

Formal Case No. 1148: Second Technical Conference  
1325 G Street, N.W., Suite 800  
Washington, D.C. 20005



**FORMAL CASE NO. 1148, IN THE MATTER OF THE INVESTIGATION INTO THE ESTABLISHMENT AND IMPLEMENTATION OF ENERGY EFFICIENCY AND ENERGY CONSERVATION PROGRAMS TARGETED TOWARDS BOTH AFFORDABLE MULTIFAMILY UNITS AND MASTER METERED MULTIFAMILY BUILDINGS WHICH INCLUDE LOW AND LIMITED INCOME RESIDENTS IN THE DISTRICT OF COLUMBIA**

SECOND TECHNICAL CONFERENCE  
MEETING MINUTES

**Meeting Commencement**

The *Formal Case No. 1148* Second Technical Conference convened at 10:05 a.m. on Thursday, November 1, 2018, in the Public Service Commission of the District of Columbia's ("Commission") Hearing Room.

**Attendees (see Attachment No. 1)**

The Following Organizations and Entities were represented:

- Commission Staff
- Potomac Electric Power Company ("PEPCO")
- The Office of the People's Counsel ("OPC")
- Department of Energy and Environment ("DOEE")
- The National Consumer Law Center and National Housing Trust ("NCLC/NHT")
- District of Columbia Sustainable Energy Utility ("DCSEU")
- Office of the Attorney General ("OAG")

**Issues Discussed (see Attachment No. 2)**

- Discussion involved past Commission practices in program governance and administration, and how the Whole-Building, Deep Energy Retrofit Program should be governed.

**Adjournment**

The roundtable adjourned at 11:10 a.m.

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**Synopsis of Issues Discussed**

- Per directives in Order No. 19428, Commission Staff and interested persons (EEEC Working Group) continued discussing the establishment of the Whole-Building, Deep Energy Retrofit Program targeted primarily towards both affordable multifamily units and mastered-metered multifamily buildings in the District of Columbia (“District”), which include low and limited income residents.<sup>1</sup> Commission Staff began the meeting discussing the governance and administration of the program and mentioned Commission’s past program SMPPI, where a non-profit corporation with a board of interested stakeholders oversaw a smart meter pilot. NCLC/NHT asked whether the timeline to fully establish such an organization would delay the program? NCLC/NHT also indicated that they prefer moving forward in a more flexible manner that would allow establishment of the program to move forward quickly. NCLC/NHT suggested that perhaps, the current stakeholders can draft the implementer request for proposal (“RFP”). Commission Staff indicated that it is possible to simultaneously draft the RFP and create an organization. NCLC/NHT supports Commission Staff’s dual track. Commission Staff asked DOEE whether they had examples of RFPs similar to this program from past programs they’ve established? OPC recalled that DOEE does have such examples, and notes that board evaluators from different entities were used to select an implementer for the SEU’s programs. DOEE further explained that it has used a small group of evaluators and each party had a representative on the selection board. DOEE states that the selection board drafted the RFP, which was later forwarded to the contracting officer for review. OPC noted that the selection board was not aware of the evaluator’s price bids, which is different from the Deep Retrofit funds.
- Commission Staff mentioned that in order to start drafting an RFP, the statement of work is needed. NCLC/NHT mentioned that a determination of our goals is needed before a statement of work can be draft. Commission Staff tasked NCLC/NHT to draft program goals, which will be circulated to the working group before a statement of work is formalized. Commission Staff further asked whether the group had a specific goal it would like to reach? DOEE noted that it would be beneficial to review the Clean Energy DC Plan to determine what benchmarks should be set. OPC mentioned the new building codes scheduled to be released in the near future. OPC will review this information and circulate with the group. NCLC/NHT also mentioned that the goal is best set based on the benchmarks and metrics of the program. OPC noted that DCSEU has benchmarks that the group can review. Commission Staff asked in terms of approach, how should the group move forward, will it be a phased approach so that some buildings will be selected and moved forward, and then another set of buildings will follow. OPC and NCLC/NHT stated that use of all the money would be the recommendation and it should be fuel neutral including electricity and gas buildings. It is not necessary to include a solar component; however, coordination between this program and a Solar-for-All-type program may be beneficial. Commission Staff stated that another approach is to target

