_Toc1479583)

[Content Guidance for the Market Transformation Accord/Plan 59](#_Toc1479584)

# List of Tables

[Table 1: Market Transformation Work Group Member Organizations 6](#_Toc1245141)

# List of Figures

[Figure 1: Stage-gate Process Schematic 12](#_Toc1245142)

[Figure 2: Schematic of Stakeholder Roles & Responsibilities 18](#_Toc1245143)

[Figure 3: Schematic of Stakeholder Roles & Responsibilities Under Existing PA Administration 25](#_Toc1245144)

[Figure 4: Schematic of Stakeholder Roles & Responsibilities Under a Single, Independent Statewide Administrator 27](#_Toc1245145)

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# Acronyms

|  |  |
| --- | --- |
| **Acronym** | **Definition** |
| 3P of 3Ps | Third party or third parties |
| ABAL | Annual Budget Advice Letter |
| AMI | Advanced Metering Infrastructure |
| C&S | Codes and Standards |
| CAEECC | California Energy Efficiency Coordinating Committee |
| CE | Cost-effectiveness |
| CET | Cost-effectiveness test |
| CPUC | California Public Utilities Commission |
| EE | Energy efficiency |
| EM&V | Evaluation, Measurement and Verification |
| ESRPP | ENERGY STAR Retail Products Platform |
| ET | Emerging Technologies |
| ETCC | Emerging Technologies Coordinating Council |
| ETP | Emerging Technologies Program |
| GHG | Greenhouse gas |
| IDSM | Integrated demand-side management |
| IE | Independent Evaluator |
| IOUs | Investor-owned utilities |
| IRC or IRCs | Initiative Review Committee(s) |
| IRP | Integrated Resource Planning |
| ISSM | Integrated Standards and Savings Model |
| ME&O | Marketing Education and Outreach |
| MTA | Market Transformation Administrator(s) |
| MTAB | Market Transformation Advisory Board |
| MTI | Market transformation initiative |
| MTWG | Market Transformation Work Group |
| MTWG | Market transformation |
| NEEA | Northwest Energy Efficiency Alliance |
| NMEC | Normalized Metered Energy Consumption |
| OTF | Open Text Field |
| PA | Program Administrator(s) |
| PAC | Program Administrator Cost Test |
| PG&E | Pacific Gas and Electric |
| POU | Publicly-owned utility |
| PRG | Peer Review Group |
| RA | Resource Acquisition |
| RFA | Request for Abstract |
| RFP | Request for Proposal |
| SDG&E | San Diego Gas and Electric |
| SME | Subject matter expert |
| TRC | Total Resource Cost Test |
| WE&T | Workforce Education and Training |

# Section 1: Introduction & Overview

***Facilitators Note to MTWG*:** *This entire section is new, so please review.*

The Market Transformation Working Group (MTWG) was initiated to develop a proposed market transformation (MT) framework for submission to the California Public Utilities Commission (CPUC) in Rulemaking 13-11-005. In that proceeding, an April 26, 2018, Scoping Memorandum identified MT approaches as a priority. To facilitate examination of the policies and framework surrounding MT, Commission Staff issued a Staff Proposal on August 28, 2018. CPUC-hosted workshops on the Staff Proposal were held on September 19, 2018and November 6, 2018. Comments and reply comments were solicited in between these two workshops. Following the conclusion of the second workshop, a short-term MTWG hosted by the California Energy Efficiency Coordinating Committee (CAEECC) was formed with support of the CPUC. The MTWG was tasked with developing a joint MT proposal for the CPUC’s consideration.

The MTWG’s 19 Member organizations shown in Table 1 are drawn largely but not exclusively from the CAEECC’s Membership. Several additional Ex Officio/Resource Members also participated. CAEECC Facilitators Dr. Jonathan Raab, Ellen Zuckerman, and Meredith Cowart facilitated the MTWG meetings. A complete list of the Member organizations and their representatives is provided in Appendix A. The MTWG met three times: (1) from December 6-7, 2018; (2) on January 14, 2019; and (3) on February 27, 2019. Between meetings, Sub-work Groups met to discuss issues and develop recommendations for broader MTWG consideration.

All of the recommendations within this document are made by consensus of the MTWG Members (where consensus is defined as unanimity among the Member organizations), except for a few instances noted in this document. Consistent with the MTWG’s groundrules (see Appendix B), any non-consensus item provides two or more options and lists the MTWG Members that support each option.[[1]](#footnote-1)

Table 1: Market Transformation Work Group Member Organizations[[2]](#footnote-2)

|  |  |
| --- | --- |
| **Member Organizations** | |
| California Efficiency + Demand Management Council | San Diego Gas & Electric (SDG&E) |
| Center for Sustainable Energy (CSE) | Sheet Metal Workers Local 104 |
| ClearResult | Small Business Utility Advocates |
| Coalition for Energy Efficiency (CEE) | Southern California Gas Company (SoCalGas) |
| CodeCycle | Southern California Regional Energy Network (SoCalREN) |
| Energy Solutions | Southern California Edison (SCE) |
| Natural Resources Defense Council (NRDC) | The Energy Coalition |
| Pacific Gas and Electric (PG&E) | The Utility Reform Network (TURN) |
| Public Advocates Office | Western HVAC Performance Alliance |
| Resource Innovations |  |
| **Ex Officio/Resource Members** | |
| California Energy Commission (CEC) | Northwest Energy Efficiency Alliance (NEEA) |
| California Public Utilities Commission (CPUC) |  |

## Document Structure

This document is structured as follows:

* **Section 2: Market Transformation Initiative Principles, Guidelines, & Strategies** — Details the MTWG’s principles, guidelines, and strategies for market transformation initiatives (MTIs).
* **Section 3:** **Market Transformation Stage-Gate Proposal & Decision Criteria** — Outlines the MTWG’s vision for how MT should function within a state-gate framework characterized by three phases and seven stages.
* **Section 4: Stakeholder Roles & Responsibilities** — Defines the roles and responsibilities of key stakeholders vis à vis the state-gate framework including MT Administrator(s), MT Advisory Board, and Initiative Review Committee(s).
* **Section 5: Administration Options for the Market Transformation Portfolio** — Discusses the rationale for two proposed administration models for the MT Administrator: (1) the Existing Program Administrators (PAs); and (2) a Single, Independent Statewide Administrator.
* **Section 6: Budget** — Discusses how MTI budgets should be set and funded.
* **Section 7: Market Transformation Cost-Effectiveness (CE) Framework** — Offers the MTWG’s recommendations for evaluating MTI cost-effectiveness.
* **Section 8: Market Transformation Initiatives and Resource Acquisition Programs** — Delineates a process for reducing and reconciling any potential conflicts between new MTIs and existing resource acquisition programs.
* **Section 9: Next Steps** —TBD

The document’s appendices include:

* **Appendix A: Market Transformation Work Group Member Organizations & Representatives**
* **Appendix B: Ground Rules of the Market Transformation Work Group**
* **Appendix C: Stage-gate Criteria**
* **Appendix D: Draft Intake Application Form**
* **Appendix E: Staff Proposal’s Content Guidance for Market Transformation Accord**

# Section 2: Market Transformation Initiative Principles, Guidelines, & Strategies

***Sub-Groups’ Note to WG:*** *The yellow highlighted portions are new/modified. We also dropped the Characteristics section, as we concluded it didn’t fit well here and wasn’t needed.*

## Introduction

MTIs should conform to the high-level principles as defined in this document and align with existing State and Commission policy direction (i.e., policies that advance equity and workforce objectives as well as greenhouse gas (GHG) emission reduction targets). *“*High-level principles” describe program goals that every MTI should aim to achieve.  “Guidelines and Strategies” provide guidance on how to implement the intent of the high-level principles.

***Note to WG from Sub-Group:*** *The Sub-Work Group added “i.e.,” highlighted above so that every time we speak of policy direction below it is clear this is what we mean.*  
High-Level Principles

MTIs should:[[3]](#footnote-3)

1. Drive incremental savings that achieve the state’s energy efficiency (EE), equity, and GHG reduction goals.
2. Be cost-effective under the MT framework.

***Note to MTWG on #2 from Sub-Group:*** *In an effort to reduce redundancies, the Sub-Work Group proposes that this principle #2 supersede the original ‘ensure the costs to ratepayers are just and reasonable’ as being CE ensures that costs are just and reasonable. Plus, it also ensures the benefits outweigh the costs, resulting in positive net benefits to customers, something the previous principle did not.*

1. Complement and coordinate with Rolling Portfolio programs.
2. Support and not stifle innovation.
3. Use a stage-gate process for development and deployment.
4. Leverage existing processes and forums where appropriate.
5. Integrate strategies to maximize equity.
6. Be informed, measured, and evaluated by data and information.
7. Include metrics to assess progress toward MTI and State and Commission policy goals.
8. Be vetted in an inclusive, open, and transparent manner.
9. Ensure that the EE workforce is adequately trained, skilled, and available.
10. Sync with the evolving long-term structural changes to California’s energy production and consumption.

***Note to MTWG on # 12 from Sub-Group:*** *This was added to capture the discussion re: the need to ensure MTIs are aligning with an evolving energy system.*

***Note to MTWG from Sub-Work Group:*** *The Sub-Work Group did not think a new principle on “conflict of interest” was necessary since the MT proposal has a decision-making process that prohibits singular decision making, there is a principle on using data to advance MTIs, a principle on being vetted in a transparent manner, and any MTI must be approved by the Commission. In addition, this section is about the MTIs themselves whereas the proposed principle is more about administration.*

## Market Transformation Guidelines & Strategies

***Note to WG from Sub-Group:***

1. *This section was not previously discussed at length and is substantially different than the very first iteration at the launch of the MTWG which was originally drafted by Adam Scheer as a summary of potential areas of convergence based on filed comments.*
2. *We have noted after each guideline/strategy the principle(s) that it refers to. In an effort to keep this concise, the Sub-Work Group did not find it necessary to add guidelines that refer directly to principles 2, 5, 6, 9 as implementing guidance is captured elsewhere in the MT proposal (e.g. CE framework or stage-gate).*

Guidance on how to implement the intent of the high-level principles.

1. MTIs should not be limited to technologies and should consider additional approaches that strive to meet the State’s goals (e.g. behavior, equity, workforce, code compliance strategies, etc.). *This is related to principles 1 and 3.*
2. MTIs should support and complement additional State and Commission goals to achieve substantial GHG emissions reductions, such as through demand response, integrated demand-side management (IDSM), and strategies that ensure grid stability. *This is related to principles 1 and 3.*
3. MTI Plan/Accord development should not be overly expensive or prevent timely action and important learnings. *This is related to principle 4.*
4. MTIs should consider how to transform the EE marketplace to maximize savings, health, affordability, and job access for disadvantaged communities. *This is related to principle 7.*
5. MTIs should have timely feedback and evaluations to enable pivoting strategies if needed in support of continuous improvement. *This is related to principle 8.*
6. MTIs should be vetted in a transparent way and include stakeholder, community, and potential participant feedback processes as applicable. *This is related to principle 10.*
7. MTIs must make commitments that adequately cover the time expected to realize MT to effectively address market barriers and facilitate functional industry partnerships.
8. MTIs should consider how to transform the EE marketplace to ensure both the availability and utilization of a well-trained and suitability-skilled EE workforce. *This is related to principle 11.*
9. MTIs should be designed to address or at least complement the likely long-term structural changes to California’s energy industry including relying on carbon-free resources coupled with efficient electrification. *This is related to principle 12.*

# Section 3: Market Transformation Stage-Gate Proposal & Decision Criteria

***Facilitators Note to MTWG****: Yellow highlights indicate places with new language and/or substantial revisions based on MTWG feedback at last meetings and further refinements by Sub-Group.*

Green highlights represent a couple of things that the full MTWG needs to discuss.

## Introduction

Stage-gate processes have been in use with varying degrees of formality in every industry, including the research and product development teams within the investor-owned utilities (IOUs). We have developed a description of how stage-gates may be applied to MTI development and funding in order to understand how MT Administrator(s) MTA(s) would ensure that a MT idea is worthy of being implemented across the service territories of the four IOUs. These stage-gates describe critical decision-making points and expected activities at each stage including ideation, potential intervention testing and refinement, MT Plan/Accord [[4]](#footnote-4) development, and sunset or transition of both unsuccessful and successful MTIs.

Note, however, that the MTI development process in real life is non-linear; some stages may be repeated; some stages may run in parallel with each other; and/or some stages may be skipped. The stage-gate depiction is also intended to help MTA(s) and stakeholders anticipate what different data and sets of expertise might be needed at each stage.

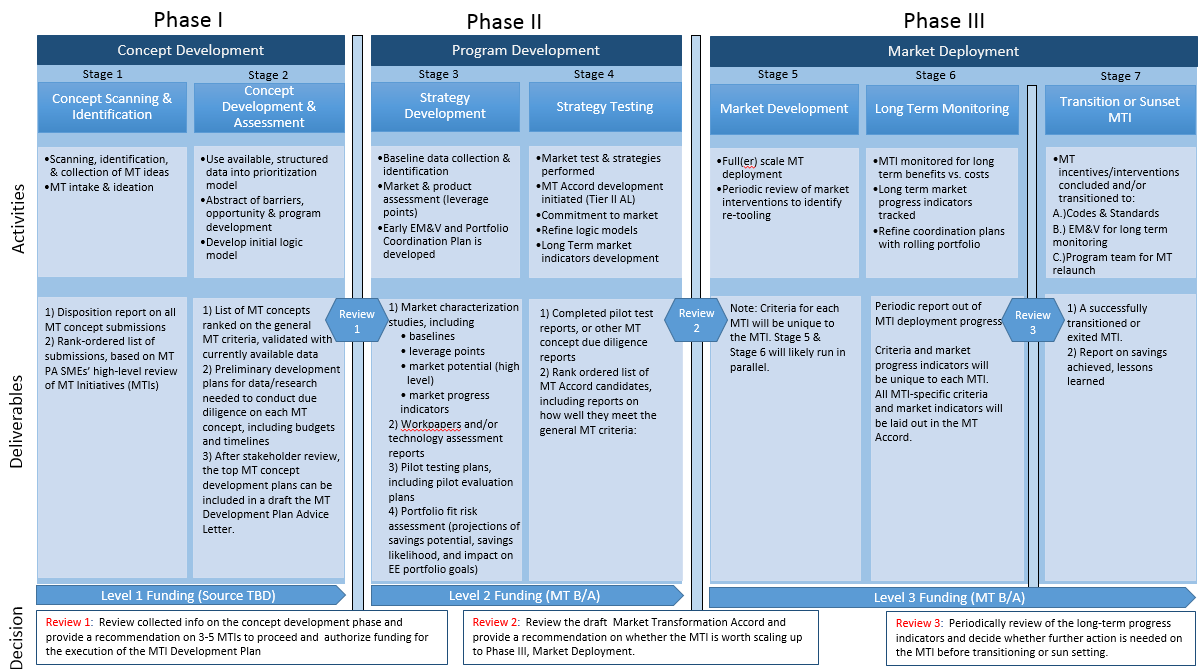
Through collaborative discussion with subject matter experts in MT and California policy, we have arrived at a depiction of a process with three overarching phases and seven stages.

