

SESA SOLAR AND ENERGY STORAGE  
ASSOCIATION  
OF PUERTO RICO

NEPR

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Hon. Edison Avilés-Deliz, Chairman  
Puerto Rico Energy Bureau  
World Plaza Building  
268 Ave. Muñoz Rivera  
Nivel Plaza Suite 202  
Hato Rey, PR 00918

RE: Reply Comments on Proposed Energy Efficiency Rule (NEPR-MI-2021-0005)

Dear Chairman Avilés-Deliz and Honorable Commissioners:

The Puerto Rico Solar Energy Industries Association Corp., d/b/a/ Solar and Energy Storage Association of Puerto Rico (hereinafter, “SESA”) is an association that represents Puerto Rico’s solar and energy storage industries. It advocates for solar and storage technologies as a central solution to the energy needs of Puerto Rico and promotes public policy that benefits the growth of these industries. It brings awareness and understanding of these technologies to both government policymakers and the public and facilitates collectively beneficial collaboration and good business practices within the industry.

On April 22, 2021, the Energy Bureau of the Puerto Rico Public Service Regulatory Board (the “PREB” or the “Bureau”) issued its Proposed Regulation for Energy Efficiency, in case No. NEPR-MI-2021-0005. On May 6, 2021, PREB issued an order establishing the deadline of June 7<sup>th</sup> 2021 for public comments on the Proposed Regulation.

This Honorable Bureau granted an extension, until this past June 28<sup>th</sup>, for all stakeholders to file their initial comments, and also granted a specific reply period until July 5<sup>th</sup>, which by function of administrative procedure rules these filings until today as yesterday was an official federal holiday.

The Bureaus’ actions have allowed for robust stakeholder analyses of the Proposed Regulation, positive and productive inter-stakeholder communication and evidently resulted in thorough public comments by an impressive variety of stakeholders.

SESA commends the Bureau for these actions. Furthermore, SESA takes advantage of this reply opportunity today to also congratulate all the commenting stakeholders. Every perspective is critical to our collective success in moving forward with the norms set forth in Act 17, 2019, including the legal mandate to achieve 30% energy efficiency by 2040.

SESA also takes the opportunity to share a summary we have created of all the initial comments filed by stakeholders (Attached). In our view this summary can help all stakeholders, as well as this Honorable Bureau, in easily viewing and understanding some common and germane themes and concerns across the several filings, and perhaps promote the identification of consensus postures.

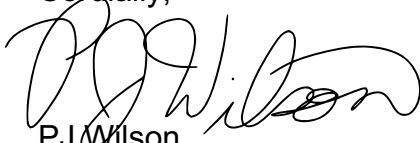
From our humble perspective these common themes, among others, are around the following issues:

- a) Source of funding for EE programs, including whether there is, or is there isn't, a pathway to ratepayer funding for ratepayer-benefitting programs.
- b) The need to move forward with 'quick-start' programs immediately.
- c) Clarifying the impact and/or role of all available federal funding.
- d) Clarifying the importance of robust pertinent studies: they are necessary if there's a pathway to serious ratepayer funding, and the existence of efficiency programs comparable to successful stateside examples.

In closing, we again thank the Honorable Bureau for the extended efforts to invite stakeholder comment and participation in this important process of Energy Efficiency design.

We look forward to the workshop and forthcoming steps in this rule's development and implementation.

Cordially,



PJ Wilson

Presidente, SESA-PR

Proposed Energy Efficiency Rule - NEPR-MI-2021-0005			<a href="https://energia.pr.gov/en/dockets/?docket=nepr-mi-2021-0005">https://energia.pr.gov/en/dockets/?docket=nepr-mi-2021-0005</a>
Date	Organization	Title w/hyperlink	Overview of Main Recommendations
6/28/2021	American Council for Energy Efficient Economy (ACEE)	<a href="#">Public Comment of the American Council for an Energy-Efficient Economy Subject: ACEEE Comments</a>	<ol style="list-style-type: none"> <li>1. Create a consistent and stable funding source for cost recovery of energy efficiency programs</li> <li>2. Set the first cycle as a "Quick Start" program (with all savings eligible to count toward goals) while key studies on baseline, avoided costs and potential are conducted, and begin a full cycle in March 1, 2024. (Sections 3.02, 3.04)</li> <li>3. Avoid unnecessary budget constraints on the utility's ability to meet the goal (Section 3.05)</li> <li>4. Address utility business model reform comprehensively to ensure energy efficiency is on an equal playing field with other resources (Section 3.02)</li> <li>5. Ensure the stakeholder engagement process has the resources, data, and structure needed for success (Section 3.07)</li> <li>6. Clarify whether the default cost-effectiveness test, absent a Puerto Rico Cost test, is a Utility Cost Test or Total Resource Cost Test (Sections 4.01 and 4.02)</li> </ol> <p>2. Clarify definition of low income and hard-to-reach customers (Section 3.02)</p>
6/28/2021	AARP	<a href="#">AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations Subject: AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations</a>	<ol style="list-style-type: none"> <li>1. Need for an express statement of the goal that electricity be affordable.</li> <li>2. Need for an express statement of the goal that tenant residential customers who are not homeowners achieve same benefits as homeowners.</li> <li>3. Need to revise PAYSTM provisions to eliminate references to "financing."</li> <li>4. Need to resolve potential conflicts between stated goals, and to clarify priorities.</li> <li>5. Need to consider the impact of programs on rates, especially for those who cannot participate in direct savings.</li> <li>6. Need to clarify the meaning of "cost-effective energy savings".</li> </ol>
6/28/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	<ol style="list-style-type: none"> <li>1. PREB should avoid "heavy handed regulation" that would prevent the natural development of EE</li> <li>2. PREB should use funding for incentives, financing for low income, and subsidies</li> <li>3. Concerned over Article 2.01/Article 3.06, focus on PREPA and LUMA centralized top down approach vs. a decentralized DER system per Law 17</li> <li>4. EE financing should openly permit private sector initiatives</li> <li>5. EE programs should offer financing based on customer creditworthiness</li> <li>6. PREB should identify other gov agencies that can lead and execute their own energy projects</li> </ol>
6/28/2021	Rocky Mountain Institute (RMI)	<a href="#">Rocky Mountain Institute (RMI) Comments Subject: Rocky Mountain Institute (RMI) Comments</a>	<ol style="list-style-type: none"> <li>1. Learn from other jurisdictions regarding Quick Start Programs</li> <li>2. Allow for experimentation and market based approaches while ensuring non-standard approaches and technologies are encouraged and allowed to participate</li> <li>3. Define the stakeholder input and process for first determining the PR Cost Test (the specifics of the Cost Test itself and how stakeholders can participate).</li> <li>4. Define low-income communities and customers specifically to ensure equitable benefit and appropriate use of funds</li> <li>5. Clarify the 30% target, including the role of subcomponents and determination of any excess savings (i.e., achieving the 30% kWh reduction through energy efficiency prior to 2040, or exceeding any planned or contractual savings during an implementation year).</li> </ol>
6/28/2021	Ceres	<a href="#">Public Comments Ceres Subject: Ceres Comments</a>	<ol style="list-style-type: none"> <li>1. Ensure that energy efficiency programs are afforded robust, stable funding by establishing a consistent, stable funding source for the cost recovery of energy efficiency programs</li> <li>2. Ensure energy efficiency programs are implemented without delay by authorizing "quick-start" programs and pilots</li> <li>3. Align utility financial interests with energy efficiency investment so that energy efficiency investment is prioritized and maximized</li> <li>4. Ensure energy efficiency programs are designed and implemented in collaboration with stakeholders</li> </ol>
6/28/2021	Oficina Independiente de Protección al Consumidor (OIPC)	<a href="#">Comentarios Oficina Independiente de Protección al Consumidor Subject: Comentarios OIPC</a>	<ol style="list-style-type: none"> <li>1. Update Sec 1.04 to include other governmental agencies</li> <li>2. Update definition for "competitive electric power service company" with "Resale Electric Supplier" definition used by Bureau</li> <li>3. Update QuickStart Program applicants to PREPA by itself or in partnership</li> <li>4. Modify EE financing to include PREPA and other state agencies</li> <li>5. Ensure that decreased demand is not accidentally counted towards EE progress</li> </ol>
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	<ol style="list-style-type: none"> <li>1. Reliable and long term source of incentive funding for planning and delivery of EE programs</li> <li>2. LUMA recommends one coordinated, integrated planning process and filing for both the EE and DR Plans.</li> <li>3. LUMA recommends any savings from special programs be included in target achievement, but the pilot programs not be required to meet cost-effectiveness tests or be included in the portfolio cost-effectiveness.</li> </ol>
6/25/2021	Institute for Energy Economics and Financial Analysis (IEEFA)	<a href="#">Institute for Energy Economics and Financial Analysis (IEEFA) Comments on Proposed Energy Efficiency Regulation Subject: IEEFA Comments on Proposed</a>	<ol style="list-style-type: none"> <li>1. Urge LUMA to include incentives for LUMA to meet its performance targets</li> <li>2. Suggest that energy efficiency improvements in PREPA or LUMA facilities not be included towards the goal compliance</li> <li>3. Requesting Bureau to clarify that the Three- Year Plan, the Annual Updates, and other filings should be public information and to require LUMA to use uniform reporting</li> </ol>
6/25/2021	VEIC	<a href="#">VEIC Comments on Puerto Rico Proposed Regulation Subject: VEIC Comments on Puerto Rico Proposed Regulation</a>	<ol style="list-style-type: none"> <li>1. Stable framework for program administration and a sustainable source of funding</li> <li>2. Long Term Program Administrator (LUMA? or Green Energy Trust)</li> </ol>
6/7/2021	Natural Resources Defense Council (NRDC)	<a href="#">NRDC Comments on Proposed Regulation Energy Efficiency No subject available.</a>	<ol style="list-style-type: none"> <li>1. Cost-effectiveness study potential</li> <li>2. Allow PREPA to include EV as an EE strategy</li> <li>4. Establish a monthly stakeholder advisory group that is chaired by the Energy Bureau – not PREPA.</li> <li>5. Interim Test to include savings from other energy sources and include the social cost of carbon</li> </ol>