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<sup>1</sup> *Formal Case No. 1148, In the Matter of the Investigation into the Establishment and Implementation of Energy Efficiency and Energy Conservation Programs Targeted towards both Affordable Multifamily Units and Master Metered Multifamily Buildings which include Low and Limited Income Residents in the District of Columbia, Order No. 19428, ¶1, rel. August 9, 2018.*

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load constraint areas. DCSEU mentioned to the group to not presume that once the program commences that there will be a load of people coming to sign up, especially with the intention to assist buildings. Commission Staff mentioned the possibility of inviting the Department of Health and Human Services. NCLC/NHT noted that whatever the structure, it needs to be created for success. DCSEU also recognized that adding potential limitations of who can participate in the program, may also limit the amount of applications received. Commission Staff asked whether the program's goal is to include properties from all eight wards? OPC stated that the directive from the order also requested that load constraint areas be looked at. DCSEU asserted that performance and spending metrics should be tied to small businesses. DCSEU also advised, based from their experience, to consider not having a building project fully subsidized. This would allow building owners to also have a stake in improving their properties as well. This funding approach would also allow the program to reach more customers. Pepco agreed to provide information about "capacity constrained" areas in next meeting.

- Commission Staff asked whether this program should target and include solar, and whether that sector of the program would focus on multi-family units or single-family units? DCSEU noted that multi-family, is mainly facilitated through community solar. Commission Staff asked, in regard to implementers, what are the goals, are they to plan facilitation of applicants involved in other programs that are also currently in operation from other agencies? DOEE also mentioned whether there should be any restrictions for the use of the funds and the establishment of this program? OPC asked for information related to recruitment of SEU programs. DOEE noted that they work with contractors consisting of property managers, District of Columbia Housing Authority, United States Department of Housing and Urban Development, and others to spread the word about programs. DCSEU also mentioned that the construction of the program should not conflict with other programs, leading property managers to fight over programs. OPC also asked DCSEU to share the incentive structure of some of their programs to the group. The meeting concluded with a recap of assigned tasks by the next meeting. NCLC/NHT is tasked to create description of program goals. DOEE will report on the link between this program and District's Clean Energy DC Plan goals. OPC will report back with DCSEU benchmarks and District's housing codes amendments. Pepco will investigate identifying load constrained area and how they might review applicants. Commission Staff will review the *Formal Case No. 1142* RFP filing and submitted comments before the next meeting. Lastly, the working group decided that next meetings will be scheduled for November 29, 2018, and December 13, 2018, with the second meeting to be held via conference call.

**Meeting Action Items**

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|---------------------------------------|--|
| • Draft Circulated to Parties         | Monday, November 5, 2018                 |
| • Comments from Parties to PSC Staff: | Wednesday, November 7, 2018              |
| • Report Filed with Commission:       | Friday, November 9, 2018                 |
| • Next Meetings:                      | Thursday, November 29, 2018              |
|                                       | Thursday, December 13, 2018 (Conf. Call) |





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**November 1, 2018  
10:00 A.M. – 12:00 P.M.**

**AGENDA**

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|-------------|--|------------------------------------|
| <b>I.</b>   | <b>Sign In/Welcome</b>                         | <b>PSC (Berry)</b>                 |
| <b>II.</b>  | <b>Recap of First Technical Conference</b>     | <b>PSC (Berry)</b>                 |
| <b>III.</b> | <b>Discussion</b>                              | <b>All</b>                         |
|             | <b>A. Program Governance and Administrator</b> | <b>All</b>                         |
|             | <b>i. Past Commission Practice</b>             | <b>PSC (Berry)</b>                 |
|             | <b>ii. Structure and Membership</b>            | <b>All</b>                         |
|             | <b>iii. Level of Delegation</b>                | <b>All</b>                         |
|             | <b>B. Next Steps</b>                           | <b>All</b>                         |
| <b>IV.</b>  | <b>Post-Technical Conference Report</b>        | <b>PSC (Berry)</b>                 |
|             | <b>A. Draft Circulated to Parties:</b>         | <b>Monday, November 5, 2018</b>    |
|             | <b>B. Comments from Parties to PSC Staff:</b>  | <b>Wednesday, November 7, 2018</b> |
|             | <b>C. Report filed with Commission:</b>        | <b>Friday, November 9, 2018</b>    |

**Adjournment**

**Call In Telephone Number: 712-775-7031**

**Meeting ID: 828-265-056**