The proposed stage-gate process is highlighted below along with a detailed description of each phase, the corresponding activities, deliverables, and key review points at each phase. The stage-gate criteria are discussed in Appendix C.

## Ideation & Intake

California ratepayers can benefit from active ideation and development of MTIs by the MTA(s) as well as benefit from the experience and successes of MT practitioners outside of California by soliciting third parties (3Ps) for turnkey MTIs. Third party proposals to a solicitation will be scored according to the same criteria as an MTI that is developed through the stage-gate process. Depending on the maturity and existing documentation, a winning turnkey MTI proposal may be ready for deployment at full scale across the state or may require additional development. Should the turnkey MTI require more development, the MTA(s) will determine what stage of development the turnkey MTI idea is at and proceed with development through the remaining stages as necessary. The rest of this discussion addresses MTIs that require development through the stage-gate process.

The Ideation process focuses on the intake and collection of concepts for possible MTIs prior to the start of the stage-gates. In this process, the MTA(s) would manage a portal where 3Ps, industry actors, or other stakeholders could submit ideas for MTIs via a standardized intake form.[[5]](#footnote-5) The intake form will include an initial set of self-screening questions and multiple levels of questions to determine the amount of pre-existing documentation that is available along with the level of maturity of each concept (see Appendix D). Any ideas originating from IOUs, including from the emerging technologies Portfolio and Codes and Standards (C&S) proposals, would also complete the intake form. For the initial round of ideation, the portal for completed intake forms would remain open for at least one-to-two months. Any ideas received after closure of the intake portal window would be reserved for an additional round of solicitations on an as-needed basis or on a scheduled timeframe to be determined by the MTA(s).

Figure 1: Stage-gate Process Schematic

## Phase I: Concept Development

### Stage 1 – Concept Scanning & Identification

At this scanning and identification stage, the MTA(s) actively scans submitted ideas on potential technologies, target markets, and services that might be developed into productive MTIs based on a clear, pre-defined set of criteria[[6]](#footnote-6) to identify market gaps and opportunities. Considering the need for transparency, fair treatment, and a clearly defined and reportable rationale for decision-making, these criteria will be monitored throughout the life of each MTI. Setting these criteria will also ground the objective of each MTI to ensure externalities do not make the original justification for the MTI obsolete.

Considering the need to manage financial risks throughout, the Concept Development Phase leverages and is driven by existing, readily available data, and low-cost research if needed. Further, the previously described intake form will also allow the MTA(s) to rank order and prioritize the review of submissions based on data availability and verifiable claims to be considered for scaling up to Stage 2. Stage 1 concludes with a rank ordered list of MT opportunities based on information provided in the intake form.

If the IOUs fill the role of MTA, there are some MTI categories that might be beneficial to market transformation objectives but which the IOUs have determined they are unwilling to implement or supervise. For example, the IOUs have stated that they are unwilling to support Title 24 compliance improvement solutions that are overly-helpful to municipal building departments. These types of MTIs would be rejected by an IOU acting as the MTA (hereinafter: a Categorical Rejection). The rejected MTI would not be subject to comparative scoring even if the MTI filled an identified market gap. These Categorical Rejections would not be reviewable by the MTAB, IE, IRC, or PRG.

For any ideas not selected to move forward, the MTA(s) would provide short feedback to the proposer, including rationale for the decision. Depending on the number and quality of ideas received, the MTA(s) could choose to retain certain ideas to pursue if higher-priority ideas do not prove promising upon further development in Stage 2.

We anticipate Stage 1 to be limited to one-to-two months after the closure of the intake portal, so that MTA(s) can proceed with concept development in a timely manner. (How often to initiate Phase I/Stage 1 concept identification should be decided by the MTA(s) and Market Transformation Advisory Board (MTAB (MTAB)[[7]](#footnote-7)).

Stage 1 Deliverables:

1. Disposition report on all MT concept submissions.
2. Rank-ordered list of submissions based on MTA(s) subject matter experts’ high-level review of the quality and/or completeness of the submitted MTI information.

Stage 2 – Concept Development & Assessment  
  
The MTA(s) at this Stage begins the initial due diligence of vetting the top five-to-ten ideas with the Initiative Review Committees (IRCs) as applicable,[[8]](#footnote-8) conducting a more extensive review of existing available data and assessing the potential for leverage points within the target markets for intervention strategies and opportunities.

The MTA(s), drawing upon internal and external resources and data, could employ a prioritization model,[[9]](#footnote-9) or any other well-articulated, transparent approach to rank order and prioritize ideas from pre-defined criteria to emphasize opportunities that meet agreed upon priorities and objectives. The use of a prioritization model and the relative weighting of the criterion will be determined by the MTA(s) in consultation with the MTAB but the rationale for such a structured approach is to provide equity and transparency into all ideas presented as well as the ability to clearly document and report on data-driven decisions.

To gauge potential leverage points and the feasibility of intervention strategies, the MTA(s) may undertake initial conversations with potential industry partners. This process will result in a greater understanding of key criteria and outlines of potential logic models and is likely to yield a further winnowed list of potential MTIs.

This Stage would take place over several months after Stage 1, however, MTIs in subsequent Phases would likely be on individualized timeframes, as the pace of any one MTI moving through the stage-gate process could vary based on the characteristics of each MTI.

This Stage concludes with a refined list of MTIs, initial identification of intervention strategies, and the initial development of logic models and intervention theories in advance of Review 1.

Stage 2 Deliverables**:**

1. List of MTIs ranked on the general MT criteria (see Appendix C), validated with currently available data.
2. Preliminary development plans for data/research needed to conduct due diligence on each MTI, including budgets and timelines.

### **Review 1**

The MTAB will review the MTA(s) recommendations and supporting data gathered in the Concept Development Phase and provide a recommendation on three-to-five MTIs to proceed into Phase II: Program Development. This recommendation to proceed will then authorize additional funding for program development beyond funding in Phase I. After meeting with the MTAB, the MTA(s) would file a Tier II Annual Budget Advice Letter (ABAL) with the Commission to seek budgetary approval for the MTIs recommended to progress to Stage 3.

## Phase II: Program Development

### Stage 3 – Strategy Development

Building on the existing knowledge gained in Phase I and with a financial commitment to the target market(s), the MTA(s) will collaborate with the Initiative Review Committee(s) (IRCs), where applicable, to conduct further market research and product assessments to identify critical gaps in knowledge. Stage 3 is also where a further refined logic model identifying market actors and potential leverage points will be developed resulting in a hypothesized strategic intervention. A Bass Diffusion Model[[10]](#footnote-10) may also be developed to assist with baselining and setting short- and long-term milestones over time. An early Evaluation, Measurement and Verification (EM&V) Plan is also developed in coordination with an independent EM&V subject matter expert (SME) that is not involved in program implementation to agree on metrics for savings estimates and baseline forecasts. The evaluator would also be responsible for monitoring market developments and providing annual market evaluation reports on market dynamics and characteristics over time, providing non-biased evaluation data for decision-making.

It is important to note that in this Strategy Development Stage, and in subsequent Stages, the MTA(s) will need the flexibility to rapidly adapt to new information and market dynamics as the MTIs prepare for strategy testing and market deployment.

This stage concludes with a defined market baseline against which market changes and savings will be measured and evaluated, and the initial development of a Rolling Portfolio coordination plan and MT strategy.

Stage 3 Deliverables**:**

1. Market characterization studies, including:
   * Baselines
   * Leverage points
   * Market potential (high-level)
   * Market progress indicators/metrics (likely based on the leverage points and overall market characteristics).
2. Workpapers and/or technology assessment reports.
3. Pilot testing plans, including pilot evaluation plans and success criteria.
4. Portfolio fit risk assessment (projections of savings potential, savings likelihood, and impact on EE Portfolio goals and existing EE programs).

### Stage 4 – Strategy Testing

At this Strategy Testing Stage, the MTA(s) will collaborate with the IRCs where applicable to conduct market tests to test the hypothesized strategic intervention(s) defined in the previous Stages. In some cases, market tests may determine that a MTI is no longer feasible or has deviated from the initial logic and criteria. These insights will allow for off-ramping an MTI before wasteful wide-scale deployments. For each MTI that is off-ramped, the MTA(s) would provide clear documentation on the rationale for the decision.

Further addressing the need for transparency and a clearly documented rationale and approach to intervening in a market, a MT Plan/Accord will then be developed for each promising MTI that remains in alignment with the initial criteria, applying insights from market test results in preparation for the initiatives being proposed to move to Phase III.

The MT Plan/Accord, which also solidifies a commitment to the market and relevant market actors, will describe specific anticipated market benefits including but not limited to: elimination of barriers to EE, potential to scale, desired time to reach specified levels of market adoption/saturation, and other variables that would influence the Bass Diffusion curve.

The MT Plan/Accord will also contain more detailed coordination and communication plans to ensure MTIs are working synergistically with the Rolling Portfolio programs, including Resource Acquisition (RA) and C&S. Should a RA program need to be “ramped down” to avoid interfering with an MTI, the MT Plan/Accord should contain an estimate of the reduced Rolling Portfolio savings goal and lowering of the Total Resource Cost test (TRC) that would result from removing the savings potential of the RA programs impacted by the MTI. Those savings would no longer be within PA control. Acceptance of the MT Plan/Accord would be considered Commission acceptance that the savings potential associated with the relevant RA programs will be removed from the PA Portfolio savings goals, and that any concomitant reduction in the TRC is also acceptable.

This Stage concludes with the filing of the MT Plan/Accord as a Tier II ABAL for a decision on whether to proceed into Phase III.

Stage 4 Deliverables**:**

1. Completed pilot test reports or other MT concept strategy testing reports.
2. Rank ordered list of MT Plan/Accord candidates, including reports on how well they meet the general MT criteria.
3. MT Plan/Accord, including all elements mentioned in the Staff Proposal.

### **Review 2**

The MTAB will review the MT Plan/Accord and provide a recommendation on whether the MTI is worth scaling up to Phase III: Market Deployment.

## Phase III: Market Deployment

### Stage 5 – Market Development

The Market Deployment Phase begins with the full(er)-scale implementation of the approved MT Plans/Accords. The MTA(s) will continue to collaborate and engage with the IRCs where applicable, market actors, Rolling Portfolio programs, and/or 3Ps to track, refine, and adapt strategies as the market changes. This Stage concludes with the refinement of long-term market indicators and a refined market transition strategy.

Stage 5 Deliverable:

1. Annual Meetings on MTI deployment activities. Criteria for each MTI will be unique to the MTI (see Stage 6: Long-Term Monitoring). Stage 5 and Stage 6 will likely run in parallel.

### Stage 6 – Long-Term Monitoring

This is the Stage where the MTA(s) will track the metrics and milestones established in the MT Plan/Accord. Some of the key metrics at this Stage include the long-term benefits versus costs and the long-term market progress indicators. This Stage concludes with refined Rolling Portfolio coordination plans.

Stage 6 Deliverable:

1. Annual Report of MTI deployment progress in Rolling Portfolio Annual Report.

### **Review 3**

Periodically review the long-term progress indicators and recommend whether further action is needed on the MTI before transitioning or sunsetting.

## Stage 7 – Transition or Sunset MTI

Once metrics indicate successful transformation of the market where publicly funded interventions are no longer necessary, MTA(s) will implement the market transition strategy. The MT transition will conclude the intervention through a transition to C&S, continuation of long-term monitoring through EM&V, or transition to Rolling Portfolio program teams for a relaunch.

Stage 7 Deliverables:

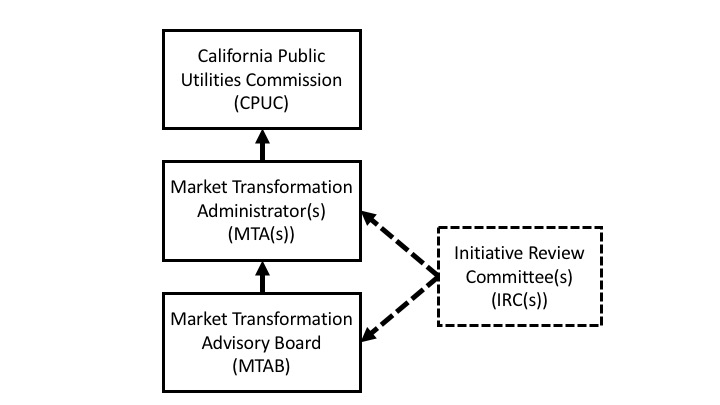
1. A successfully transitioned or exited MTI.
2. Report on savings.

# Section 4: Stakeholder Roles & Responsibilities

***Facilitators Note to MTWG:*** *Note that this entire section is new and was drafted by Merrian (representing the Sub-Work Group supporting a single, Statewide Independent Administrator) and Adam (representing the Sub-Work Group supporting the Existing PAs as MTA). They mainly drew from the prior texts of their Sub-Work Groups but also answered some of the questions posed by the full MTWG at the last MTWG meeting. They were in agreement on everything in this section except the two issues highlighted in green. However, given that there’s a lot of new text and some new ideas here, the entire section should be reviewed.*

This section describes the various groups engaged in MT and defines their roles and responsibilities. While there is agreement on these roles and responsibilities, there are two proposals for which entities should be the Market Transformation Administrator (MTA): (1) the Existing Program Administrators (Existing PAs); or (2) A single, Independent Statewide Administrator. These options are described in Section 5.