Proposed Energy Efficiency Rule - NEPR-MI-2021-0005		<a href="#">et=nepr-mi-2021-0005</a>			
Date	Organization	Title w/hyperlink	Pg #	Brief description	Original Text
6/28/2021	American Council for Energy Efficient Economy (ACEE)	<a href="#">Public Comment of the American Council for an Energy -Efficient Economy Subject: ACEEE Comments</a>	3	#1: Create a consistent and stable funding source for long term cost recovery of energy efficiency programs, such as a system benefit charge or utility rate base	Successful energy efficiency programs have a stable mechanism in place to collect funds from ratepayers, either via a system benefit charge or through the utility rate base...The Proposed Regulation appears to authorize cost recovery for EE in Section 3.05(C), which states that "the Energy Bureau's decision regarding the Three-Year EE Plan shall serve as approval for the recovery for the net cost of the approved EE programs (including EM&V and other studies) through PREPA's rates for transmission and distribution service."... <b>We commend the Bureau for including the language in Section 3.05 and 3.06 that directs PREPA to seek revenue sources to offset ratepayer funding for EE programs, such as grants, federal funds, or compensation for services provided. Leveraging</b>
6/28/2021	American Council for Energy Efficient Economy (ACEE)	<a href="#">Public Comment of the American Council for an Energy -Efficient Economy Subject: ACEEE Comments</a>	3	#2: Set the first cycle as a "Quick Start" program (with all savings eligible to count toward goals) while key studies on baseline, avoided costs and potential are conducted, and begin a full cycle in March 1, 2024. (Sections 3.02, 3.04)	<b>ACEEE recommends that the first Three-Year plan (which is actually two years, from July 1, 2022 to June 30, 2024) be structured as a Quick-Start Plan.</b> We recommend that such a period include three components: 1. Stakeholder engagement and market development... 2. Savings from the period should count toward the 2040 cumulative annual savings target, but PREPA would not have binding energy savings targets, nor would they be subject to potential penalties or eligible for performance incentives. 3. During this period, all studies needed to inform energy efficiency targets and program designs (notably, the market baseline and potential study and avoided cost study) will be completed.
6/28/2021	American Council for Energy Efficient Economy (ACEE)	<a href="#">Public Comment of the American Council for an Energy -Efficient Economy Subject: ACEEE Comments</a>	4	#3. Avoid unnecessary budget constraints on the utility's ability to meet the goal (Section 3.05)	ACEEE research has found that states with cost caps have found themselves restrained and unable to access those cost-effective efficiency opportunities beyond the cost ceiling, and as a result have had to lower or miss their energy savings targets. <b>We recommend that the Energy Bureau set clear, enforceable goals for PREPA, develop locally relevant cost-effectiveness rules and standards, and then allow PREPA to propose the optimal level of funding necessary to meet the Energy Bureau's goals and standards.</b> Then, based on the Bureau's review and oversight it can set and approve appropriate budgets based on what is needed to meet those goals.
6/28/2021	American Council for Energy Efficient Economy (ACEE)	<a href="#">Public Comment of the American Council for an Energy -Efficient Economy Subject: ACEEE Comments</a>	4-5	#4. Address utility business model reform comprehensively to ensure energy efficiency is on an equal playing field with other resources (Section 3.02). Consider decoupling to ensure utilities can recover allowed costs in volumetric prices independent of sales volumes	Section 3.05 C addresses direct cost recovery, and section 3.02.C6 addresses performance incentives. However, it is not clear that the regulation considers lost revenue recovery. <b>ACEEE recommends addressing lost revenue recovery; through revenue decoupling if feasible, and if not, through performance incentives designed to address lost revenues....</b> However, if decoupling is not feasible given Puerto Rico's current ratemaking regime, <b>we recommend scaling performance incentives to address the lost sales revenue problem, by providing sufficient financial compensation to the utility to overcome the inherent throughput disincentive presented by customer energy efficiency</b> (in addition to addressing only the opportunity cost of energy efficiency programs; their primary function).
6/28/2021	American Council for Energy Efficient Economy (ACEE)	<a href="#">Public Comment of the American Council for an Energy -Efficient Economy Subject: ACEEE Comments</a>	6	#5. Ensure the stakeholder engagement process has the resources, data, and structure needed for success (Section 3.07)	Going forward, the Energy Bureau should <b>consider hosting the stakeholder working group instead of PREPA.</b> In our experience, seating EE collaboratives under the purview of regulators tend to be more successful than with the utilities; in general regulator-driven collaboratives correlate with higher energy savings than utility-driven collaboratives. <b>We also recommend that the Energy Bureau more clearly define the scope and charter of the stakeholder engagement process, including roles and responsibilities, while also entrusting the stakeholder group with real decision-making authority.</b>
6/28/2021	American Council for Energy Efficient Economy (ACEE)	<a href="#">Public Comment of the American Council for an Energy -Efficient Economy Subject: ACEEE Comments</a>	7	#6 Clarify whether the default cost-effectiveness test, absent a Puerto Rico Cost test, is a Utility Cost Test or Total Resource Cost Test (Sections 4.01 and 4.02)	However, we recommend that the Bureau clarify the two sections. <b>Section 4.01 B</b> states that "Before the establishment of the Puerto Rico Test, PREPA and the Energy Bureau shall assess the cost effectiveness of EE programs according to the Utility Cost Test. However, Section 4.01 G states that "If the initial Baseline Study and Potential Study described in <b>Section 2.04</b> of this Regulation are completed and the Puerto Rico Test is not yet finalized, PREPA shall begin assessing the cost-effectiveness of EE programs according to the Total Resource Cost Test ("TRC Test")." .... <b>Given the principles highlighted in Section 4.02 (F), we recommend using a Utility Cost Test as the default if the Puerto Rico Test is not finalized, both for consistency with investments during the Quick-Start Plan and because if the Puerto Rico Test is not finalized, it is unlikely that a TRC would be applied in accordance with the principles articulated in the Proposed Regulation</b>
6/28/2021	American Council for Energy Efficient Economy (ACEE)	<a href="#">Public Comment of the American Council for an Energy -Efficient Economy Subject: ACEEE Comments</a>	8	#7: Clarify the definition of low income and hard-to-reach customers (Section 3.02)	ACEEE recommends that the Bureau <b>defines "low-income" customers, ideally with a definition that aligns with existing sources of funding for EE,</b> such as the Weatherization Assistance Program (WAP) or other federal funds. In addition, programs should be designed to meet and serve all low income customers, including <b>considering various housing types.</b> The definition should also <b>reduce the administrative burdens of income verification</b> by conforming with existing forms of assistance that can automatically enroll customers. For example, customers enrolled in the Low-Income Home Energy Assistance Program can automatically be referred for WAP as well. In addition, we recommend that the <b>Bureau define "hard-to-reach" customers, which is a term that typically encompasses customers who are underserved or do not have easy access to EE programs.</b>
6/28/2021	AARP	<a href="#">AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations Subject: AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations</a>	6	#3: Need to revise PAYS (Pay as You Save) provisions to eliminate references to "financing," Section 3.06 Energy Efficiency Financing	This is the only energy efficiency program that has been shown to overcome the split incentive between landowner and bill-payer, to remove the necessity to take out loans, to assure immediate savings right away, to safeguard against payment requirements for measures that do not work, to address the risk of having to leave the premises before reaching positive payback, and to rely on certified auditors and installers to ensure a quality product. For these reasons, PAYSTM should definitely be tried in Puerto Rico. Using PAYSTM, utilities in a number of states have provided energy efficiency services without becoming lending institutions. Customers have participated who could not otherwise and could not take on a loan. <b>It would be useful if the word "financing" in this section were replaced by the word "program" or some other word that makes clear this program does not create an indebtedness on the part of the participant.</b>

