2023 BP METRIC 6D: Regulatory Updates for Cal TF Membership

Metric 6D in the 2023 Cal TF Business Plan (BP) is to “provide relevant regulatory updates to support Cal TF membership in staying informed with regulatory requirements.” This workplan describes the scope, schedule, and resource needs for this BP activity.

The key focus of Metric 6D is effectively communicating regulatory updates related to deemed measures. This activity has similar goals to two concurrent Cal TF activities: Metric 3C, which focuses on improving communication about new measures and measure updates, and Metric 5A, which includes an activity to improve clarity and communication of regulatory guidance for custom projects. Cal TF Staff will coordinate across these and other activities as appropriate to avoid redundant efforts, ensure alignment, and optimize consistency and efficiency in proposed and implemented solutions.

# Problem Statement

Regulatory policy and guidance impacting EE measures, savings values, and other important key parameters come in different forms (e.g., regulatory decisions, dispositions), at different times during the year, and to different audiences. Stakeholders must monitor and assess these updates to understand their impacts on EE programs, such as measure values and eligibility.

**There is no central, up-to-date source of key regulatory policy/guidance regarding measure values and related information.** Cal TF Stakeholders—including program administrators, program implementers, project developers, technical reviewers and evaluation teams—spend significant time and resources to track, understand, and implement regulatory policy and information affecting the state’s EE portfolios. CPUC Staff updating the [Statewide Deemed Workpaper Rulebook](https://static1.squarespace.com/static/53c96e16e4b003bdba4f4fee/t/6100a9d65429cb3846a417a3/1627433432394/SW+Deemed+WP+Rulebook+Interim+v4.0+Final.pdf) (Deemed Rulebook), but CPUC Staff indicated there is not currently a plan to maintain an up-to-date rulebook on an ongoing basis.

**Stakeholders may have different access to valuable regulatory information.** For example, IOU staff may receive guidance or clarification directly from the CPUC that is not shared with or accessible to other stakeholders. Small implementers and project developers and firms who primarily have worked out-of-state may not have the resources, capacity, and expertise to track and interpret regulatory directives. Similarly, new implementation firms may not have the expertise or connections to identify and/or receive all relevant regulatory information.

**Existing regulatory communication efforts are resource-intensive and involve redundant efforts.** IOUs and other stakeholder groups have existing processes to track and share policy/guidance updates and information. For example:

* Each IOU compiles and provides information to its program implementers through various forums. Key information may be shared through newsletters, meetings, implementer resources pages (e.g., Wiki or SharePoint), and informal discussions.
* The IOUs host a Statewide Coordination Meeting for deemed and custom programs to share and discuss information, issues, clarifications, etc.
* CEDMC provides updates to its membership via its newsletter and regularly scheduled meetings to update its membership on key issues.

While each activity serves a purpose, the activities involve some redundant efforts and are not accessible to all stakeholders. Also, these activities do not consistently interpret, summarize, and share publicly the impacts of new policy/guidance on technical measure information.

# Goals, Metrics, and Objectives

Cal TF will develop an approach to consolidate, summarize, clarify, and share regulatory policy/guidance updates that impact EE measure values. The Cal TF solution will:

* Improve stakeholder awareness and understanding of relevant regulatory updates.
* Provide clear, accurate, and specific (when possible) information about the known or potential impacts of policy/guidance updates to EE measure values.
* Reduce the stakeholder resources and effort currently required to track and understand relevant regulatory updates.
* Facilitate clarification with regulatory authorities when needed.
* Be used and useful to EE program and Cal TF stakeholders.

## Stakeholder Benefits

Cal TF anticipates the following stakeholder benefits:

* **Time and Cost Savings**, by consolidating stakeholder efforts into a shared statewide activity to identify, summarize, document, and distribute key regulatory information.
* **Statewide Consistency**, by creating a statewide summary of regulatory updates with vetted interpretations regarding implications and impact.
* **Transparency**, by making the statewide summary publicly accessible.
* **Clarity and Compliance**, by improving stakeholder access to and understanding of all relevant regulatory updates.
* **Stakeholder Engagement**, by facilitating participation by small and new implementation firms.