Figure 2: Schematic of Stakeholder Roles & Responsibilities



## Definitions

* **Market Transformation Administrator(s) or MTA(s):** The entity responsible for overseeing the stage-gate process including the ranking, selecting, and overseeing of the implementation of MTIs.[[11]](#footnote-11)
* **Market Transformation Advisory Board or MTAB**: A group of California EE stakeholders assembled to advise California’s MTA(s) and provide recommendations.
* **Initiative Review Committee(s) or IRC(s)**: A group of technical advisors assembled (if needed) for specific MTIs.
* **Two additional entities are only relevant to the Existing PAs MTA model described in Section 5 of this document:**
  + **Peer Review Group(s) or PRG(s)**: A group of volunteer, non-financially interested stakeholders, potentially assembled from the MTAB, tasked with providing advice for MT solicitations, and work in conjunction with the IE to ensure openness and transparency of the solicitation process.
  + **Independent Evaluator or IE**: An independent expert with relevant EE and competitive solicitation experience embedded in the MT process to ensure compliance and fairness in the selection of MT implementers and evaluators. The IE would also provide regular reports to the MTA(s) and MTAB as well as the PRG(s).

## Role of the Market Transformation Administrator (MTA)

### Concept Development Phase (Phase I)

In this initial Phase, there would both be an open call for ideas to all stakeholders, and the MTA Staff would be actively scanning for MT opportunities. All of the identified concepts would require a standardized set of information, and the MTA Staff would assess the concepts based on agreed upon criteria. The concepts would be summarized and scored by the MTA and presented to the MTAB with recommendations by the MTA Staff.

### Program Development Phase (Phase II)

The purpose of this Phase is to develop the MTI concepts into full Market Development Plans/Accords (or to scrap them if they are deemed unworkable as more information is gathered). The MTA would be the lead for program development: They would oversee any product and market testing needed, identification of the market adoption baseline, creation of the logic model, and establishment of progress metrics. The MTA would also work with PAs, other stakeholders, and market actors to ensure the MTI is coordinated with other existing programs. The end result would be a Market Development Plan/Accord for each MTI or scrapping MTIs that seem less promising. Scrapping MTIs would be largely at the discretion of the MTA, as it would need to manage the number of MTIs and total budgets, but the MTA would need to provide an explanation and any lessons learned to the MTAB. For continuing MTIs, the Market Development Plan/Accord would include a detailed description of the implementation work required (in addition to coordinated work that may be ongoing through an RA program, for example), and identify what part of this work would be bid out through an RFP if the MTI is approved.

### Market Development Phase (Phase III)

This Phase is where the MTIs are implemented, adjusted as needed, and evaluated in real-time. The MTA would bid out much of the MTI implementation work. The best entities for each MTI will likely vary significantly depending on the focus of the MTI. The MTA could also choose to form an IRC, if helpful for the success of the MTI. The MTA will actively administer each MTI and will provide the real-time evaluation and feedback function (as the Northwest Energy Efficiency Alliance does for its programs) to the implementers. The MTA and implementers will work in partnership to assess and adjust the MTI as needed to achieve success; and there will be clear milestones for ending the MTI if required.

## Role of the Market Transformation Advisory Board (MTAB)

### Concept Development & Assessment Stage (Stage 2 of Phase I)

During Stage 2, the MTA will present the most promising potential MTIs to the MTAB. The MTAB could also request a summary of MTI ideas brought to the MTA but rejected, along with rationale for rejection. By a two-thirds vote, the MTAB would provide recommendations to pursue or reject each potential MTI brought forward by the MTA. Because the MTAB is not an authoritative body, its recommendations are not binding, but are intended to be taken into consideration by the MTA and the CPUC. If an MTI does not receive at least a two-thirds vote to proceed or to reject, the MTAB would not issue a recommendation. Regardless of the outcome of the vote, factions of the MTAB both for and against could author opinions for the CPUC to consider. These opinions would be included in the MTA ABAL filing needed to progress to Stage 3 (Strategy Development).

A similar review and recommendation process would occur for each MTI that the MTA wishes to progress to Stage 5 (Market Development) or terminate before Stage 5.

For long-term MTIs (those reaching Stage 6: Long-term Monitoring), the MTA should provide the MTAB an update at minimum once every year or two.[[12]](#footnote-12) However, for longer term MTIs, the MTA would not necessarily be seeking a recommendation for continuation or termination. Rather, milestones and contingencies established in the Plan/Accord would preferably dictate continuation or termination of the MTI. In the event that the MTA wishes to continue an MTI that does not adhere to the Plan/Accord, consultation with the MTAB would be needed and the recommendation of the MTAB would still be sought. At no stage would the MTAB have authority to discontinue or force the continuation of an MTI. Rather the MTAB would provide recommendations for the MTA’s and CPUC’s consideration.

### Composition of the MTAB

The MTAB should consist of individuals from organizations with a long-term background in California or national EE; broad-based interest in outcomes of California or national EE proceedings; and solid understanding of MT principles.[[13]](#footnote-13) Organizational members of the MTAB should remain constant unless the organization is discontinued or encounters a long-term conflict of interest. The MTAB would not change depending on the MTI but would oversee all California MTIs. It may be difficult to entirely eliminate the possibility of conflicts of interest from MTAB members, but in individual cases where a clear conflict arises, a Member may step aside or be asked by the CPUC or other Members of the MTAB to recuse itself. For instance, if an MTAB Member is a partner in an MTI, that party should be recused from any voting associated with that MTI. With these guidelines for MTAB Members, the MTAB should consist of nine voting Members and up to two CPUC Ex-officio (non-voting) Members. Members of the MTAB would be expected to devote the necessary time to review materials, provide insightful advice, and cast informed votes. Given this expectation, Members of the MTAB would be eligible for intervener compensation.

## Role of an Independent Review Committee (IRC)

IRCs can be used to advise baseline development, vet intervention strategies, or provide technical advice on specific products or markets. Formation of an IRC is optional and can be done by the MTA at any point of an MTI’s life-cycle where independent technical assessments and recommendations are needed. If an IRC is formed, its insights and recommendations should be provided to the MTAB before an update or a vote for consideration. Members of an IRC would likely provide the most value if they devote the time needed to research the technical questions at hand and understand the MTI. Given the potential for in-depth work, members of the IRC would be eligible for intervener compensation. Regardless of the status of an IRC, the MTA would still be able to seek informal advice from industry or technical experts.   
  
Composition of an IRC

IRCs may consist of industry experts, academics from national laboratories or universities, individuals from governmental organizations such as the United States Department of Energy or Environmental Protection Agency, or others with needed subject matter expertise. Because MTIs may vary dramatically from one to another, the composition of an IRC would be expected to differ per MTI. Members of the IRC should not stand to benefit from the potential MTI and should be free from other conflicts of interest to the extent possible.

# Section 5: Administration Options for the Market Transformation Portfolio

***Facilitators Note to MTWG:*** *The language in this section was taken from prior write-ups of both options and refined by those sub-groups. Please review and decide which option you will endorse.*

As noted in the previous section, the MTWG is divided on whether the MTA should be comprised of: (1) the Existing Program Administrators (Existing PAs); or (2) a single, Independent Statewide Administrator. Those who support each option, discuss the rationale and ramifications of each alternative below.

## Option 1: Administration by the Existing Program Administrators

The following MTWG Members support this option: PG&E, SCE, SDG&E, etc.

### Rationale for Administration by the Existing PAs

D.16-08-019 clearly describes the role the Commission envisions for Existing PAs to engage in EE program activities. Citing movement toward all-source solicitations and the need to manage potential overlap between programs and proceedings, the Commission noted the, “Increasing importance of the utility administrators as portfolio designers.”[[14]](#footnote-14) The Decision went on to state that, “At this time, there is no other logical existing entity besides the utility that is able to handle this portfolio design role on behalf of their entire geographic service area.”[[15]](#footnote-15) Adding to this vision, the Decision continues, “[W]e wish to continue to push the utilities to focus more on their role as determiners of ‘need’ and portfolio design, and less on their role as program designers and implementers.”[[16]](#footnote-16)

Since this Decision, the Existing PAs have filed EE Business Plans, embarked upon significant restructurings of their EE organizations, established the pay-for-performance platform, launched 3P solicitations, and filed refined forecasts for EE savings and budget requests for each year through 2025. The Existing PAs have taken these steps to best orchestrate the EE Portfolio in line with the Commission’s direction. In the role of Portfolio administrator, the IOUs must balance numerous goals and directives, including energy savings targets, cost-effectiveness mandates, statewide program requirements, 3P outsourcing obligations, various non-resource policy objectives, management and reporting of more than 300 metrics,[[17]](#footnote-17) and the anticipated transition of EE to the Integrated Resource Planning (IRP) process, among others.

A portfolio of MTIs stands to impact each of these important responsibilities and must be managed accordingly. As administrators of the Rolling Portfolio and owners of the business plans, the Existing PAs are naturally positioned to cultivate MTIs that complement the broader EE Portfolio and work synergistically with RA and non-RA programs. A successful MT framework would enhance the prospects for a California EE Portfolio capable of delivering on long-term SB 350 goals, in large part by providing tools to effectively bridge emerging technologies, RA, and C&S, all program areas already administered by Existing PAs. Existing PAs also administer EM&V studies, Workforce Education and Training (WE&T), and Normalized Metered Energy Consumption (NMEC) platforms,[[18]](#footnote-18) have savings and cost-effective reporting structures in place, benefit from immediate access to Advanced Metering Infrastructure (AMI) data for every customer, [[19]](#footnote-19) retain extensive engineering and marketing resources, and undertake rate design and associated customer communications, all of which can be potentially utilized for holistic MTIs.

Creating a MTA outside the roles defined in D.16-08-019 would splinter accountability for important goals and metrics and would ultimately inhibit the ability of current EE program PAs to fulfill their responsibilities. An entirely separate entity would introduce a number of logistical issues and risks across the Portfolio for the existing PAs and 3P implementers. It is not practical to believe that a separate MTA could effectively coordinate with the complex and rapidly transitioning Rolling Portfolio and the hundreds of programs therein.

Going forward, a vital role of Existing PAs must fill across distributed energy resource portfolios will be to define temporal and locational grid needs and identify long-term opportunities for aggressive decarbonization based on forecasted demand and associated generation requirements. Recently the CPUC recognized the need for PAs to optimize the EE Portfolio to more deliberately support the goals of the IRP process.[[20]](#footnote-20) Increasingly, integrated programs that can deliver savings at the right times along with dynamic load management will be required to cost-effectively meet these objectives. Given these realities, which stem from California’s rapid clean energy advancements, we strongly believe the MT framework must extend beyond undiscerning load reduction. With Existing PAs identifying the need and 3Ps proposing the solutions, the MT framework can be used to drive long-term GHG reductions with purposeful, integrated initiatives. A separate MTA would not be naturally connected to integrated planning processes.

We also recognize the importance of established industry relationships to secure the types of long-term commitments needed to drive MT. These commitments include the sharing of sensitive business data, altered product planning, and ultimately changing supply chain dynamics. The IOUs can bring these relationships to bear to drive MTIs but stand to be far less effective in doing so if not administering the initiatives. Non-IOU PAs can bring local or regional perspectives to hard-to-reach markets and pilot programs that have potential to scale.[[21]](#footnote-21) The existing Joint Cooperation Memos provide a foundation into which coordinated MTI roles can be readily incorporated. The Existing PAs also have established relationships with the 3Ps likely to propose, design, and implement MTIs. These companies have been willing and able to offer insights and opportunities for EE initiatives because the IOUs have respected 3P intellectual property and 3Ps have treated IOU data with care. These mutually beneficial feedback loops would be even more important when establishing MT Plans/Accords.

By bringing to bear organized resources across EE Portfolios, building effective industry and national partnerships, and executing programs and evaluations with 3P support, the Existing PAs have shown the capacity to transform important markets. California’s lighting programs have played a major role in transforming lighting from incandescent technology to energy efficient fluorescent products, and more recently to high-quality LEDs that meet future iterations of Title 20.[[22]](#footnote-22) California’s new construction programs help ensure the construction builder workforce is prepared for successful adoption of advancing building codes, which enables C&S advocacy efforts that support successful Title 24 advancements leading to Zero Net Energy.[[23]](#footnote-23) Through a partnership with ENERGY STAR®, the Retail Products Platform[[24]](#footnote-24) has expanded to 12 states, 14 PAs, and six major retailers and buying groups. This national effort (the ENERGY STAR Retail Products Platform or ESRPP) was initiated by PG&E and NEEA. In the absence of a MT framework, many of these programs have achieved MT milestones despite lacking a mechanism to recognize benefits and therefore often at low TRC. With a California MT framework, existing PAs would have the tools they need to more purposefully pursue dedicated and holistic MTIs and the resource portfolio could be better focused on achieving immediate cost-effective savings and transitioning to the IRP.

We believe a California MT portfolio administered by the Existing PAs would benefit from robust stakeholder engagement, transparent decision-making, and external expert advice where needed. We have taken care to balance the need for open, transparent processes, with the need for timely decision-making and respect for 3P intellectual property.

### Unique Administration Features Related to Administration by the Existing PAs

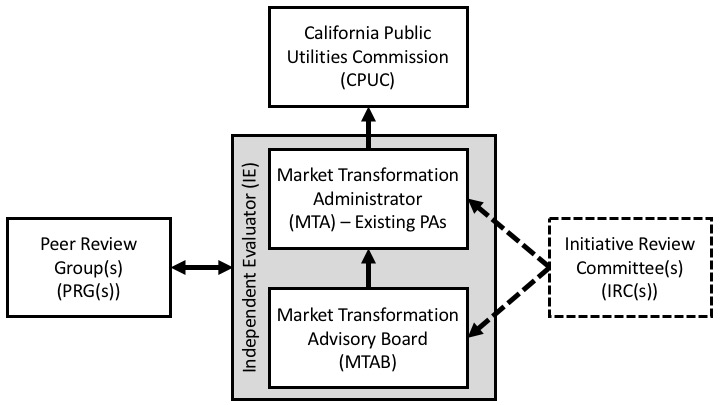
Below we discuss some of the unique features related to having the existing PAs be the MTA including the addition of an IE and the use of PRGs (as shown in the diagram below).

The Concept Development Phase (Phase 1) focuses on the collection of concepts for possible MTIs. In the MTA Existing PA model, the IOUs would manage a portal where 3Ps, industry actors, or other stakeholders could submit ideas for MTIs via a standardized intake form. During this phase the MTA (Existing PAs) is also expected to scan the market for potential opportunities. Any ideas originating within the Existing PAs, including from the emerging technologies portfolio, would also complete the intake form.

As discussed previously, there are some types of MTIs that might be beneficial to ratepayers but that the IOUs cannot undertake due to internal policies at the IOUs. Any MTIs or other market opportunities that are covered by one of these IOU internal policies would receive a Categorical Rejection, not subject to review by the MTAB, IRC, IE, or PRG.