6/28/2021	AARP	<a href="#">AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations Subject: AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations</a>	7-8	Energy Efficiency priorities should include affordability so that customers who qualify but don't have the financial means to participate can.	None of the proposed priorities include affordability. The carve-out for low-income programs is fine. However, many customers will qualify for participation, and yet still not be capable financially to take advantage of rebates and other traditional programs. [This makes programs such as PAYSTM essential if all customers are to participate in the benefits]. Importantly, difficulty with electricity bills is not limited to those who are eligible for means-tested social programs... <b>the manner in which programs are made available and how their costs relate to avoidable generation and transmission costs will determine if all rates will go up, by how much, and without offsetting usage reductions for many customers. Program developers and operators should explicitly consider these consequences when designing, funding and operating programs.</b>
6/28/2021	AARP	<a href="#">AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations Subject: AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations</a>	8	#4: A major problem in the Proposed Regulations is that key decisions are vague and have undefined standards for goals and for programs. The Proposed Regulation sets out targets or goals for program design that are mutually incompatible, and thus does little to establish priorities.	<b>The Proposed Regulations implicitly acknowledge this problem by citing a long list of objectives, and then saying they could later be prioritized by the Energy Board. See, Section 3.01(D).</b> This initial fluidity allows PREPA and the Energy Bureau an essentially free hand to choose the priorities it wants. It will make the Bureau's later prioritization process an essential process for the public to follow. Similarly, the Three-Year Plans and annual Plan approvals will be opportunities to ensure that AARP constituents are included in the priorities. <b>AARP believes that this prioritization should happen sooner, rather than later.</b> The language should be amended as follows: "as PREPA's programs begin, mature, and <del>develop</del> over time, the Energy Bureau may choose to <i>must consult with stakeholders</i> and prioritize <del>certain</del> of these objectives."
6/28/2021	AARP	<a href="#">AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations Subject: AARP Comments on Puerto Rico Energy Bureau Proposed EE Regulations</a>	9	#6: Clarification of Definitions to ensure cost-effective energy savings.	<b>The proposed regulations are unclear as to what is meant by "energy efficiency."</b> Sometimes the term is used in the normal sense -- lowering the usage (kWh) of the customer while maintaining the same level of comfort or use. <b>Other times, the term "energy efficiency" includes the concept of a reduction of peak demand levels...As stated above, a problem arises when energy-efficiency programs are only usable by some customers to lower bills, but raise rates for all customers...</b> Anytime the costs avoided by reducing usage are less than the cost of the programs to reduce usage, then rates will increase by definition. <b>With a clearer delineation between the concepts of lowering energy usage and of lowering peak demand, the regulations would be easier to administer and easier to evaluate.</b>
6/28/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	2	PREB should avoid "heavy handed regulation" that would prevent the natural development of EE	PREB should avoid overinclusive or heavy-handed regulation which could end up hindering naturally occurring EE developments by both private and other public entities, particularly those with actual or possible outside funding
6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	2	PREB should use funding for incentives, financing for low income, and subsidies	PREB should focus LUMA-PREPA funding through utility funds and tariffs, and other government agency coordination efforts first on: a. <b>Incentives and financing schemes for the poorer households</b> that do not have access to naturally occurring financing of EE solutions. b. <b>EE that lowers the bills of customers</b> that legislature and central government have not or cannot eliminate subsidies for.
6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	6	Concerned over Article 2.01/Article 3.06, focus on PREPA and LUMA centralized top down approach vs. a decentralized DER system per Law 17	The aforementioned Articles, although substantially correct about the various existing and possible avenues for Energy Efficiency implementation, seem <b>exclusively centered around PREPA and LUMA under the preconception that a centralized top down system is the right solution rather than a decentralized distributed energy system akin to the Puerto Rico Act 17-2019 model.</b> In addition, it supposes that PREPA-LUMA are ready to plan and coordinate with myriad agencies such a top-down heavy-handed regulation when it is obvious they are facing colossal management integration problems, and attendant regulatory agenda where LUMA/PREPA EE Performance metrics are yet to be considered.
6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	8	EE financing should openly permit private sector initiatives	Particularly, the financing of energy efficiency is an area where the market is moving with more speed and efficiency than PREPA. <b>The articles applicable to PREPA should not be on an exclusive basis and should openly permit and promote private sector initiatives.</b> After all, it is what is already happening in the rooftop photovoltaic systems market with or without battery support.
6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	8	EE programs should offer financing based on customer creditworthiness	Accessibility to capital is of the utmost importance if the EE Programs are expected to include low-income classes of customers. However, this does not mean that absolute access should be granted since this may imply large risks to PREPA's capacity to satisfy its credit against customers. Therefore, <b>customers should receive a level of financing tailored to their creditworthiness. The programs approved by PREB should then be subject to prudent and recommended practices of the financing industry.</b> Limits on individual loan amounts should be established based on these same standards. Nonetheless, this does not mean that some funds cannot be destined specifically towards the inclusion of high-risk customer-debtors. Hence, by compartmentalizing funds to be offered to different classes of customers, EE Program participation of low-income customers can be achieved
6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	9	To protect loan terms, EE financing should include secured credit card transactions and possibly collateralization of customer-debtor's assets	Section 3.06 (D)(4)(c) establishes that the "program will address non-payment and disconnection." On one hand, PREPA must possess the necessary faculties to achieve compliance with loan obligations. On the other hand, given the importance of electric services, customers should not be subject to disconnection in the event of default. Consequently, <b>the means to achieve compliance with loan terms should be less onerous to customer-debtors. This could be achieved through the collateralization of other customer-debtors' assets.</b> In this context, if the event of default should arise, PREPA would satisfy its credit in a way that would not result in the loss of such a fundamental service as energy. Due to the diminution of risks in secured credit transactions, interest rates become more favorable to customer-debtors, i.e., the customer-debtor is incentivized to more effectively to participate in EE programs. <b>Our recommendation is that financing for EE Programs should include secured credit transactions when the loan risks are higher, be it because of the individual customer's credit or the loan amount.</b>
6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	10	Separate PREPA loan transactions from other energy services to prevent loss of service	<b>we recommend that tariff-based financing assigned to the meter is not in the best interest of customer protection. It would be far more beneficial to PREPA's clients that loan transactions be separated from transactions related to energy services.</b> Even if multiplicity of transactions may cause additional costs, billing confusion should not arise, and clients will have the security that default shall not result in the loss of service. This way, PREPA will also keep a clearer record on income due to energy services and on income arising because of the financing of EE Programs.

