**Terms and Conditions**

**For Submittal of Proposed Measure to the Measure Screening Committee**

As a condition to submitting a proposal to develop an energy efficiency measure (“Measure”) to be considered by the Measure Screening Committee (“MSC”) for the California energy efficiency portfolio, the undersigned (“Submitter”) acknowledges and agrees to the following terms and conditions:

1. **Ownership of Data and Documentation Submitted to the New Measure Screening Committee**

The California Public Utilities Commission (“Commission”) has determined that all data submitted to the Energy Division as part of the deemed measure review process shall be owned by the Commission, and that all such data must be accessible through the eTRM as a “condition of compliance.”[[1]](#footnote-1) As the MSC is a “front end” to the Commission Staff’s deemed measure review, submitters of information, text, analysis, data and references (collectively “data”) to the MSC agree that the data submitted to the MSC shall be owned by the Commission as a condition of MSC review of the data.

Submitter also agrees that such data may be included in the eTRM, and furthermore may be included in a measure package developed through the eTRM that may cover one or more measures.

Submitter acknowledges that the MSC, the California Technical Forum (“Cal TF”), and any of its funding or participating California utilities (including but not limited to PG&E, SDG&E, SCG, SMUD and LADWP, each a “Utility”) do not agree to keep any submitted data confidential. Submitter agrees not to submit confidential and/or proprietary information to Cal TF, MSC or any Utility in connection with the Measure screening or submittal process.

1. **Personally Identifiable Information**

Submitter understands and acknowledges that data submitted to the MSC, Cal TF or any Utility cannot be kept confidential, and therefore agrees not to submit confidential customer information or Personally Identifiable Information to the MSC, Cal TF or any Utility.

1. **Proprietary Measure Packages Not Allowable**

Submitter acknowledges that the Commission Staff’s policy is only to review and approve measure packages that cover more than one product in the market and will not approve measure packages for “proprietary” measure packages. Submitter also understands that as the measure is developed, submitted and reviewed, the definition, eligibility criteria and other parameters may be expanded to cover a broader class of products than Submitter initially intended.

1. **MSC Review and Affirmation does not Guarantee Commission Staff Approval of the Measure Package**

Submitter understands and acknowledges that MSC review and affirmation of a proposed Measure does not guarantee Commission Staff approval of a resulting Measure package. A proposed Measure may be rejected by the Commission for any reason.

1. **MSC Review and Affirmation does not Guarantee a Utility Sponsor**

Submitter understands and acknowledges that MSC review and affirmation of a proposed Measure does not guarantee assignment of a Utility sponsor and/or funding to develop a resulting Measure package.

1. **Assignment of Utility of Sponsor does not Guarantee Submittal to Commission**

Submitter understands and acknowledges that, if the proposed Measure is assigned a Utility sponsor, such assignment does not guarantee that a Measure packet will be prepared nor that the Utility sponsor will submit a Measure package to the Commission. A proposed Measure may be rejected by the Utility sponsor for any reason.

1. **Prior Review by California Utilities and/or the CPUC**

Submitter agrees and acknowledges it has provided all prior data and Utility/Commission responses, including but not limited to dispositions, from any Utility and/or the Commission and its staff/consultants related to the Measure it is submitting to the MSC.

[Signature page follows]

SUBMITTER:

Signature:

Name (Printed):

Title:

Company:

Date:

1. See, *The CPUC owns all deemed data submitted to the Energy Division for review and approval; the eTRM is required to make all required data accessible as a condition of compliance.* (E-5082, p. 12.) and *The CPUC owns all data submitted for deemed EE measure review and approval*. (E-5082, F of F 6). [↑](#footnote-ref-1)