During Stage 1 (Concept Scanning & Identification) in the MTA (Existing PAs) model, an IE would be utilized to assist the MTA (Existing PAs) in undertaking an initial assessment of key criteria for each idea brought forward via the intake form. For any ideas not selected to move forward, the MTA (Existing PAs) would provide short feedback to the proposer, including rationale for the decision. Depending on the number and quality of ideas received, the MTA (Existing PAs) could choose to retain certain ideas to pursue if higher-priority ideas do not prove promising upon further development in Stage 2 (Concept Development & Assessment).

Figure 3: Schematic of Stakeholder Roles & Responsibilities Under Existing PA Administration



If needed throughout the MTI, the MTA (Existing PAs) could use short-term technical assistance contracts for 3P support,[[25]](#footnote-25) again under the consultation of the IE. During Stage 2, the MTA (Existing PAs) may undertake initial conversations with potential industry partners. This process will result in greater understanding of key considerations and outlines of potential logic models and is likely to yield a further winnowed list of potential MTIs before consultation with the MTAB.

In the MTA (Existing PAs) model, a key aspect of Stage 2 will be providing transparency into all ideas presented to the PAs while also respecting intellectual property of 3P and industry proposers. The MTA (Existing PAs) should make available to the MTAB synopses of all ideas submitted through the IOU-hosted intake portal, including those initially rejected, along with the criteria(on) by which the ideas were eliminated from consideration. If the MTAB disputes the basis for rejection of an idea (keeping in mind the process was undertaken with the assistance of an IE), the MTA (Existing PAs) would either provide additional detail to the MTAB or would include the idea for further development and consideration.

In the MTA (Existing PA) model, market trials conducted in Stage 3 (Strategy Development) and Stage 4 (Strategy Testing), would be done in one or more of the Existing PAs’ service territories. However, the solicitation process for 3P implementation beginning in Stage 5 (Market Development) would utilize much of the existing Rolling Portfolio statewide and 3P solicitation framework including the PRG and IEs.[[26]](#footnote-26) In lieu of issuing a Request for Abstract (RFA) that would lead to a RFP, the MTA (Existing PAs) would issue RFPs only as much of the ideation work should be completed at this point. As with Rolling Portfolio statewide programs, one lead PA will be assigned for each MTI. As described above, the PRGs would provide input and recommendations throughout the bid review and scoring process. The IEs would assist the MTA (Existing PAs) in compliance and help to ensure fairness.

A key role of the MTA (Existing PAs) throughout the MTI development and long-term monitoring will be to ensure synergistic implementation of existing and new 3P RA and non-RA programs, C&S programs, and MTIs.

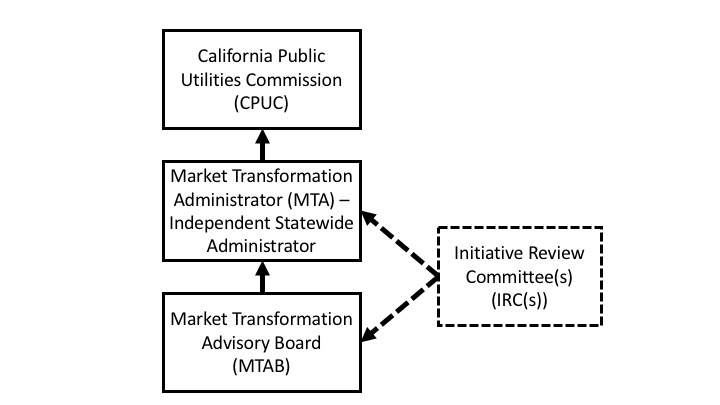
## Option 2: Administration by a Single, Independent Statewide Administrator

The following MTWG Members support this option: TURN, Public Advocates Office, NRDC, etc.

### Rationale for Administration by a Single, Independent Statewide Administrator

In order to successfully carry out the Commission’s MT agenda, the functions of program selection, design, and management should be carried out by a single, Independent Statewide Administrator, which we will refer to as the MTA (Independent Statewide). The MTA (Independent Statewide)’s purpose is to centralize the core functions associated with running a MT program within a single organization. These functions may include program design, evaluation preparedness and ongoing real-time evaluation, and the day-to-day management and coordination of MTIs; management of the overall MT portfolio; and the monitoring of relevant markets in order to identify future opportunities and gain the strategic information needed to flexibly adapt the MT portfolio and ensure that MTIs are relevant. The MTA (Independent Statewide) will also be responsible for bidding out implementation work as needed.

Figure 4: Schematic of Stakeholder Roles & Responsibilities Under a Single, Independent Statewide Administrator



The MTA (Independent Statewide) would provide California with three overarching and interrelated benefits over the Existing PAs:

1. Stability and focused expertise that flow from mission alignment.
2. Efficiencies associated with a “natural” statewide purview. And,
3. Agility associated with being a non-utility.

First, choosing an independent (meaning non-IOU) administrator allows for the selection of an entity with a mission fully aligned with promoting EE and conservation, including MT. Indeed, mission alignment is considered a best practice in MT administration.[[27]](#footnote-27) As Prahl and Keating (2014) point out:

“Any list of entities that have been most successful in carrying out market transformation initiatives is likely to include the Northwest Energy Efficiency Alliance (NEEA); the Northeast Energy Efficiency Partnership (NEEP); the New York State Energy Research and Development Authority (NYSERDA); and Efficiency Vermont (EVT). What all four of these entities have in common is that they are not utilities, and they are explicitly tasked with market transformation as a key organizational objective.”[[28]](#footnote-28)

MT requires sustained effort, patience, flexibility, and long-term dedication. A mission-aligned Independent Statewide Administrator will provide the necessary stability in planning, development, and implementation of MTIs, as well as requisite expertise.

In contrast, an electrical or natural gas utility corporation (an IOU), even an IOU with a long history of promoting EE programs, is inherently an organization with a mission broader than promoting EE and conservation. Depending on the broader priorities of the organization, an IOU will adjust how it carries out its EE functions, both in the long-term and near-term. In California, we have seen significant changes in the size and organization of utility EE staff over the past five years, some driven by state policy changes and some not. Further, utilities can and do temporarily re-deploy resources when emergencies occur in other parts of the organization (such as the Aliso Canyon Storage Facility natural gas leak in 2015-2016 and the Southern and Northern California wildfires in 2017 and 2018).

An Independent Statewide Administrator will ensure the most efficient use of expertise regarding the management and administration of MT. It will also insulate these programs from changes in management priorities and other organizational pressures that might otherwise undermine their effectiveness if the various IOUs are left to manage them.

Second, an Independent Statewide Administrator will have a natural statewide purview, whereas a utility has a natural service territory focus. This statewide orientation will contribute improved efficiencies in the delivery of ratepayer-funded EE activities in California by taking a statewide approach to defined markets targeted for transformation. Achieving sufficient market impact will occur more quickly, with less noise and fewer confounding factors, when there is uniformity, ease of access, fewer variables, and less complexity. “Market actors, and collaborators in other states, must see a unified front,” for California to have effective MTIs.[[29]](#footnote-29) Related, the Independent Statewide Administrator will have an inherently “neutral” vantage point, one that avoids any perceived or actual bias towards IOU- or non-IOU proposals, or proposals impacting measures more prevalent in or relevant to one utility service territory than the others. Finally, centralizing MT in a single organization will facilitate statewide coordination among EE activities of all types. In addition to overseeing MT activities across the state, the MTA (Independent Statewide) will serve as a central point of coordination with all of the Rolling Portfolio PAs to ensure that the MTIs and Rolling Portfolio activities are integrated as appropriate and are otherwise complementary. In contrast, under a framework with multiple Existing PA MTAs, each would need to coordinate and integrate its MT activities not only with its own Rolling Portfolio, but also with the Rolling Portfolios of each of the other PAs.

Last but not least, MT requires tools and approaches that are institutionally difficult for IOUs to pursue. An Independent Statewide Administrator will enjoy an organizational nimbleness that an IOU lacks. For instance, an IOU may be hesitant to take on permitting issues (such as improving compliance through support for code enforcement as part of a MTI targeting non-compliance in a particular building retrofit market) or may not be optimally positioned to partner with local governments (such as water districts). An Independent Statewide Administrator will not have the same limitations. Likewise, an IOU may not be well-suited to partner with a publicly-owned utility (POU) (which could be a potential competitor, among other complicated factors). An Independent Statewide Administrator will be more able to convene a larger and broader group of partners and enter a larger array of markets because it is not an IOU.

All of these reasons, taken together, support the selection of an Independent Statewide Administrator for California’s MTIs.

### Selection of the Single, Independent Statewide Administrator

To create the appropriate regulatory framework and identify and hire an appropriate MTA (Independent Statewide), the Commission should select an IOU to act as the statewide lead on MT. The Commission should then order the lead IOU to conduct an appropriate solicitation and hire the MTA (Independent Statewide). The IOU that acts as statewide lead will be the contracting agent, responsible for managing the procurement process. However, the selection of the MTA (Independent Statewide) would require approval by the CPUC Energy Division, and the selection should be based on additional input from other stakeholders in the process. The solicitation for the MTA (Independent Statewide) should also follow the normal procedures of Independent Evaluator (IE) and procurement review group (PRG) review established by D.18-01-004, which are currently practiced for all 3P qualified EE programs, to ensure fair and well-managed procurements. However, once the MTA is in place, the MTA’s own activities would not be subject to the IE/PRG procurement oversight process, which is employed by the Commission to mitigate risks uniquely arising in the context of IOU procurement.

The entity selected as the MTA (Independent Statewide) should be offered a four-year contract to conduct initial MT work. At the end of the third year, the MTAB will review the performance of the MTA and recommend to the Commission whether the lead-IOU should renew the current MTA (Independent Statewide)’s contract or conduct a solicitation to identify a new administrator.

### Unique Administration Features Related to Administration by a Single, Independent Statewide Administrator

Annual funding of the MTA (Independent Statewide) will also be contingent on Commission approval of a Tier II ABAL submitted by the MTA (Independent Statewide Administrator). The ABAL submitted by the MTA (Independent Statewide) will contain a report and recommendation to the Commission by the MTAB. As with other statewide programs, the budget for the MTA (Independent Statewide) would be shared among the four IOUs proportionally according to their load shares. For individual MTIs, the MTA (Independent Statewide) would be required to submit an ABAL (as outlined in the consensus stage-gate proposal) to seek Commission authorization to expand the MTI to Stage 3 (Strategy Development).

While much of the day-to-day work and even longer-term strategic planning related to MTIs will be done by the MTA (Independent Statewide), the MTA (Independent Statewide)’s work will be overseen by a stakeholder MTAB, as assisted by MTI-specific IRCs when needed. (These entities are described in Section 4 above.) With an Independent Statewide Administrator, the Rolling Portfolio PAs would be encouraged to be MTAB members, as their input on resource planning, coordination and integration with the Rolling Portfolios, as well as market opportunities for MT, would be invaluable. Likewise, the Rolling Portfolio PAs could participate on the IRCs.

A key advantage of this structure is that it facilitates independent administration of MTIs, with strategic direction and oversight from stakeholders with MT expertise through the MTAB and IRCs, while the Commission retains ultimate decision-making authority over the use of ratepayer funds.

Section 6: Budget  
  
***Facilitators Note to MTWG****: This section was developed by Erin and is entirely new material, so please review all. Erin notes that we will need to discuss the sentence highlighted in green.*

## Amounts & Caps

The budget associated with MTIs should not be predetermined, but instead based on the initiative scope and need. The Commission should follow a model similar to the California Energy Commission’s (CEC) Food Production Investment Program, by setting a not-to-exceed budget for a defined number of years and authorize MTIs from this pool of available funds. The Commission should determine whether the budget should be incremental to the currently authorized budget levels within the EE Rolling Portfolios, or whether initiatives would be funded from unallocated budgets within the levels authorized in D.18-05-041. Budgets should be authorized for each phase of the MT process, and each stage-gate should serve as a checkpoint for further funding authorization via a Tier II ABAL. While MTIs are administered outside of the EE Rolling Portfolios, they would not be subject to the caps and targets for each cost category, however, the caps and targets serve as guides for implementation. For example, an MTI in early phases may not need a marketing budget but may need more budget for administration or implementation. These needs should be identified in the MTI proposal at each stage-gate.   
  
Integration with the Rolling Portfolio

When an MTI is mature enough to be incorporated into the EE Rolling Portfolio(s), budgets can be included in the EE ABALs. At this stage, the MTI would be subject to EE Rolling Portfolio requirements, including caps/targets, and Portfolio cost-effectiveness thresholds.

## Funding Split

MTIs should be funded in the same way as statewide EE programs, and should consider the electric/gas split associated with each initiative. The proposal for a shared funding mechanism for statewide programs was presented in SDG&E ABAL 3268-E-A/2701-G-A and is pending before the Commission.[[30]](#footnote-30) This funding model would work regardless of the administrator structure, but if an Independent Statewide Administrator is selected, there likely would need to be a contract between a lead IOU and the Independent Statewide Administrator, following the model of Statewide Marketing Education & Outreach.

# Section 7: Market Transformation Cost-Effectiveness (CE) Framework

***Facilitators Note to MTWG:*** *The sections in yellow are new. Note that there are two options for CE threshold.*

## Scope of Recommended Modifications

The MTWG recommends using the current dual test of the Total Resource Cost Test (TRC) and Program Administrator Cost (PAC) Test with a focus on modifying the following three categories:

1. Counting C&S savings;[[31]](#footnote-31)
2. Timeframe of costs and benefits; and
3. The net-to-gross methodology.

The following recommendation is consistent with NEEA’s approach to CE, as well as the December 2014 Ralph Prahl and Ken Keating white paper developed for the CPUC entitled, “Building a Policy Framework to Support Energy Efficiency Market Transformation in California.”[[32]](#footnote-32)

This narrowly focused approach is intended to prioritize those inputs that are most important to align with a longer-term MT effort, rather than open discussion of CE in general. By limiting the scope of modifications, we strive to avoid triggering the need for a new proceeding or modified scope, which could delay the implementation of this effort. In addition, any updates to the CE methodology resulting from ongoing or new CPUC proceedings, including changes in energy system values over the timeframe of the MTIs, would trigger an update to this proposal.

## Recommendations: Counting Codes & Standards (C&S) Savings & Costs

### Inclusion of C&S into the CE Methodology

The initial CPUC Staff Proposal did not explicitly consider the potential for savings from C&S advancements that result from MTIs nor implications for CE. However, several parties noted the importance of capturing the value of C&S in a MT CE framework. The MTWG therefore recommends:

*Any MTI CE calculation should include projected C&S costs and savings, when applicable.*

Such an approach would be applicable if an objective of the MTI were to yield C&S. We do not propose updating the TRC/PAC inputs more generally at this time (e.g. to consider additional benefits such as equity, non-energy benefits such as comfort and health, or environmental adders beyond what is included) as such a discussion would likely require a modification in the scope of R.13-11-005.