6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	10	Include benefits of EE Programs to encourage customers that do not need financing aid to apply and leave additional funds in the EE budget for low income households	Section 3.06 in general does not state the benefits for those customers that participate in EE Programs without the need of financing. <b>The regulation should cover this class of customers that are not a hindrance to the capital that would otherwise be offered to customers that need it the most, i.e., the least probable to participate.</b> To stimulate more participation in EE Programs without financing, benefits offered to customers should reflect it. This means that customers will be incentivized to seek finance from private institutions instead of the EE Budget contemplated in Section 3.05. Then, the EE Budget could be used to offer financing to the most economically vulnerable classes of customers.
6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	11	PREB should identify other gov agencies that can lead and execute their own energy projects	ICSE exhorts PREB to develop EE Programs in conjunction with other administrative and public entities. <b>Other bodies of government can advance their own goals under the guidance of PREB so that EE is concurrently advanced.</b> For example, the statutory goal of illuminating the streets of Puerto Rico with LED lights could be better achieved not by PREB doing so but by delegating this responsibility to, say, the Department of Transportation and Public Works, which should have the appropriate equipment and machinery to achieve this. Another example of possible practices that may further energy efficiency is establishing a regulation that all future public buildings must possess equipment that is cost-effective in terms of energy. In general, <b>PREB should identify in which sectors energy efficiency can be instituted with the collaboration of more well-suited entities to do so and then delegate responsibilities, respectively. A grand design government model where every action is primarily or entirely in PREPA's and PREB's hands, can limit multiple private naturally occurring and government initiatives, some of which have legal and regulatory powers that directly or indirectly promote energy efficiency</b>
6/29/2021	Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico (ICSE)	<a href="#">Instituto de Competitividad y Sostenibilidad Económica de Puerto Rico Comments to Proposed Regulation for Energy Efficiency Subject: ICSE- Notice if Proposed Regulation and Request for Energy Public Efficiency</a>	12	Ensure tariff structure does not hinder EE development and increase energy consumption due to lower costs	There is no doubt that EE has been and continues to be a low-cost, easy implementation strategy to reduce costs to consumers and to forego electric system capital expenses. In addition, EE is the most quick and effective tactic to mitigate carbon footprint in the short term. However, <b>it should be noted, that depending on the revenue structure of the grid owner/operator, a reduction in consumed energy can impact financial health and so the tariff structure should be properly aligned to avoid perverse incentives to hinder EE development and increase energy consumption.</b>
6/28/2021	Rocky Mountain Institute (RMI)	<a href="#">Rocky Mountain Institute (RMI) Comments Subject: Rocky Mountain Institute (RMI) Comments</a>	3	1. Learn from other jurisdictions on leading examples of programs that can cause the Quick Start Programs to succeed quickly.	In RMI's experience, the primary barrier to utility-scale energy efficiency programs is a tendency by program operators and utilities to delay implementation, weaken incentives, and reduce scope throughout the life of the program. By building immediate and tangible results from the <b>Quick Start Programs</b> (which are a key and laudable part of the process), PREB can help build momentum and overcome resistance. <b>RMI recommends seeking input from other regulatory bodies and experts, including the American Council for an Energy Efficiency Economy (ACEEE)</b>
6/28/2021	Rocky Mountain Institute (RMI)	<a href="#">Rocky Mountain Institute (RMI) Comments Subject: Rocky Mountain Institute (RMI) Comments</a>	3-4	2. Allow for experimentation and market based approaches and ensure non-standard approaches and technologies will be encouraged and allowed to participate	<b>the process should be appropriately flexible to allow market-based approaches and experimentation.</b> ...Prescribing the specific incentives, measurements, and approaches will often limit this ability for innovation. Given the rapid growth of distributed energy and the high level of innovation in the energy sector in general, multiple actors should be given incentives to find and scale energy efficient solutions...The consideration of non-wires alternatives is an important inclusion in this proceeding and other analyses, but energy efficiency should be considered not only for the benefit of reducing or avoiding grid scale transmission and distribution investments, but also to couple with renewable energy and/or storage to ensure distributed solutions are cost effective and grid supportive.
6/28/2021	Rocky Mountain Institute (RMI)	<a href="#">Rocky Mountain Institute (RMI) Comments Subject: Rocky Mountain Institute (RMI) Comments</a>	4	3. Define the stakeholder input and process for determining the PR Cost Test, to emphasize a collaborative approach	RMI recommends using a <b>collaborative process involving all relevant and interested stakeholders</b> , with the general framework and schedule established by PREB to ensure speed and clarity. This <b>process would first be used to define the right metrics and approach for the PR Cost Test.</b> This important cost test will help shape energy efficiency efforts for years and gathering input and creating valuable connections between implementers can augment this important work... <b>The prior approach used to support a bipartisan group of Senators in defining Act 17, known as The Public Collaborative for Puerto Rico's Energy Future is one model for engagement that RMI offers as a reference.</b>
6/28/2021	Rocky Mountain Institute (RMI)	<a href="#">Rocky Mountain Institute (RMI) Comments Subject: Rocky Mountain Institute (RMI) Comments</a>	4-5	4. Define low-income communities and customers specifically to ensure equitable benefit and appropriate use of funds	The draft regulation appropriately directs funds to low income customers. However, <b>a more specific definition of this customer group, and whether efficiency program operators will be able to focus on low income communities or only low income customers will be helpful to create clarity.</b>
6/28/2021	Rocky Mountain Institute (RMI)	<a href="#">Rocky Mountain Institute (RMI) Comments Subject: Rocky Mountain Institute (RMI) Comments</a>	5	5. Clarify the EE 30% target by 2040 and how any excess savings will be treated.	<b>Specifically defining a baseline year from which reductions will be calculated</b> (which can be done through the Baseline Study) and <b>setting targets for each of the components specified in Section 2.01 will help create clarity and strengthen the target.</b> ...Many utility programs have reached and exceeded their target savings for energy efficiency (such as meeting the 30% goal earlier than expected or experiencing a specific implementation year where the program operator exceeds their contracted amount of energy savings). This would almost certainly lead to customer benefit and a stronger and more flexible grid, so should be pursued. <b>To plan for and encourage this outcome, defining upfront how the program goals, funding, and approaches will change (if at all) when the 30% target is attained will be valuable for program design.</b>
6/28/2021	Ceres	<a href="#">Public Comments Ceres Subject: Ceres Comments</a>	2	1. Ensure that energy efficiency programs are afforded robust, stable funding by establishing a consistent, stable funding source for the cost recovery of energy efficiency programs	In general, utilities have three mechanisms available to them to recover the costs of utility energy efficiency programs. They can recover costs as: <ul style="list-style-type: none"> <li>An operating expense through an adjuster mechanism or rider,</li> <li>An operating expense recovered through base rates; and/or</li> <li>A capitalized asset included as a component of the rate base recovered through base rates.</li> </ul> <b>Any of these various cost recovery options can favorably support energy efficiency investment, so long as funding is sufficient and consistent so that energy efficiency programs run continuously without disruptive stops and starts. Therefore, steps should be taken to ensure the continuity of energy saving programs from year-to-year through multi-year planning and the timely recovery of energy efficiency program costs. Finally, utility energy efficiency funding should be coordinated with funding from other sources, including but not limited to federal funding, in order to expand the reach and depth of energy-saving services available to customers.</b>
6/28/2021	Ceres	<a href="#">Public Comments Ceres Subject: Ceres Comments</a>	2	2. Ensure energy efficiency programs are implemented without delay by authorizing "quick-start" programs and pilots	Energy-saving programs should be made available to consumers and businesses as soon as possible in order to reap the many benefits that energy efficiency provides. Accordingly, <b>quick start programs and pilot offerings should be implemented as soon as feasibly possible. Such offerings would also support workforce development and enable the collection of critical data so that the Commission can better understand the opportunity for energy efficiency investment to save consumers money and build a more resilient power grid.</b>