# Scope

Task 1. Define Regulatory Scope and Existing Communication Efforts

Cal TF will coordinate with CPUC Staff to determine the status of CPUC updates to the Deemed Rulebook and to understand CPUC plans and considerations regarding future updates.

For both CPUC and CEC policy/guidance, Cal TF will summarize the various streams of policy/guidance information and existing communication efforts by and for stakeholders.

Cal TF will develop a proposed regulatory scope for this activity (i.e., which types of regulatory information should be included or not included) considering Cal TF’s mission, ongoing activities, and expertise areas; other related regulatory efforts within and outside the Cal TF; and value-add opportunities for Cal TF membership.

Stage-gate: TF membership buy-in on the regulatory scope.

Task 2. Develop Cal TF Regulatory Update Recommendation

Cal TF will review the various forms of regulatory information within the defined scope to assess the formats, frequency, and accessibility of relevant regulatory policy/guidance updates.

Cal TF will solicit input from TF members and stakeholders to develop a proposed format and frequency for Cal TF regulatory updates and will present the proposed regulatory update solution to TF Membership for discussion. The proposed solution will include 1) a description on how this activity complements (and is not redundant with) other related regulatory communication efforts and 2) a summary of level of effort required to implement.

Task 3. Implement Cal TF Regulatory Update Process

Cal TF will discuss the proposed solution with CPUC Staff and solicit CPUC input regarding both the proposal and implementation approaches (i.e., whether CPUC Staff would like to take on the activity). Cal TF will share CPUC’s input with the TF to determine any next steps.

Stage-gate: TF membership and CPUC Staff buy-in on the implementation approach.

## Deliverables

* Memorandum or presentation describing the proposed approach, including scope, format, and frequency.
* CPUC Staff input on the proposed solution and implementation.

## Potential Obstacles and Preliminary Solutions

* **Access to information** – In the current state, some regulatory guidance or clarification is provided directly to stakeholders and/or in informal and non-public formats. Cal TF will work with all stakeholders and CPUC to understand the various streams of regulatory information and devise an approach to ensure relevant regulatory information is available for the stakeholder summaries.
* **Policy/guidance interpretation** – Some regulatory policy/guidance may be interpreted differently by stakeholders. For these cases, Cal TF will work with stakeholders to ensure regulatory summaries are clear to them and with CPUC Staff to ensure the summaries accurately and completely summarize the regulatory guidance.

# Schedule

Cal TF anticipates completing Tasks 1 and 2 by the end of Q2 2023. Implementation of the recommendation will depend on the outcome of Task 3.

Key Milestones:

* Present 6D workplan for TF affirmation – **February 2023**
* Define the regulatory scope and understand the ways that regulatory directives are communicated to various stakeholders, including gaps and needs – **April 2023**
* Present proposed regulatory update solution to TF – **May 2023**
* Solicit CPUC Staff input and buy-in on proposed implementation approach – **June 2023**

Further activities will depend on discussion with CPUC Staff.

# Stakeholders and Team Members

Cal TF Staff will lead this initiative with input from key stakeholders, including: CPUC Staff, TF Members, and Cal TF stakeholders.

* Cal TF Staff Lead: Arlis Reynolds
* TF Champions: TBD
* TF Members: Cal TF Staff will solicit input from TF membership regarding relevant regulatory updates (including guidance, decisions, and resolutions) that may impact existing or proposed measures or otherwise be of interest to Cal TF Stakeholders and the preferred format and frequency for summarized update information.

# Budget

Cal TF Staff will conduct this activity within the approved Cal TF budget.

# Affirmation

This workplan requires TF affirmation.

The TF affirmed this workplan on February 23, 2023.