However, we reiterate our recommendation that this CE framework be updated to incorporate applicable changes to EE CE policy or input assumptions adopted by the Commission in the future, including updates to the value of energy, other grid services, and additional benefits that EE would provide over the time horizon of the MTI.

### Estimating the MTI C&S Savings & Costs

Additionally, the CPUC Energy Division also raised the challenge that the current CE methodology does not provide for a contiguous calculation of savings that would be achieved throughout a single long-term MTI that envisions ultimate adoption of a product into a C&S. Instead, the current methodologies are applied independently depending on whether the program is categorized as a RA program or a program that is designed to lead to a C&S (i.e. the CE Test (CET) is applied to RA programs and the Integrated Standards and Savings Model (ISSM) is applied to C&S programs).[[33]](#footnote-33)

To address this concern initially, the MTWG proposes a two-step process, which should be subject to revision in the future as experience dictates, allowing for an iterative approach to estimating costs and savings as new information becomes available.

First, we offer two approaches for Commission consideration to estimate preliminary CE of an early-stage MTI that is intended to lead to the adoption of C&S:

1. The MTA would separately calculate the CE of pre-C&S activities plus C&S, using the Commission-approved methodologies for each. These CE values would then be combined to derive a complete CE estimate of the MTI, reflecting all anticipated costs and savings. This combination could occur in different ways, such as by calculating a weighted average of each TRC and PAC value, based on the number of years of MTI activity reflected in the pre-C&S and C&S phases, or calculating the arithmetic mean. The MTWG is not offering a prescriptive approach at this time.
2. Alternatively, the MTA might calculate the CE of the MTI without C&S (e.g. where methodological challenges might prohibit reasonable estimates) and determine the savings necessary from the C&S period in order to meet the CE threshold. The MTA could explain why it would be reasonable to expect C&S to yield that “necessary” level of savings to satisfy the CE threshold. This approach might be useful to overcome challenges of calculating C&S savings early in the MTI planning process and otherwise avoid the awkwardness of stringing together CE values based on two different methodologies.

Second, the MTA’s CE approach would be subject to further adjustment upon review by the MTAB. If the MTAB determined that a more sophisticated approach was necessary depending on the proposed MTI, that methodology would be developed during the Plan/Accord process.[[34]](#footnote-34)

This two-step process would allow for MTIs to be initially screened for CE by currently approved CPUC methodologies while also providing the opportunity for additional scrutiny as needed.

### 

## Recommendation**:** Timeframe of Costs & Benefits (Separate from C&S)

Since MTI timeframes are much longer than traditional RA programs, the MTWG recommends that:

*Any MTI CE calculation should be measured on the same time horizon as the projected term of the initiative for both the benefits and costs associated with the initiative, plus C&S costs and benefits as recommended above. Such an approach would need to account for (i) costs of the initiative in the near-term versus the long-term to account for expected decline in costs over time and (ii) benefits over time, accounting for growing measure adoption (and thus benefits) in later years as compared to initiative launch.*

This longer time horizon proposal does not encompass changes to the existing methodology used by the CPUC to measure C&S savings but rather focuses on the attribution of those savings to MTIs over time. However, any updates to assumptions that modify inputs (e.g. energy costs) should be integrated into the CE calculation as applicable.

## Recommendation: Net-to-gross Methodology

Assessing what would have happened without an EE intervention is challenging. The Prahl and Keating white paper indicates the need to assess net-to-gross differently, embedding “naturally occurring” into the assessment. Savings above the agreed-upon projected baseline would be attributed to the MTI and therefore would be the “net” savings. This approach would be in lieu of a net-to-gross ratio.

The CPUC Staff Proposal approaches the situation in a similar manner: “A key component of the envisioned MT Accord is a collaboratively vetted forecast baseline that represents a general agreement among stakeholders about long‐term market trends and opportunities for energy efficiency. The initial forecast baseline adopted in the MT Accord should represent the best possible forecast of how the market would develop with and without the Market Transformation Initiative.”

The MTWG therefore recommends that:

*Any MTI CE calculation should assess “what would have happened anyway” through a baseline approach that relies on available market data when possible or other accepted methodologies when such data is unavailable. The baseline should also incorporate anticipated savings from potentially overlapping RA whenever applicable. Achievement beyond the agreed-upon projected baseline would be attributed to the initiative.*

## Recommended Options: CE Threshold

The MTWG also considered whether the MT Framework should include a CE threshold specific to MT or whether the general EE CE threshold should be applied. This issue came to our attention because CPUC Energy Division Staff proposed that a CE threshold of 1.5 be applied to each MTI to account for the inherent risk associated with MT. This threshold is higher than the threshold of 1.25 that the Commission has historically applied, with some exceptions, to the EE Portfolios administered by the current PAs.

The MTWG explored whether additional research was necessary to evaluate the reasonableness of Staff’s proposed threshold. Specifically, the MTWG explored whether the PAs, or others familiar with the CET, could run a variety of scenarios on potential or existing MTIs, using our methodological recommendations, if possible, to inform our recommendation for a CE threshold. The MTWG hoped to use this information to determine whether at least some desirable and well-conceived MTIs could meet this threshold, or whether it would bar most MTIs from their inception.

However, when the MTWG explored who might do this work and how, it became apparent that the analysis contemplated was infeasible under current time and resource constraints. In addition, the PAs were uncertain whether the current CE calculator had the technical capabilities to carry out a MT scenario run. Without the ability to test the practical impact of a 1.5 threshold, the MTWG was unable to reach a consensus on whether or not Staff’s Proposal should be adopted.

### Option 1: 1.25 Total Resource Cost Test/Program Administrator Cost Test

The following MTWG Members support this option: [NRDC, TURN, etc. TO BE FILLED IN]

As a result, we recommend that the Commission apply the same CE threshold in the MT context as is applied to the general EE context. The 1.25 threshold per MTI (which would include C&S costs and savings) provides a meaningful hedge against the risk that costs will be higher or savings will be lower than anticipated at the outset of the MTI. We note that this threshold, if applied individually to each MTI as opposed to a portfolio of MTI, would be a more exacting standard than is currently applied to the EE Rolling Portfolios, where individual programs need not necessarily meet the threshold, as long as the Portfolio as a whole does. This greater scrutiny at the MTI level may be justified by the greater risk associated with MTI, as noted by Staff.

***Facilitators Note to MTWG:*** *If those who also support 1.5 threshold agree w/following paragraph it can be moved out of the 1.25 Test section to the consensus section.*

In the future, the aforementioned MTWG Members recommend that the Commission may want to consider whether a portfolio-level CE threshold makes more sense for MT than an MTI-specific threshold. However, there could be practical challenges with such an approach, depending on the administrative structure adopted by the Commission and the process for seeking Commission approval of MT.

### Option 2: 1.5 Total Resource Cost Test/Program Administrator Cost Test

The following MTWG Members support this option: [California Public Advocates, etc. TO BE FILLED IN]

We concur with the CPUC Energy Division Staff Proposal in setting a 1.5 forecast CE threshold for approving MTIs.

The logic of setting a CE threshold above 1.0 is to hedge against forecast uncertainty and the possibility that CE forecast estimates will be overly optimistic and evaluated CE will be lower. The Commission’s use of 1.25 threshold for ex ante approval of EE Portfolios was designed to hedge against this optimism. However, there are several reasons that setting a higher threshold for MTIs is reasonable.

First, while the 1.5 CE threshold proposed in the Energy Division Staff Proposal appears higher than the 1.25 threshold used for the EE Portfolios, they are in fact counting different things. The 1.25 threshold used to approve EE Portfolios excludes C&S savings, which are highly cost-effective and account for nearly half of Portfolio savings. Accounting rules for MTI savings, on the other hand, will allow a share of future C&S savings to be attributed to the MTI. With C&S included, each PA’s current Portfolio would easily meet a 1.5 CE threshold. It is unreasonable to set the CE bar lower for MTIs than for RA activities, particularly given the greater uncertainty and speculative nature of MTI CE forecasts.

Second, MTIs play out over a much longer time period than RA programs and use a more indirect path to reducing energy use. The stage-gate process proposed in the Energy Division Staff Proposal and elaborated by the MTWG is designed to reduce and manage the risk inherent in undertaking MTIs. However, even with stage-gating, the MTA will have sunk some cost into failed initiatives that cannot be recovered. Other MTIs may continue over their entire foreseen lifecycle, but not realize their ex ante forecasts because of exogenous events that could not be anticipated, such as shifts in markets or available technologies that quickly make the adopted technology obsolete. In short, MT is a risky proposition, particularly when compared to short-term RA. Investors generally require higher returns for risky investments; in the technology sector, for example, venture capitalists often look for potential returns of 10-times or greater. It is reasonable for the Commission to set a somewhat higher threshold for approving the funding of MTIs in order to compensate for the greater risk these initiatives entail.

# Section 8: Market Transformation Initiatives and Resource Acquisition Programs

*Note from Sub-Group to MtWG: This entirely new section describes how Market Transformation (MT) and Resource Acquisition (RAcq[[35]](#footnote-35)) initiatives could and should interface; in our discussions, it became clear that MT overlaps with Codes & Standards implementation could raise similar issues, and should be addressed as well.[[36]](#footnote-36) We suggest activities and guidelines to address these potential overlaps.[[37]](#footnote-37)*

## Introduction

As MT initiative (MTI) ideas are being collected and progress through the stage gate approval process, their potential impacts on RA market program(s) and C&S implementation should be carefully considered. The MTWG suggests applying the framework described in this section to identify overlaps, find opportunities for collaboration, and where necessary, help resolve conflicts between MTIs and RAcq and/or C&S program(s).

The MT-PA, and any impacted PA(s), third-party implementer(s) of RAcq programs (3PI), and C&S teams each have a role in charting a course that enhances the efficiency outcomes (potentially including savings as well as equity, grid support and other objectives) of the proposed MTI as well as of RAcq and C&S programs. Each may also have a role in eliminating or minimizing and mitigating any conflict between the MTI and RAcq/C&S programs. The MTWG recommends that these parties are provided every opportunity to work collaboratively toward these objectives. While the CPUC is the ultimate arbiter in the event of conflict between an MTI and RAcq/C&S program(s), customers and California’s policy objectives for the energy system will be best served if the MT-PA, PA, 3PIs and C&S teams can optimize outcomes amongst themselves.

## Overview

The MTWG proposes a multi-step framework for addressing MTI overlaps with RAcq/C&S programs. The framework is discussed in further detail in subsequent sub-sections below.

1. **Identify Overlaps.** During the process of identifying and developing any MTI, the MT Program Administrator (MT-PA), working with the MTI proposer(s), relevant PA(s), 3PIs, C&S teams and other stakeholders, will evaluate whether, and to what extent, the proposed MTI might overlap with any RAcq/C&S programs.
2. **Select MTIs to Enhance Positive and Minimize Negative Overlaps.** The MT-PA, during the process of identifying and developing any MTI, will consider the nature and extent of overlap with RAcq/C&S implementation programs as part of the MT selection process, seeking opportunities for positive overlaps and the elimination or reduction of negative overlaps.
3. **Collaboration to Enhance Outcomes.** The MT-PA, MTI proposer(s), and relevant PA(s), 3PI(s) and C&S implementation team(s) will work collaboratively together to find ways for the proposed MTI and affected RAcq/C&S programs to work synergistically, increasing value to customers and the energy system and promoting a robust and competitive market for efficiency.
4. **Informal Dispute Resolution.** The MT-PA, PA, 3PI(s)/C&S teams and relevant MTI proposer(s) would engage in informal discussions intended to find project-by-project solutions to any conflicts.
5. **Formal CPUC Alternative Dispute Resolution Procedures.** If a conflict remains after the informal discussions, the MT-PA, PA, 3PI or C&S team(s), or MTI proposer(s) may invoke expedited CPUC resolution procedures.[[38]](#footnote-38) The CPUC would be the ultimate arbiter in the event the parties cannot resolve the dispute themselves.

## Types of Overlap

Overlap issues may take many forms, both positive and negative; it is impossible to foresee all of the potential overlaps, as we cannot forecast all of the potential MTIs. Ideally, overlaps could enhance the benefits realized from RAcq/C&S programs as well as those from the MTIs. An MTI might also conflict with an RAcq/C&S program; it may or may not promise equal or superior benefits, and the degree of certainty of its benefits may also vary significantly. Conflicts could include:

* + Customer confusion among the proposed MTI target customers and existing or potential 3PI customers and/or C&S target communities
  + Prevention or diminished ability of the MTI and RAcq/C&S programs to meet anticipated efficiency outcomes (potentially including premature reduction or cessation of RAcqs/C&S programs, or loss of post-contract outcomes expected to result from RAcqs)
  + Prevention or diminished ability of the MTI and RAcq/C&S programs to serve a unique market segment

## Activities to Encourage Cooperation

The best outcome for securing maximum cost-effective energy efficiency is for all parties to work together. The MT-PA and PAs should set a constructive tone and work to create a collaborative environment, with the full cooperation of parties implementing RAcqs, C&S and MTIs. CPUC rules, guidance and oversight should be designed to promote that environment.

* MT-PAs and PAs will take responsibility to facilitate cooperation between MTI, RAcq and C&S implementers.
  + MT-PAs will ensure that MTI proposers and RAcq implementers engage early in the MTI development process, and have frequent opportunities to talk thereafter.
  + PAs will “seek and pitch the positive.” MTIs will be intended to bring new or increased benefits to the market (more product, lower cost, more trained workforce), and generally on a longer timeline than RAcqs or C&S implementation programs (which must focus on keeping costs to a minimum and producing immediate benefits). Overlaps should ideally be viewed as “dovetailing” rather than replacing RAcq/C&S programs, and should be shaped accordingly.

## Selecting MTIs to Enhance Positive and Minimize Negative Overlaps

The MT-PA should review and select markets to take advantage of synergistic overlaps, and to avoid or minimize negative overlaps, keeping in mind how extensive the overlap will be, the nature and degree of impacts on overall and market segment customer and system benefits, and the likely receptivity of the parties to work together.[[39]](#footnote-39) These criteria should be in addition to all other desired MT qualities (C-E savings, lasting change, leverage points, etc).