6/28/2021	Ceres	<a href="#">Public Comments Ceres Subject: Ceres Comments</a>	2-3	3. Align utility financial interests with energy efficiency investment so that energy efficiency investment is prioritized and maximized	In order to achieve its ambitious goals for clean energy investment, including 100% renewable energy by 2050, Puerto Rico must enact policies that align utility financial interests with energy efficiency investment. The national data on this point is clear: <b>States that have implemented full, symmetrical revenue per customer decoupling and utility performance incentives outperform those without them by almost 1% energy savings per year.</b> Additionally, the nation's top performing utilities all operate in states with decoupling and performance incentive mechanisms in place. <b>As such, we recommend that utility financial interests be aligned with energy efficiency investment by: (1) Ensuring timely recovery of energy efficiency program costs; (2) Providing the utility with opportunities to earn financial incentives based on the effective management and performance of cost-effective programs; and (3) Reducing the risk of utility lost revenues through full revenue decoupling.</b>
6/28/2021	Ceres	<a href="#">Public Comments Ceres Subject: Ceres Comments</a>	3	4. Ensure energy efficiency programs are designed and implemented in collaboration with stakeholders	<b>As part of any stakeholder collaborative that is instituted, we recommend that representatives from each ratepayer class be invited to participate</b> i.e. low-income, residential, commercial, and industrial customers). Finally, any collaborative that is instituted should be adequately funded, should be empowered to review draft and final plans prior to submission, and should have the responsibility to review performance reports at least quarterly as well as annually.
6/28/2021	Oficina Independiente de Protección al Consumidor (OIPC)	<a href="#">Comentarios Oficina Independiente de Protección al Consumidor Subject: Comentarios OIPC</a>	4	Article 1 General Provisions - Update Sec 1.04 to include other governmental agencies	Revise Sec 1.04 Applicability: B.) The Public Energy Policy Program within Department of Economic Development and Commerce <b>and any other government agency with an energy related program</b>
6/28/2021	Oficina Independiente de Protección al Consumidor (OIPC)	<a href="#">Comentarios Oficina Independiente de Protección al Consumidor Subject: Comentarios OIPC</a>	4	Article 1 General Provisions - Update Sec 1.09 Definitions - B5	definición [de "competitive electric power service company"] sea reemplazada por la definición de "Resale Electric Supplier" utilizada por este Negociado en su propuesta de reglamentación de transbordo de energía
6/28/2021	Oficina Independiente de Protección al Consumidor (OIPC)	<a href="#">Comentarios Oficina Independiente de Protección al Consumidor Subject: Comentarios OIPC</a>	5	Article 3 Energy Efficiency Programs, Plans, and Budgets - Modify language in Sec 3.04 Quick Start Programs	Sec 3.04 A.) To expedite the use of cost-effective EE to lower electric system costs and maintain safe and reliable service, following the effective date of these regulations PREPA may propose <b>by itself or in alliance with stakeholders or government agencies</b> a pilot or quick start EE programs to the Energy Bureau...
6/28/2021	Oficina Independiente de Protección al Consumidor (OIPC)	<a href="#">Comentarios Oficina Independiente de Protección al Consumidor Subject: Comentarios OIPC</a>	6	Article 3 Energy Efficiency Programs, Plans, and Budgets - Modify language in Sec 3.06 Energy Efficiency Financing	Sec 3.06 C.) PREPA shall work with the Public Energy Policy Program <b>and any other state agencies</b> to pursue grants, low-cost loans, loan guarantees, or other financing support for EE from Federal agencies...
6/28/2021	Oficina Independiente de Protección al Consumidor (OIPC)	<a href="#">Comentarios Oficina Independiente de Protección al Consumidor Subject: Comentarios OIPC</a>	9	Article 5 - Reporting, Evaluation, Measurement, and Verification	El proceso entre la Autoridad, LUMA o su sucesora y el Negociado de Energía para propósitos de los reportes, evaluación, medida, verificación de la ejecución y los resultados del programa de eficiencia energética debe contar con los recursos necesarios para que no se tome o se combine la reducción de consumo o demanda, que no esta atado con el programa de eficiencia energética.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	4	Reliable and long term source of incentive funding for planning and delivery of EE programs	LUMA proposes that it is not prudent to spend time, effort, or rate payer monies in planning and designing EE programs that may not be funded or delivered. With that in mind, <b>LUMA respectfully recommends that the process to provide comments on the proposed EE Regulation will benefit from obtaining clarifications from the Energy Bureau on whether ratepayer funding for EE incentives will be available for the first Three-Year EE Plan through the cost recovery mechanism outlined in the draft EE regulation. Alternatively, LUMA recommends that the Energy Bureau clarify whether LUMA should proceed to develop an EE Plan under the assumption that ratepayer funding for incentives will not be available.</b>
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	4	LUMA recommends one coordinated, integrated planning process and filing for both the EE and DR Plans.	<b>LUMA recommends one coordinated, integrated planning process and filing for both the EE and DR Plans.</b> This will facilitate more effective and efficient development of joint EE and demand response (DR) baseline studies, potential studies, and program offerings. There will also be cost and schedule efficiencies and more effective coordination if there is one integrated Stakeholder consultation process for the development of a single integrated EE/DR plan.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	6	LUMA recommends that any savings from special programs be included in target achievement, but the pilot programs not be required to meet cost-effectiveness tests or be included in the portfolio cost-effectiveness.	To enable this, the <b>Regulation could set aside a budget "carve-out" (e.g. 5-15%) of its overall EE program budget for these special initiatives</b> , similar to the Regulation's treatment of low-income programs. As with low-income programs, <b>LUMA recommends that any savings from special programs be included in target achievement, but the pilot programs not be required to meet cost-effectiveness tests</b> or be included in the portfolio cost-effectiveness...Many of these initiatives support and enhance other programs and have associated savings and non- energy benefits that are hard to measure independently of the programs they support. <b>LUMA recommends the common practice of establishing a deemed savings allocation (e.g. 5-15%) for special initiatives that is proportional to the corresponding budget carve out (e.g. 5-15%) for these "hard-to- measure" programs</b> , in order to encourage innovation and equity without penalizing portfolio cost- effectiveness or the ability to achieve savings targets within budget. The size of this carve-out allocation, or the programs included within it, could be revisited annually, and as additional research and development activities enable more accurate measurement and evaluation of energy savings and cost-effectiveness.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	7	Section 2.02 Allocation of Targets	<b>Targets should be developed through the Three-Year Portfolio Planning process</b> , on the basis of Achievable Market Potential. Any adjustments to the targets should be made with enough lead time for all parties to sufficiently plan for the required ramp-up or ramp- down of program activities, which typically takes several years. Therefore, targets should be set to cover the entire Three-Year Plan period and annual adjustments should be avoided. Furthermore, the annual targets must be proportional to the funding available for program budgets. <b>In the absence of cost recovery from rates, other funding sources will need to be identified and made available in a timeframe that aligns with target onset.</b> Successful large-scale programs cannot exist, nor targets be achieved, in the absence of commensurate funding.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	7	Section 2.03 Targets for Initial Three-Year Plan	<b>LUMA recommends additional discussion and guidance from the Energy Bureau on the determination of a 'reasonable' ramp up</b> ...Ramping up new programs in a new market is especially difficult because the market infrastructure (e.g. customer awareness, workforce, service providers, etc) are not already in place. Given the nascent level of maturity of the EE market in Puerto Rico, LUMA's ability to ramp up is highly dependent on external factors, such as vendor network, workforce and technology availability.

6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	7	Section 2.03 Targets for Initial Three-Year Plan	<b>LUMA also suggests that any Quick Launch programs should not be subject to hard targets given the high degree of uncertainty about funding availability, realistically achievable potential, and given the very early stage of developing the EE market and program infrastructure in Puerto Rico.</b>
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	8	Section 2.04 Targets for Subsequent Three-Year Plans	LUMA recommends adding the following to Section 2.04B: "The Energy Bureau can also delegate to PREPA/LUMA the responsibility of contracting with expert consultants for the Market Baseline Study and Potential Study." LUMA recommends adding this statement because delegation of this responsibility to LUMA will enable a more efficient and coordinated process, in conjunction with the DR studies.... However, regardless of whether LUMA or the Energy Bureau contract the study, it is important that the Market Baseline and Potential Studies be very closely coordinated and conducted by an experienced specialty consulting firm
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	9	Section 2.04E Targets for Subsequent Three-Year Plans	LUMA is recommending the NTG for the cost-effectiveness testing for the development of the first Three-Year Plan be deemed to be one. <b>LUMA recommends that any results of Net-to-Gross evaluation be used to inform program planning, design, and continuous improvement, but this research should not be used to prove attribution nor should the results factor into LUMA's progress towards near-term savings targets.</b>
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	9	Section 3.01 Energy Efficiency Programs	LUMA recommends that the Energy Bureau add additional language to clarify expectations for Market Transformation initiatives. LUMA suggests that the Regulation establish a carve-out for Market Transformation, along with education and outreach initiatives, financing, pilot initiatives, where – similar to low-income programs, as discussed in the General Comments above.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	10	Section 3.02 Energy Efficiency Plans	LUMA recommends that the Energy Bureau provide clarification on the definition and the approach or metrics to be used to assess whether EE programs are "consistent" with the IRP... Further, LUMA recommends that the Energy Bureau clarify the definition of "within the approved funding". LUMA understands that the "approved funding" will be a revenue stream, in addition to current revenues and will not be within the currently approved Base Rates.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	10	Section 3.02C Energy Efficiency Plans	LUMA recommends that Gross savings should be used to determine if program goals/savings targets have been attained... LUMA recommends inserting the following, or similar, language to the Regulation, "Verified gross savings will be used to set energy savings goals and to determine whether these goals have been attained."
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	12	Section 3.04 Quick Start Programs	LUMA recommends that the Energy Bureau provide clarification in the proposed Regulation for Energy Efficiency on the information needed for the Energy Bureau to review and approve the quick start programs... It should be noted that it would not be prudent for LUMA to invest significant time and energy into planning and developing Quick Start Programs prior to securing funding for these programs.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	12	Section 3.05 Energy Efficiency Budgets	LUMA recommends adding the following statement, "The Energy Bureau may delegate the responsibility of being the contracting agent to PREPA/LUMA for these studies", for consistency and efficiency with the DR studies. LUMA could transfer the funds required for Market Baseline Studies, Potential Studies, EM&V activities, and other required studies, only if additional funding for such studies is made available from either cost recovery from rates revenue or another to-be determined funding source.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	13	Section 3.06 Energy Efficiency Financing	There needs to be dedicated funding identified and available to support the establishment and administration of these programs, even if in the long-term they can be designed to be self-sustaining... Therefore, financing programs can be established to complement more traditional EE offerings, but should not be expected to deliver significant energy savings on their own, especially not to the magnitude suggested in the IRP ...LUMA recommends changing the language in the regulation to state that PREPA "may" offer financing programs, not "shall" offer financing program. Lastly, LUMA also recommends clarifying 3.05D to indicate that PREPA should offer programs to customers that leverage third-party financing.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	14	Section 3.07 Engage with Stakeholders	LUMA suggests contracting a dedicated, third-party expert consultant to manage the Stakeholder Engagement process, reporting to either PREB or LUMA. LUMA suggests establishing a Stakeholder Advisory Group that would meet throughout the planning process at each of the key steps to provide advice on portfolio and program design - technologies, markets, trade ally needs, incentive levels, customer support services among other items.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	15	Section 4.01 Interim Cost Benefit Test	LUMA recommends alignment of the use of the cost-effectiveness tests. To change from the UCT to the Total Resource Cost Test during plan preparation for the first Three-Year Plan will create duplication of effort and cost inefficiencies. Therefore, LUMA recommends that the Utility Cost Test be used consistently for the first Three-Year EE and DR Plan for EE and DR until the Puerto Rico Test becomes available.
6/28/2021	LUMA	<a href="#">Motion Submitting Comments to Proposed Regulation for Energy Efficiency Subject: LUMA's Comments Proposed Regulation for Energy Efficiency</a>	17	Section 8.01 Identification of Non-Wires Alternatives	LUMA understands the need to develop a non-wires alternative screening framework, however it will be difficult to develop and integrate such a framework into the initial Three- Year DR and EE Plan during the current timeline. LUMA recommends including any programming targeted to specific infrastructure deferrals in the "regulatory sandbox" for additional research and development during the first Three-Year planning period.
6/25/2021	Institute for Energy Economics and Financial Analysis (IEEFA)	<a href="#">Institute for Energy Economics and Financial Analysis (IEEFA) Comments on Proposed Energy Efficiency Regulation Subject: IEEFA Comments on Proposed</a>	1	1. Urge LUMA to include incentives for LUMA to meet its performance targets	First, we understand that the robustness of the target likely necessitates the inclusion of some amount of naturally occurring savings as a means of compliance. However, unless LUMA can actually document that it has influenced those savings, e.g. through promoting increased compliance with building codes, naturally occurring savings should not count towards any performance incentive for LUMA. We are very concerned that LUMA's February 25, 2021 proposed performance metrics (in Case No. NEPR-AP-2020-0025) do not include any incentive for LUMA to meet the Commonwealth's energy efficiency targets (nor its renewable energy targets), and we urge the Bureau to require that these be included in LUMA's performance metrics.
6/25/2021	Institute for Energy Economics and Financial Analysis (IEEFA)	<a href="#">Institute for Energy Economics and Financial Analysis (IEEFA) Comments on Proposed Energy Efficiency Regulation Subject: IEEFA Comments on Proposed</a>	2	2. Suggest that energy efficiency improvements in PREPA or LUMA facilities not be included towards the goal compliance	Second, it is not clear that the allowed means of compliance would permit energy efficiency in PREPA or LUMA facilities to count towards the goal. We don't think that plant improvements such as heat rate improvements ought to count; rather we are referring to building and appliance related savings within PREPA or LUMA facilities. If those facilities don't fall under the purview of the PEPP, there could be a lost opportunity to improve PREPA's or LUMA's own use.