## Identifying & Assessing Overlaps

The MT-PA, working with the MTI proposer(s) and with relevant PA(s), 3PIs and C&S implementation teams, will:

1. **Identify Potential Conflicts**

Review potential MTIs and potentially affected 3PI/C&S programs to identify any potential overlaps, including those noted above.

1. **Assess Significance of Benefit Loss.** Assess the potential of the overlap to:
   1. Eliminate or reduce benefits from the MTI and/or the RAcq/C&S programs
   2. Cause customer or market confusion
   3. Decrease competition / chill investment
   4. Deter or increase costs of financing the MTI or RAcq/C&S program(s)
2. **Assess Timing Overlap.** Assess:
   1. The remaining RAcq contract term/ C&S implementation phase relative to the MTI implementation timing
   2. When the MTI is expected begin impacting customers in a way that might interfere with RAcq /C&S program(s)
   3. Whether any conflict(s) could be resolved by adjusting the timing of the MTI and/or the RAcq/C&S program(s)
3. **Cost of Coordination**

Assess any additional cost to coordinate the MTI and the RAcq/C&S program(s) to avoid:

* 1. Loss of anticipated benefits from the MTI or the RAcq/C&S program(s)
  2. Customer confusion or
  3. Other harm to a robust, competitive market

## Activities to Avoid/Reduce/Mitigate Overlap

* Design MTI with cooperation in mind: All MTIs will be designed, and MTI RFPs/RFAs will include requirements, to work together with RAcqs, C&S implementation, and other mechanisms delivering EE in that market, seeking to maximize beneficial cooperation and minimize conflict.
* Modifying the MTI: The MT-PA will modify the MTI as appropriate to maximize customer and energy system benefits, maximize collaboration and synergistic benefits with RAcq/C&S programs, and minimize conflicts detrimental to CPUC’s EE policy objectives. For example, if a proposed MTI might stop an existing RAcq program before the MTI could be effective, the MT-PA should seek to ramp implementation of the MTI on a timeline that would enable the RACQ program to complete its work.
* Early alignment during RAcq RFPs: Future RAcq RFPs will include incentives for 3PIs to collaborate in the development and implementation of MTIs, in coordination with MT-PAs and MTI proposer(s)/implementer(s). Any potential to adjust RAcq/C&S programs in conjunction with MTI implementation should avoid increasing uncertainty for the 3PI, which would increase financing burden and cost and, as a result, increase customer cost.[[40]](#footnote-40)
* Accessible info: All MT RFPs/RFAs will include a brief description of related RAcq and C&S implementation programs, as well as links to detailed descriptions. MTI proposer(s) will be required to include a discussion of how their potential MTIs would dovetail with existing RAcq / C&S implementation effort(s) in their submission(s).[[41]](#footnote-41)
* Opportunities pro-actively sent to 3P implementers: The MT-PA, when releasing any solicitation of MT ideas/proposals, will simultaneously send the notice of opportunity to all 3PIs. This will allow 3PIs to participate in developing MTIs, to think through MT approaches to their market, and to submit bids should they so desire.

## Resolution of Conflicts

If conflicts remain after efforts to coordinate, collaborate, and avoid, minimize and mitigate conflicts, the MTWG recommends that the conflict is resolved through the following process. We recommend that the CPUC develops proposed guidelines and rules to be applied to this process, building on the assessment factors and avoidance, minimization and mitigation activities discussed above.

We suggest three stages of dispute resolution:

1. **Informal Dispute Resolution.** The MT-PA, MTI proposer(s) and relevant PA and 3PI(s)/C&S teams would engage in informal discussions focused on developing project-specific solutions that would maximize efficiency benefits while maintaining a robust, competitive market and minimizing customer confusion.
2. **Formal CPUC Alternative Dispute Resolution Procedures.** If a conflict remains after the informal discussions, the MT-PA, MTI proposer(s) or relevant PA, 3PI(s) or C&S team(s) may invoke the CPUC’s alternative dispute resolution (ADR) procedures. The party invoking dispute resolution would be required to provide a summary of issues and impacts. To minimize harm to the proposed MTI and the affected RAcq/C&S program(s), the ADR would follow an expedited schedule. Ideally, the ADR results would be included in the advice letter submission for the applicable MTI phase.
3. **Last Resort: CPUC Decision.** If informal and formal dispute resolution efforts are unavailing, the CPUC would be the ultimate arbiter, ideally including its decision within its approval of the advice letter for the applicable phase of the MTI.

# Appendix A: Market Transformation Work Group Member Organizations & Representatives

|  |  |  |
| --- | --- | --- |
| **Member Organizations & Representatives** | | |
| **Organization/Entity Represented** | **First Name** | **Last Name** |
| BlueGreen Alliance (supporting CEE & Sheet Metal Workers) | Sam | Appel |
| California Efficiency + Demand Management Council | Arthur | Haubenstock |
| California Efficiency + Demand Management Council | Nate | Kinsey |
| Center for Sustainable Energy | Stephen | Gunther |
| Center for Sustainable Energy | Rebecca | Menten |
| ClearResult | Chad | Ihrig |
| Coalition for Energy Efficiency (CEE) | Bernie | Kotlier |
| CodeCycle | Dan | Suyeyasu |
| Energy Solutions | Brian | Barnacle |
| Energy Solutions | Teddy | Kisch |
| Natural Resources Defense Council | Merrian | Borgeson |
| Natural Resources Defense Council | Lara | Ettenson |
| Pacific Gas and Electric Company | Adam | Scheer |
| Public Advocates Office | Dan | Buch |
| Public Advocates Office | Sasha | Cole |
| Resource Innovations | Margie | Gardner |
| San Diego Gas & Electric | Athena | Besa |
| San Diego Gas & Electric | Jesse | Emge |
| San Diego Gas & Electric | Raghav | Murali |
| Sheet Metal Workers Local 104 | Dave | Dias |
| Small Business Utility Advocates | James | Birkelund |
| Small Business Utility Advocates | Ivan | Jimenez |
| SoCalGas | Erin | Brooks |
| SoCalGas | Elizabeth | Gomez (Baires) |
| SoCalRen | Lujuana | Medina |
| SoCalRen | Matt | Skolnik |
| Southern California Edison | Jesse | Feinberg |
| Southern California Edison | Derek | Okada |
| Southern California Edison | Kevin | Thompson |
| Southern California Edison (Consultant) | Carol | Yin |
| The Energy Coalition | Marc | Costa |
| The Utility Reform Network | Hayley | Goodson |
| Western HVAC Performance Alliance | Elsia | Galawish |
| Western HVAC Performance Alliance | Barbara | Hernesman |
| **Ex Officio/Resource Members** | | |
| **Organization/Entity Represented** | **First Name** | **Last Name** |
| California Energy Commission | Nicholas | Janusch |
| California Energy Commission | Brian | Samuelson |
| California Public Utilities Commission | Christina | Torok |
| California Public Utilities Commission | Hal | Kane |
| Northwest Energy Efficiency Alliance | Jeff | Harris |
| Northwest Energy Efficiency Alliance | Dulane | Moran |

# Appendix B: Ground Rules of the Market Transformation Work Group

## At Meetings:

1. Come prepared to discuss agenda items (by reviewing all documents disseminated prior to the meeting, conferring with your organization and other colleagues, etc.).
2. Be forthright and communicative about the interests and preferences of your organization and actively seek agreement if recommendations/advice are being sought.
3. Be clear so that everyone understands your interests and proposals.
4. Be concise so that everyone who wants to provide input has an opportunity to do so.
5. Minimize electronic distractions during meetings.

## Between Meetings:

1. Keep your organizations informed of developments in the process.
2. Confer with other Members during meeting breaks and in between meetings, as needed.
3. Notify the Facilitation Team prior to the meeting (by telephone or e-mail) if you or your proxy cannot attend a meeting.
4. Be responsible for actively tracking Facilitation Team and Work Group communications as well as relevant proceedings and policies.
5. Provide input, feedback, and written material when requested by the Facilitation Team.
6. Any presenter (Member or their proxy or designee) should have their presentation ready for posting at least five (5) business days prior to the meeting; and presenters should work with the Facilitator Team prior to the posting deadline to help ensure that materials are clear, concise, and on topic
7. Discuss pertinent matters with the Facilitation Team and CAEECC Co-Chairs when and if the need arises.

## Substantive Issues (Discussing Issues, Developing Options, & Exploring Agreement)

1. The goal of the process is to fully explore substantive issues before the Work Group, define options, elicit constructive feedback, clarify and narrow points of divergence, seek consensus where feasible, and document points of convergence and any remaining divergence.
2. During the substantive discussions, if a Member cannot agree with a substantive option under consideration that member should explain why and propose a specific alternative that he or she can support.
3. Documentation of consensus and multiple options on any particular issue in the Work Group’s final recommendations would include a clear description of each option and supporting rationale, and include the Members supporting each option. The Work Group Members will review and approve the wording in the Final Report, and those supporting each option on a non-consensus issue will be responsible for drafting the final description and rationale for the option.
4. The Work Group in consultation with the CPUC will determine the most appropriate way to file the Final Report at the CPUC.
5. Prior to filing the Work Group’s final recommendations, there will be an opportunity for other CAEECC Members who did not directly participate in the Work Group, to add their Organization’s name to the document including ascribing to options for non-consensus issues (but not proposing any additional options).

## Process Issues

1. For process related issues(including setting meeting dates, finalizing agenda designs, etc.) the Facilitator Team in consultation with the Co-Chairs, and after seeking input and feedback from Work Group Members, will have the responsibility to make these decisions.
2. All the other pre-existing CAEECC Facilitator roles and responsibilities will apply. See: <https://docs.wixstatic.com/ugd/849f65_68e76679fd054bd6ad34e1c2ba0a4168.pdf>

# Appendix C: Stage-gate Criteria

NOTE: We lay out an approach to stage gate criteria at a high level of detail but expect the MTA in consultation with the MTAB to further refine the criteria discussed here. We caution against using this document prescriptively; it only lays out one possible approach.

The overall objective of MT development in Phase I and Phase II is to conduct the necessary due diligence to develop data-driven business cases for scaling up an MT concept in Phase III. Ideally, the general criteria for MTIs remain essentially the same throughout all three Phases but differ in the level of rigor with which they are assessed. As a concept progresses through the due diligence stages, the data and analysis supporting decision-making in each stage will necessarily be more detailed and rigorous. Once an MTI is launched, the general MT criteria should be monitored over the long term to ensure externalities do not make the original justification for the MTI obsolete.

Ideally, the criteria would be weighted so that the MTA(s) can give greatest weight to those objectives that are deemed most important. This weighting can be quantified in a “prioritization model” that simply consists of an equation with multiple terms, with each term corresponding to a criterion, along with a weighting factor for each term.

MTIs that receive a Categorical Rejection by the IOUs due to internal IOU policies would not be reviewed or weighted based on the Stage-gate Criteria. MTIs receiving a Categorical Rejection would be removed from consideration regardless of their relative scoring in the “prioritization model”.

The MTWG also agreed that the stage gate criteria should align with any objectives stated in Section 2: Market Transformation Initiative Principles, Guidelines, & Strategies. Of the principles and criteria discussed to date, there are five objectives:

1. Energy savings
2. GHG reduction
3. Workforce development
4. Can be coordinated with the Rolling Portfolio to result in net increase in energy savings. (See Principle 1: “Drive incremental savings that achieve the state’s energy efficiency (EE), equity, and GHG reduction goals.” and Principle 3: “Complement and coordinate with Rolling Portfolio programs” and the overall objective of supporting SB 350, which calls for doubling of energy savings.)
5. Equity.

We expect the MTA(s) to review and revise these objectives. The other principles and criteria discussed by the MTWG focus on MT development process, but do not seem to be intended as criteria for deciding whether enough due diligence has been conducted for an MT idea to proceed to the next stage of due diligence.

Because the gating criteria discussed so far are not comprehensive, we lay out some general criteria that may be considered by the MTA(s). The general criteria are centered around the following categories and subsume the five objectives in the MT Principles and Guidelines.

Without getting into the weeds, nominal, ordinal, and/or quantitative scales can be developed for any criteria to track level of documentation/understanding of the MTI in that category.

## General MT Criteria Categories

1. Projected long term CE (including energy savings potential and total cost of the MTI)
2. Feasibility
   1. Technical performance of the measure/solution
   2. Market leverage point(s)/MTI logic (including supply chain readiness)
   3. Measurability/evaluability
   4. Agreement of non-MTA(s) market actors
   5. Likelihood of persistence (longevity of MTI relevance)
3. Portfolio Fit (Coordination with Portfolio)
4. Societal Benefits
   1. Policy fit
   2. Equity
   3. Non-energy benefits
   4. From the customer perspective, is there a compelling value proposition?

In Phase III, the criteria for continued funding and exiting or transition will be unique to each MTI but should include projected CE. These criteria will be defined in the MT Accord/Plan so that all stakeholders can provide review and feedback before an MTI is funded for larger scale implementation. In addition to the MTI-specific criteria, the general MTI criteria will require continuous monitoring to ensure that market changes and technology advancements have not made the MTI obsolete and that the forecasted savings still supports long-term cost-effectiveness.

There are several paths for exiting or transitioning out of an MTI; the particular path depends on the MTI approach that will be laid out in the Accord. For example, an MTI may target transitioning to a C&S, transitioning to a deemed approach, or exiting due to market saturation and mass market adoption.