6/25/2021	Institute for Energy Economics and Financial Analysis (IEEFA)	<a href="#">Institute for Energy Economics and Financial Analysis (IEEFA) Comments on Proposed Energy Efficiency Regulation Subject: IEEFA Comments on Proposed</a>	2	3. Requesting Bureau to clarify that the Three- Year Plan, the Annual Updates, and other filings should be public information and to require LUMA to use uniform reporting	Finally, because aggressive and comprehensive action on energy efficiency is such an important component of energy resiliency, we would like to see the Bureau make clear that the Three- Year Plan, the Annual Updates, and other filings should be public information and to require LUMA to use uniform reporting.
6/25/2021	VEIC	<a href="#">VEIC Comments on Puerto Rico Proposed Regulation Subject: VEIC Comments on Puerto Rico Proposed Regulation</a>	4	Call for a stable framework for program administration and a sustainable source of funding	Two factors will be crucial to the long-term success of EE in Puerto Rico: <b>a stable framework for program administration and a sustainable source of funding</b> ... VEIC supports the Proposed Regulation's broad view of activity that can lead to energy savings, encompassing utility-led programs, government-led programs, and codes and standards. We also believe that both utilities and third parties can be successful administrators of EE programs and services, if they are set up for success.
6/25/2021	VEIC	<a href="#">VEIC Comments on Puerto Rico Proposed Regulation Subject: VEIC Comments on Puerto Rico Proposed Regulation</a>	5	VEIC recommends that EE Program administrator be LUMA, Green Energy Trust, or any long term agency.	
6/25/2021	VEIC	<a href="#">VEIC Comments on Puerto Rico Proposed Regulation Subject: VEIC Comments on Puerto Rico Proposed Regulation</a>	5	Common practice for EE programs to have stable source of funds such as utility rate base benefits change	<b>Successful EE programs have a stable mechanism in place to collect funds from ratepayers, either via a system benefits charge or through the utility rate base.</b> Less commonly, EE programs are funded by other relatively predictable revenue sources such as greenhouse gas cap-and-trade revenues. The Proposed Regulation appears to authorize cost recovery for EE in Section 3.05 C), which states that "the Energy Bureau's decision regarding the Three-Year EE Plan shall serve as approval for the recovery for the net cost of the approved distribution service." <b>VEIC strongly supports this cost recovery mechanism as a predictable, long term source of funding for EE in Puerto Rico.</b>
6/25/2021	VEIC	<a href="#">VEIC Comments on Puerto Rico Proposed Regulation Subject: VEIC Comments on Puerto Rico Proposed Regulation</a>	6	VEIC supports Quick Start programs, which run from 2022-2024	<b>VEIC supports the inclusion of quick-start programs and pilots</b> , but suggests modifying the program timeline and start-up process to frame the first two years of implementation (from July 1, 2022 to June 30, 2024) as a Quick-Start Period. Establishing a two-year Quick-Start Period from 2022-2024 would improve outcomes for Puerto Rico residents, who will benefit from the launch of programs that are community-centered, thoughtfully designed, and supported with appropriate information-sharing, outreach, and engagement strategies.
6/25/2021	VEIC	<a href="#">VEIC Comments on Puerto Rico Proposed Regulation Subject: VEIC Comments on Puerto Rico Proposed Regulation</a>	8	Strongly recommend aligning planning and implementation	VEIC suggests several steps to streamline the planning process and support program alignment. First, the <b>Energy Bureau should issue one solicitation for the market baseline and potential studies and select a single consultant to conduct both.</b> Having separate vendors for the two studies would slow down the process by necessitating two solicitations. It would also create a risk that the potential study findings would not align with the market baseline study findings. A single vendor will be able to complete the studies more quickly, and ensure that the potential study results are grounded in the solid understanding of the current market baseline. Second, the consultant that completes those studies should also recommend savings targets. Third, <b>VEIC strongly recommends aligning the planning and implementation cycles for EE and DR.</b>
6/25/2021	VEIC	<a href="#">VEIC Comments on Puerto Rico Proposed Regulation Subject: VEIC Comments on Puerto Rico Proposed Regulation</a>	9	VEIC recommends including a stakeholder advisory group and increasing engagement	VEIC recommends that the Proposed Regulation contain a solid strategy for effective stakeholder engagement in EE planning and implementation... <b>As a best practice, we suggest that the Energy Bureau establish an independent stakeholder collaborative to guide and oversee the EE and DR programs. The stakeholder body should involve formal representation from low-income customers, small businesses, and organized labor, at a minimum.</b>
6/25/2021	VEIC	<a href="#">VEIC Comments on Puerto Rico Proposed Regulation Subject: VEIC Comments on Puerto Rico Proposed Regulation</a>	10	VEIC recommends increasing the spending requirement on low-income customers to at least 30%	<b>VEIC recommends increasing the spending requirement on low-income customers to at least 30 percent</b> , given the profound need. VEIC agrees with the Proposed Regulation that low-income programs should be exempted from a requirement to pass the cost-effectiveness screening test. We also suggest allowing innovative ways to identify and serve low-income communities. This might involve qualifying whole disadvantaged communities (not just individual households) for enhanced services, basing inclusion decisions on Census tract data or the Social Vulnerability Index. Community service nonprofits and other organizations serving low-income populations could also be targeted for EE and counted towards low-income EE goals.
6/7/2021	Natural Resources Defense Council (NRDC)	<a href="#">NRDC Comments on Proposed Regulation Energy Efficiency No subject available.</a>	2	Savings Allocation	<b>We recommend that the Regulations call for PREPA to capture all cost-effective and reasonably achievable efficiency resources.</b> So long as the efficiency resource is cost-effective, aggressive pursuit of efficiency resources is the only way to provide PREPA's customers with the lowest cost solution to their energy needs. The regulation requires regular market potential studies to inform the goals in PREPA's three-year plans. It also specifies that the Energy Bureau shall use the results of the potential study to develop PREPA's annual savings expectations. <b>We support this approach, and the regulation should require the potential studies to estimate the full maximum achievable cost-effective efficiency, and that PREPA's annual savings targets be set to capture the full cost-effective achievable potential. Savings sufficient to provide a path to achieving at least the 30% by 2030 savings target from all sources listed should be set as a minimum acceptable goal.</b>
6/7/2021	Natural Resources Defense Council (NRDC)	<a href="#">NRDC Comments on Proposed Regulation Energy Efficiency No subject available.</a>	3	Electrification	<b>NRDC recommends that the final regulation explicitly allow for and encourage PREPA to promote fuel switching measures as part of their overall energy efficiency portfolio.</b> Further, we recommend that fuel switching (especially from fossil fueled to electric space and water heat) be explicitly listed under section 3.01(d) as a specific activity that PREPA should engage in because of this regulation, when cost-effective and providing total energy usage reductions on site