These criteria will not address regulatory decision points, including when advice letters should be filed, and at what Tier.

| **Key Criteria to Advance** | **Expertise /Resources Needed** |
| --- | --- |
| **Phase I: Stage 1 - Concept Scanning & Identification** |  |
| Note: Submitted ideas are expected to vary widely in terms of maturity and pre-existing documentation. The MTA(s) will use two channels for idea intake. MTA(s) will conduct a formal solicitation for a turnkey MT program, ideally in coordination with the ongoing 3P solicitations. In addition to a formal solicitation, ideas that are not turnkey or “shovel-ready” can be submitted through on online or email channel.  Rank ordering of all ideas not Categorically Rejected by the IOUs will be based on the General MTI Criteria listed above. The MT criteria should be weighted, after discussion of overall MT objectives.  The applicant will be asked for information at five levels of detail; only one level (Level 2) is required.  **Level 1. Pre-screening (Optional; See Appendix D, Section 1)**  Before even applying, the applicant will first be asked to self-screen their idea, to determine if it is appropriate for an MTI. (Source: NEEA)  **Level 2. Proposed idea and category (Required, See Appendix D, Section 2)**  The applicant can fill out an application, on which there are 15 required items on contact information, product category and a description of proposed idea. At this point the application can be submitted, or the applicant can provide more detailed, optional information. (Source: ETP/ETCC/SCE)  **Level 3. Product benefits, costs, distribution (Optional; See Appendix D, Section 3)**  If the application has the information, they can fill out 19 optional questions on a) benefits and costs, b) technology production and distribution, and c) market information.  If the applicant has documentation of their product data, they can upload this information.  (Source: ETP/ETCC/SCE)  **Level 4. Market transformation intervention logic (Optional; See Appendix D, Section 4)**  If the applicant is ready to provide information on the MT intervention logic, they can fill out this section.  (Source: SCE MT team)  **Level 5. Turnkey MT quantitative documentation (Optional; See Appendix D, Section 5 for a placeholder pending further development)**  If the applicant has a program that is ready to launch, they will be asked to provide a quantitative summary and backing documentation. (Source: B Barnacle).  **Rank ordering**  At this early stage, rank ordering may need to be done on based on a binary “Data available/Data not available” basis. The objective of the rank ordering is to allow the MTA(s) to identify those submissions that have verifiable claims. This ranking can allow MTA(s) to prioritize their review, and to gauge the amount of additional development/data necessary for due diligence on the submissions.  See above discussion about needing to set overall objectives of MT before weighting any criteria.  Suggest: Top 15 ranked submissions advance to Stage 2  Note: Confidential and/or proprietary information will need to be redacted from the summarized list. | Staffing Needed for:   * Validation of program design and implementation – High-level only (e.g. “Does this program design seem plausible upon first glance?”) * Validation of savings potential – High-level only (e.g. “Do the savings seem plausible upon first glance?”   Data Needs:   * As submitted on the intake form, and reviewed by technologists and subject matter experts in engineering |
| **Phase 1: Stage 2 - Concept Development & Assessment** |  |
| To advance (i.e. be included in a MT Development Plan), the MT concept must be one of the top ideas, after considering these General MTI Criteria (weighting to be determined later). | Staffing Needs:   * Validation of program design and implementation * Validation of Portfolio fit * Validation of savings potential * Validation of market potential * Validation of policy alignment * Others?   Data Needs:   * Existing internal research-workpapers, EM&V reports * Secondary research – industry market reports * Others? |
| Phase I DECISION GATE – Approving and funding Development Plans | See Roles and Responsibilities |
| **Phase II: Stage 3 - Strategy Development** |  |
| To advance (i.e. be included considered for pilot testing or other strategy testing), the MT concept must be one of the top ideas, after considering these General MTI Criteria (weighting to be determined later).  The market leverage point, measure savings, and program Portfolio fit needs to be clearly understood before testing or piloting. For example, the MTI’s market(s) have been characterized and/or are well understood, the per-unit savings of the solution have been validated, a good intervention has been identified to take advantage of a leverage point within the market, there is evidence that the solution can be scaled up across the statewide IOU territory, there is evidence that the solution can become cost-effective at scale, there are no regulatory or policy barriers that would put savings at risk, the pilot test and/or scaled up intervention will not have unintended consequences on the rest of the Rolling Portfolio (such as altering price signals), the MTI provides something not otherwise available through the Rolling Portfolio (e.g. new market, accelerated adoption, new intervention). | Staffing Needs:   * Validation of program design and implementation * Validation of Portfolio fit * Validation of savings potential * Validation of market potential * Others?   Data Needs:   * Existing internal research-workpapers, EM&V reports * Secondary research – industry market reports * Primary research – Commissioned industry market reports, market characterization studies, market leverage point and/or market barrier studies * Others? |
| **Phase II: Stage 4 - Strategy Testing** |  |
| Strategy testing can be conducted under controlled conditions if full factorial design is desired, and via in-situ pilots to understand real world challenges. Strategy testing should focus on primarily testing the intervention strategy, the ability to engage contributing non-MTA(s) market actors, and Portfolio fit. However, in situ pilots offer an opportunity to provide data for all criteria categories. Results will be compared against the pilot test success criteria defined in Stage 3 (see above).  To advance and be considered for inclusion in an MT accord, an MTI must meet its own defined pilot success criteria and continue to rank highly on the General MTI Criteria. | Staffing Needs:   * Validation of program design and implementation * Validation of Portfolio fit * Validation of savings potential * Validation of market potential * Validation of pilot/testing evaluation plan * Validation of policy alignment   Data Needs:   * Existing internal research-workpapers, EM&V reports * Secondary research – industry market reports * Primary research – Commissioned industry market reports, market characterization studies, market leverage point and/or market barrier studies |
| **Phase II DECISION GATE – Approving and funding MT Accords** | See Roles and Responsibilities |
| **Phase III: Stage 5 - Market Development** |  |
| Criteria for each MTI will be unique to the MTI (see Stage 6). Stage 5 and Stage 6 will likely run in parallel. | See Stage 6.  Staffing Needs:   * MTI implementers |
| **Phase III: Stage 6 - Long-Term Monitoring** |  |
| Exit/transition criteria and market progress indicators will be unique to each MTI. All MTI-specific criteria and market indicators will be laid out in the MT Accord.  The prime objective of monitoring the General MTI Criteria will be monitored to identify changes that may affect forecasted savings potential. | Staffing Needs:   * Validation of savings potential * Validation of market potential * Validation of savings and savings forecasts   Data Needs:   * Existing internal research-workpapers, EM&V reports * Secondary research – industry market reports * Primary research – Periodic industry market reports, market characterization studies, market leverage point and/or market barrier studies |
| **Phase III: Stage 7 - Transition or Sunset MTI** |  |
| Currently, the objectives of MT are to exit when:  “continuation of the same publicly-funded intervention is no longer appropriate in that specific market”  Or “until they are adopted into codes and standards” until they are adopted into codes and standards (or otherwise substantially adopted by the market)  Due to the unique nature of each MTI, the MTI-specific exit criteria will be laid out in the MT Accord. The overarching exit criteria would be:  *“When the annual forecast of MTI savings shows that continued scaling would not result in a cost-effective program.”* Or, “*When a better (lower cost, more effective) intervention can be implemented.”*  Other MTI-specific exit criteria should address the same General MTI Criteria prioritization. If there is a change so that an MTI does not meet any of the original General MTI Criteria, the MTA(s) should consider whether an exit is warranted. | Staffing Needs:   * Validation of savings potential * Validation of market potential * Validation of savings and savings forecasts * Validation of policy alignment   Data Needs:   * Existing internal research-workpapers, EM&V reports * Secondary research – industry market reports * Primary research – Periodic industry market reports, market characterization studies, market leverage point and/or market barrier studies |

# Appendix D: Draft Intake Application Form

The MTWG discussed leveraging existing processes and intake forms. Currently, the utilities use one intake form for consideration of new measures as well as new RA programs. This form can be found on the ETP/ETCC website, and on each utilities’ website, such as at sceideas.com. For the sake of space, we will not replicate that form here. However, we suggest that this form can be incorporated into the Draft Intake Application Form in Sections 2 (required items) and Section 3 (optional items). The MTWG also liked NEEA’s pre-screening questions that each applicant can ask themselves. We have replicated those questions here in Section 1.

The IOU PAs have used the existing intake forms to successfully vet measures and ideas for RA programs. With MTIs, however, additional information needs to be obtained in order for the MTA(s) to determine whether a submission is a valid MT idea as opposed to another RA program. The MTWG drafted some MT-specific intake questions for consideration, incorporated in Section 4 below. Finally, the MTWG acknowledges that there may be numerous excellent MT program ideas already being implemented outside of California, for which there is existing documentation of market leverage points and evidence of successful intervention. For these, the MTWG incorporates an intake form and criteria that would be suitable for mature programs that might be proposed through a targeted solicitation for turnkey MTIs.

In developing any MTI intake form, we recommend that the MTA(s) include the official definition of MT in California, to help submitters and 3Ps understand any differences in California’s definition compared to definitions by other organizations.

## Draft Intake Form

[D.09-09-047](tel:09-09-047) on p.88-89

"Market transformation is long-lasting, sustainable changes in the structure or functioning of a market achieved by reducing barriers to the adoption of energy efficiency measures to the point where continuation of the same publicly-funded intervention is no longer appropriate in that specific market. Market transformation includes promoting one set of efficient technologies, processes or building design approaches until they are adopted into codes and standards (or otherwise substantially adopted by the market), while also moving forward to bring the next generation of even more efficient technologies, processes or design solutions to the market.”

California’s definition of market transformation (MT) (above) includes two end states: one when a market transformation initiative results in Codes & Standards adoption, the other when market barriers have been reduced to the point where the same intervention is no longer needed. In other words, the market transformation effort needs to be designed towards the exit of the intervention.

To help Market Transformation Administrator(s) (MTA(s)) determine whether your idea is suitable for a Market Transformation Initiative (MTI), please answer the following questions to the best of your knowledge. This information does not have to be complete but will help the MTA(s) determine whether a “shovel-ready” MT opportunity exists, or how much development would be needed for your idea to reach that state.

### Section 1

To help determine whether your idea is suitable for consideration as an MTI, please review the following questions. If you answer Yes to any of these, your idea may be better suited for consideration in the existing energy efficiency (EE) Rolling Portfolio. [This is based on the Criteria subgroup’s positive initial response to NEEA’s 5 short screening questions, available at <https://neea.org/get-involved/submit-your-idea/proposal-criteria> ]

Preliminary self-screening questions:

1. Does your product or service have the potential to save energy in California?
2. Can the energy savings be easily measured?
3. Is the product or service commercially available today?
4. Does your product or service have the potential to meet or exceed existing utility customer needs?
5. Is there a compelling opportunity to address a non-financial market barrier that is keeping your product or service from being widely adopted?

If you answered “Don’t Know” to any of the above items, you should address those issues prior to submitting a Proposal Application to the MTA(s). If you answered “No” to any of the questions, unfortunately, your product or service is not appropriate for this solicitation.

### Section 2 (All Programs)

See the existing IOU intake form (same form is available at both sites): <https://www.etcc-ca.com/idea-proposal-form> and <https://sceideas.com> for the specific REQUIRED questions about:

1. The requestor’s contact information
2. Product description
3. Product stage
4. Product availability
5. Product end use category
6. Product target market

### Section 3 (All Programs)

See the existing IOU intake form (same form is available at both sites): <https://www.etcc-ca.com/idea-proposal-form> and <https://sceideas.com> for the specific OPTIONAL questions about:

1. Benefits and costs
2. Technology production and distribution
3. Market information, including known market barriers.

### Section 4 (MT-Specific Intake Questions)

Please answer the following questions to the best of your knowledge. These are open-ended questions, and the MTA(s) may follow up with you on these questions.

**Phase I: Concept Development (Stages 1-2)**

**Part A**: The Concept Development form should be built into an online intake tool e.g. ETCC, for the intake of initial MT ideas.

1. **MT Objectives**

Define the market barriers and rationale for MT intervention

* 1. What market barrier(s) does the MTI address?
     1. Describe the barrier(s), e.g. customer awareness, supply chain, product availability, pricing, environmental externalities, etc. Include whether the barrier(s) is/are long-term vs. short-term.
     2. Provide the source of this information (i.e. attach study summary, link to report, etc.).
     3. How does this intervention improve the customer experience?
  2. How will the MT intervention overcome/alleviate the defined market barrier(s)? e.g. increased awareness, adoption/penetration, increased non-energy benefits, etc.
     1. Provide the program theory or logic supporting the effectiveness of the intervention (i.e. “Why do you expect your intervention(s) to work? Why your specific intervention(s) and not another option?”
     2. Provide an expected timeline for savings once the market barriers are removed/addressed and describe how long-term savings persistence will be ensured.

**Phase II: Program Development (Stages 3-4)**

**Part B:** The Program Development form should be submitted as Tier II Annual Budget Advice Letter (ABAL) for testing and development.

1. **Intervention Strategy**

Describe why a MT intervention is the best strategic approach over Resource Acquisition (RA)

* 1. What technology, measure or product is being targeted for the MTI and why?
     1. Provide estimates of the technical, economic, and market potential for the MTI target. Provide the sources of these estimates.
  2. Are the barriers currently being addressed in a RA program?
  3. How much would this intervention cost over the life of the initiative?
  4. If so:
     1. Identify the program and describe how an MTI will complement the existing RA intervention strategy.
     2. Provide the program theory or logic supporting the need for a complementary MT intervention strategy.
  5. Describe how and why the MT intervention is the best strategic approach to addressing the barrier(s) versus a RA intervention.
     1. Provide justification for use of your specific MT intervention strategy above other choices.

1. **Market Engagement**

Define the market, market actors, and market channels the MTI will engage (e.g. manufacturers, distributors, retailers, contractors, consumers, etc.).

* 1. Provide a market characterization and assessment of the relationships and/or dynamics among market actors, including identification of the key barriers.
     1. Provide the source of this market characterization (i.e. attach study summary, link to report)
  2. Describe how the MTI will deliver savings (upstream, downstream, direct install, etc.), how it will reach customers, and the services it will provide to engage the market.
  3. What MT tools will be used to engage and inform market actors (e.g. incentives, Marketing Education and Outreach (ME&O), Workforce Education and Training (WE&T), Emerging Technologies (ET) and Codes and Standards (C&S)).
  4. What MT coordination activities need to be established to gain market traction (e.g. partnerships for collaboration)

Market Actor Engagement (including manufacturers, RENs, CCAs, municipal utilities)

* 1. Define the market actors who would be able to help implement an MTI
     1. What role would they play, that could not be achieved by others?
     2. How would their involvement accelerate MT?
     3. Have you approached them and discussed their willingness to participate?
     4. Why are they interested in being an MTI partner?

1. **Performance Metrics**

Describe the market progress metrics (metric, measurement method, frequency, etc.)

* 1. Provide quantitative information describing the current EE program baseline information (and/or other relevant baseline information (current level of adoption)) for the market segment and major sub-segments, as available. Provide the source of this information
  2. What are some initial (0-5 year) and long term (5+ year) milestones to ensure the MTI is on track to achieve its objectives and savings? Which of these are leading indicators and which are lagging indicators?

1. **Evaluation, Measurement, and Verification (EM&V)**

Describe any process evaluation or other evaluation efforts that the MTA(s) will undertake.

* 1. Identify the evaluation needs and data collection strategies that ensure ease of reporting and near-term feedback.

### Section 5: Turnkey MTI Intake Form & Criteria

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Criteria** | **Structured Data Prompt** | **Structured Data Format** | **Open Text Field (OTF)** | **Attachments** | **Purpose for structured data and review** | **Outcome from Review** |
| Energy Savings | What percent energy savings does your product/service offer relative to standard practice? | Percentage | Please discuss standard practice and why your product is not currently being adopted. (500 words) | Third-party reports; Product specifications | Structured data feeds into market potential calculation. SME review of OTE and attachments may decrease/confirm percentage based on level of confidence. | Refined / validated energy savings estimate |
| Market Sizing | What are your target market segments for your product/service? | Select all that apply | Please summarize current penetration into each market segment, competitive advantages, barriers, growth opportunities, and other factors. (500 words) | Case studies; | Structured data pulls from CA models for (1) market sector size (2) EE potential models, (3) stock turnover, etc. to calculate total savings potential. Subject matter expert (SME) review of OTF refines market size based on confidence. | Refined / validated market size |
| Commercial Readiness | Are there third-party tests and reports justifying your claims for energy savings and other benefits? | Yes / No | Please summarize the findings (500 words) | Third-party reports | Presence of third-party testing and reports may allow for certain MT assessment and planning steps to be streamlined. SME review helps refine understanding if risk and confidence in claims. | Readiness score |
| Commercial Readiness | Are there third-party ratings that cover your product? | Yes / No | Please discuss the state of existing ratings and opportunities to evolve them. (250 words) | Link to rating specification(s) | Is there a third-party function to assist with standardizing key product features to ensure product quality and help build consumer trust? | Readiness score |
| Supply Chain | What percentage of your sales are direct to customer? | Percent | Please summarize the strengths and weaknesses of your sales and services channels. (1,000 words) |  | Indicative of how mature the supply chain is. Generally speaking, an immature supply chain will require discrete interventions and may/may not pose immediate market opportunities. | Maturity score |
| Costs | Estimate the full-term program cost. | Dollar Value | Summarize the use of program funds “Program Development” and “Market Development”. (500 words) |  | Structured data feeds into initial cost-benefit calculation for automated prioritization. The SME review of costs and barriers to be addressed will refine the number, proving a more realistic cost-benefit analysis. | Refined / validated MTI costs |
| Equity | Does your project provide benefits to low-income, disadvantaged, or otherwise hard-to-reach ratepayers? | Yes / No | Please summarize the benefits and how they can be measured. |  | Structured data triggers a review by a low-income SME. Qualitative review by low-income SME results in an “equity score”. | Equity score |
| Benefits | Does your product provide benefits beyond energy savings? | Yes / No | Please elaborate on the scope of benefits your product/service offers to customers and utilities. Include third-party reports and case studies if available. (500 words) | Third-party reports; case studies | SMEs review to assess the benefits beyond EE… it may be flexible capacity for utilities, or customer-specific benefits that dwarf EE savings such as space utilization, smart O&M, employee productivity, etc. | Benefits score |

# Appendix E: Staff Proposal’s Content Guidance for Market Transformation Accord/Plan

## 

The MTWG has not discussed the Staff Proposal’s Content Guidance in detail but acknowledge that it is complementary to the Stage Gate and Criteria sections of this document and therefore should be considered by the MTA(s) and MTAB, when they’re finalizing both the stage-gate processes and procedures and the MT criteria. A few edits have been suggested in redline to update the Staff Proposal Guidance with clarifications based on MTWG discussions.

### 

## Content Guidance for the Market Transformation Accord/Plan

Complete Market Transformation Accords should include the following elements:

* Define a target market that is well‐understood and manageable.
* Define target technologies, behaviors, sectors and applications.
* Present current product performance data and/ or relevant behavior research.
* Address energy savings potential, competing products, and the costs and benefits associated with target and competing products.
* Describe the supply chain, product demand and delivery methods, the role of each market actor and how the market operates and functions.
* Present a thorough assessment of market drivers and barriers.
* Present a clear program theory and logic model, identifying market leverage points and intervention strategies. This should draw a clear and logical link between the present state of the market, the contemplated intervention strategies and the desired future state of the market.
* Describe strategies and data for sizing the market and projecting a naturally occurring adoption curve or baseline for the market.
* Appoint members of the Initiative Review Committee.
* Complete a Delphi process to finalize the initial baseline projection over the life of the initiative.
* Specify a plan for updating the ~~baseline~~ savings forecast ~~using a Delphi processes~~ at regular intervals. The original baseline for normally-occurring adoption will not be changed, as it forms the justification for the MTI using best available data at that time.
* If the MTI includes an existing RA program, present a RA coordination plan that demonstrates support from, and coordination with, all related RA programs. This plan would offer a fixed free‐ridership rate for the resource programs for an interim period. This plan will also present a schedule and process for updating free ridership assumptions and for phasing out the resource programs altogether over the longer‐term, in sync with the progress of the Market Transformation Initiative.
* Articulate the data and methods that will be used to determine energy savings attributable to the program over its lifecycle.
* Present a forecast of energy savings over the lifecycle of the initiative, as well as a budget, and a schedule of cost‐effectiveness.
* Carefully define interim market indicators and milestones that will track progress, and a data collection plan to support their measurement.
* Specify which milestones would be associated with PA‐incentive reward payments.
* For each milestone that triggers a PA‐incentive payment, define a maximum allowable delay for achieving that milestone. (Delays that exceed of the maximum allowable time will trigger review for program termination ~~processes, as described in section 3.3~~.)
* Provide a detailed plan for ongoing evaluation, measurement and evaluation to track progress, adjust strategies or metrics if needed, and to substantiate savings claims.
* Characterize the amount of risk associated with the effort and how it would be distributed across stakeholders. Describe risk mitigation strategies.
* Describe the desired ~~end~~ goal state of the market for the MTI, and define the program exit strategy.
* Specify when and how progress reports will be shared with the Commission and stakeholders that detail Initiative activities, results and progress against milestones.

1. Ex Officio/Resource Members helped inform the MTWG but are not included in the consensus or non-consensus recommendations. [↑](#footnote-ref-1)
2. The MTWG representatives for each Member organization are shown in Appendix A. [↑](#footnote-ref-2)
3. The expectation is that all MTIs will try to meet these principles, while acknowledging that some principles may not be applicable to each and every MTI. [↑](#footnote-ref-3)
4. Note some MTWG Members prefer to use the term “Plan” instead of “Accord” in part to differentiate the MTWG proposal from the initial staff CPUC proposal. [↑](#footnote-ref-4)
5. See Appendix D for illustrative example. The intake form will need to be finalized by the MTA(s) in consultation with the Market Transformation Advisory Board (MTAB). [↑](#footnote-ref-5)
6. Ideally, the general criteria for MTIs remain essentially the same throughout all three Phases but differ in the level of rigor with which they are assessed. See Appendix C. [↑](#footnote-ref-6)
7. See Section 4: Stakeholder Roles and Responsibilities. Initiative Review Committee(s) could be formed for each MTI or groups of MTIs as desired by the MTA(s) and/or the MTAB on an as needed basis. [↑](#footnote-ref-7)
8. See Section 4: Stakeholder Roles and Responsibilities. [↑](#footnote-ref-8)
9. A prioritization model is an example of a structured approach to enable alignment on key criteria including feasibility, policy alignment, Portfolio fit, savings potential, and cost-effectiveness. [↑](#footnote-ref-9)
10. The Bass Diffusion Model is a widely used forecasting tool to determine the speed and timing of market adoption. This modeling approach is consistent with the model used in forecasting for the EE Potential and Goals studies in California. [↑](#footnote-ref-10)
11. As noted above the MTWG is divided regarding whether the MTA should be comprised of the Existing PAs or a new single Independent Statewide Administrator. This is discussed in Section 5: Administration Options for the Market Transformation Portfolio. [↑](#footnote-ref-11)
12. ***Facilitators Note to MTWG:*** *Merrian et al argue that it’s reasonable and important for MTAB to be informed about how MTIs are performing on an annual basis, while Adam et al argue that annual reporting could be burdensome and every other year is adequate and reasonable.* [↑](#footnote-ref-12)
13. The composition of the MTAB would vary depending whether the MTA is comprised of the existing PAs or a new single independent statewide; if the MTA is existing PAs then those PAs would not be included on the MTAB. [↑](#footnote-ref-13)
14. D.16\_08\_019 p. 71 [↑](#footnote-ref-14)
15. D.16\_08\_019 p. 71 [↑](#footnote-ref-15)
16. D.16\_08\_019 p. 71 [↑](#footnote-ref-16)
17. Pacific Gas and Electric Company’s (U-39-M) EE Business Plan Portfolio and Sector-Level Metrics, 2018. [↑](#footnote-ref-17)
18. Normalized Metered Energy Consumption (NMEC) – see AB 802 [↑](#footnote-ref-18)
19. Advanced Metering Infrastructure (AMI) – Generally IOUs maintain hourly and 15-minute interval electric consumption data for residential dwellings and commercial buildings. Gas consumption data is tracked on a daily basis. [↑](#footnote-ref-19)
20. Staff Proposal for Incorporating Energy Efficiency into the SB 350 Integrated Resource Planning Process, 2018. [↑](#footnote-ref-20)
21. D.16-08-019 Finding of Fact 5 [↑](#footnote-ref-21)
22. Voluntary California Quality Light-Emitting Diode (LED) Lamp Specification 3.0, California Energy Commission Final Staff Report, December 2016. “This is the third update to the specification, which will continue driving the market towards higher quality products and prepare for the upcoming appliance efficiency regulations for state regulated LED lamps. For this purpose, the Voluntary California Quality LED Lamp Specification, Version 3.0, is aligned with the Title 20 standards.” p. i [↑](#footnote-ref-22)
23. 2018 California Advanced Homes Program Participant Handbook and Program Agreement for Single-family and Multi-family New Construction Projects, California IOUs, “The 2018 California Advanced Homes Program serves to encourage residential new construction builders to meet two visionary goals set forth by the California Public Utilities Commission (CPUC). The first is to help builders prepare for future code changes and build homes better-than-code. The second is for all new homes to reach ZNE.” p. 2 [↑](#footnote-ref-23)
24. See ABAL 3668-G/4765-E and Supplemental ABAL 3668-G-A/4765-E-A. RPP is a dedicated market transformation pilot that focuses on the growing plug load and appliance market. In less than three years, the ESRPP has expanded to 14 utility sponsors across 12 states, covering roughly 20% of the U.S. population. [↑](#footnote-ref-24)
25. At this stage additional research is not meant to be exhaustive, overly expensive, or delay engagement with the market for an extended period of time. Therefore, direct award contracts to third parties with specific subject matter expertise should be encouraged over lengthy competitive bidding processes to meet the requirements of Stage 2. [↑](#footnote-ref-25)
26. D.18\_01\_004. See implementation details for example at <https://www.pge.com/en_US/for-our-business-partners/energy-efficiency-solicitations/energy-efficiency-solicitations.page> [↑](#footnote-ref-26)
27. See e.g*.* Vermont Energy Investment Corporation (August 2008) “What Does it Take to Turn Load Growth Negative? A View From the Leading Edge” (discussing the importance of “Mission Alignment”); Prahl, R. and Keating, K. (Dec. 9, 2014) “Building a Policy Framework to Support Energy Efficiency Market Transformation in California,” p. 14 (discussing the selection of MTA(s). [↑](#footnote-ref-27)
28. Prahl, R. and Keating, K. (Dec. 9, 2014) “Building a Policy Framework to Support Energy Efficiency Market Transformation in California,” p. 16. [↑](#footnote-ref-28)
29. Prahl, R. and Keating, K. (Dec. 9, 2014) “Building a Policy Framework to Support Energy Efficiency Market Transformation in California,” p. 16. [↑](#footnote-ref-29)
30. See <http://regarchive.sdge.com/tm2/pdf/3268-E-A.pdf> [↑](#footnote-ref-30)
31. The MTWG did not address how attribution of codes and standards within an MTI should be determined in relation to the existing Rolling Portfolio codes and standards programs. This is an item that requires further discussion. [↑](#footnote-ref-31)
32. CPUC Energy Data Web Access to “Building a Policy Framework to Support Energy Efficiency Market Transformation in California,” December 9, 2014. <accessed February 15, 2019> <https://pda.energydataweb.com/#!/?q=Building%20a%20Policy%20Framework%20to%20Support%20Energy%20Efficiency%20Market%20Transformation%20in%20California&summary=false&attachment=false> [↑](#footnote-ref-32)
33. See here for CET: <http://eega.cpuc.ca.gov/> and see here for details on the codes and standards methodology (i.e., ISSM): Findings from Review of the Process for Codes & Standards Program Cost-effectiveness Reporting, October 10, 2017: <http://www.calmac.org/publications/CS_CE-Report_FINAL_10-10-2017_with_comments.pdf> [↑](#footnote-ref-33)
34. CPUC, “Administrative Law Judge’s Ruling Seeking Comment on Market Transformation Staff Proposal,” August 29, 2018. p.27: “Address energy savings potential, competing products, and the costs and benefits associated with target and competing products.” And “Present a forecast of energy savings over the lifecycle of the initiative, as well as a budget, and a schedule of cost‐effectiveness.” [↑](#footnote-ref-34)
35. As MTIs may potentially include efficiency measures targeted to achieve Resource Adequacy benefits, which is also referred to as “RA,” a different acronym is used here. [↑](#footnote-ref-35)
36. Other types of “overlap” can include overlap with ET and WE&T, which were not explicitly discussed. [↑](#footnote-ref-36)
37. Other issues that were raised, but not addressed, include: how to balance the costs and benefits of MT over portfolio cost effectiveness (C-E) (see Section 7); how to ensure MT is aligned with RAcq obligations and other state policies (which played into our thinking on who is the ultimate decision-maker, but was not deeply addressed); and the need to protect third party MT and/or RAcq intellectual property (which bears further discussion). [↑](#footnote-ref-37)
38. Existing CPUC alternative dispute resolution processes could be used, preferably with expedited timing. *See* <http://www.cpuc.ca.gov/adr/>. [↑](#footnote-ref-38)
39. This will require the parties working on selection criteria to include overlap (positive and negative) in the criteria. [↑](#footnote-ref-39)
40. Increasing cost or difficulty of financing has been established to increase cost of delivering energy products to market, requiring implementers to increase bid prices, which in turn increases customer costs. [↑](#footnote-ref-40)
41. In practice the MTWG thinks that the first MT initiative proposals reaching “Review #1” (see illustration at the end of this paper) may not happen until 2020 or 2021. In this case, early RAcq programs will already be in year 2 or 3 of typically three-year contracts. In this scenario the RAcq program will be needing to extend or be rebid and MT work then underway can be more easily integrated. [↑](#footnote-ref-41)