6/7/2021	Natural Resources Defense Council (NRDC)	<a href="#">NRDC Comments on Proposed Regulation Energy Efficiency No subject available.</a>		5 Stakeholder Process	<p>The current regulation calls for PREPA to facilitate a stakeholder working group that meets at least quarterly, in addition to predefined intervals before a new three-year plan or annual update is filed: 1. That a <b>stakeholder advisory group be established that is chaired by the Energy Bureau – not PREPA</b>. The Energy Bureau would also set schedules and agendas for the meetings.</p> <p>2. The <b>meetings occur at least every other month</b>, as opposed to quarterly, with the opportunity for more frequent meetings of the full stakeholder group, or subcommittees or working groups, as appropriate.</p> <p>3. The stakeholder process allow opportunity for interested parties to weigh in on and attempt to gain consensus in a timely manner, before anything is fully established or filed, thus lowering the risk of contested cases, and ensuring a high level of buy-in from stakeholders.</p> <p>4. <b>PREPA should initially present on the 3-year plan at least 180 days before the filing date</b>, to present its ideas and provide an opportunity for stakeholders to comment and propose modifications on PREPA's early thoughts on key issues, and to allow time for a process to reach a consensus on key issues such as savings targets, budgets, programs, implementation approaches, and performance incentives.</p> <p>5. The <b>stakeholder process has the opportunity to address, with a goal of achieving a consensus, on key policy, programmatic and implementation issues beyond just a focus on planning and overall performance.</b></p>
6/7/2021	Natural Resources Defense Council (NRDC)	<a href="#">NRDC Comments on Proposed Regulation Energy Efficiency No subject available.</a>		6 Cost Effectiveness	<p>We <b>recommend that the interim test also include benefits from the reduction of gas, oil, propane, and other energy resources and water. We also recommend that the test include the social cost of carbon</b>, as defined by the U.S. federal government. The resulting test can be thought of as an "energy systems test," as opposed to an "electric utility test." These proposed changes will bring the results of the interim test much closer to the eventual results of the planned Puerto Rico Test, with minimal additional development work or issues to resolve. While additional benefits can and should be added later, readily established and available values for these items should already exist and there is no reason to wait to include them.</p>