



**REGIONAL EVALUATION,  
MEASUREMENT & VERIFICATION FORUM**

**Regional EM&V Forum Quarterly Steering Committee Meeting  
October 27, 2009, Teleconference Notes and Action Items**

**Participants:**

Name	Organization
Calvin Timmerman	Maryland Public Service Commission
Chrissy Godfrey	Maryland Public Service Commission
Taresa Lawrence	District Department of the Environment
Clifton Below	New Hampshire Public Utilities Commission
Chris Neme	Vermont Energy Investment Corporation
Colleen Orsburn	Vermont Energy Investment Corporation
Larry Pakenas	NYSERDA
Sharon Reishus*	Maine Public Utilities Commission
Tim Vrabel	Maine Public Utilities Commission
Richard Sedano*	Regulatory Assistance Project
Pam Stonier	Vermont Public Service Board
James Volz	Vermont Public Service Board
Tim Woolf	Massachusetts Department of Public Utilities
Marilyn Ross	Massachusetts Department of Public Utilities
Malcolm Woolf	Maryland Energy Administration
Walt Auburn	Maryland Energy Administration
Jack Betkoski	Connecticut Department of Public Utility Control
Cindy Jacobs	Connecticut Department of Public Utility Control
Mike Townsley	New York Public Service Commission
Bill Saxonis	New York Public Service Commission
Frank Felder	Rutgers University - For New Jersey Board of Public Utilities
Julie Michals	NEEP
Elizabeth Titus	NEEP
Cecily McChalicher	NEEP
Sue Coakley	NEEP

\* Steering Committee co-chair

*This meeting was digitally recorded*

## Meeting Action Items:

1. The Steering Committee recommends as a general practice that EE EM&V studies, reports, and supporting data should be made available to the Forum, with the necessary protection of any confidential data, in order to ensure that Forum projects are informed by best available data. NEEP will bring this recommendation to the Project Committees at its December quarterly meeting.
2. As the Forum develops scopes for the 2010 projects, it will directly consider the inherent value of each project and will determine the best method to achieve that value.
3. NEEP will update the Steering Committee about any developments related to Pennsylvania's potential involvement in the Forum in 2010 at the next quarterly Steering Committee meeting.
4. NEEP will address with project subcommittees whether 2010 projects may be conducive to a shortened/streamlined procurement process or alternative approach that will more fully utilize existing resources and the experiences of Forum participants, and report back to the broader Project Committees with recommendations as part of more fully developed project scopes.
5. As a result of information NEEP received during the meeting that revealed differences in the nature and urgency of state stakeholders' needs relating to the proposed 2010 Net Savings project (PD1), NEEP will review/reconsider the description of the proposed project and obtain additional stakeholder feedback to inform further development of this proposed project. Stakeholder feedback and options for this project will be discussed further at the December quarterly Project Committees meeting.
6. NEEP will develop and distribute specific language reflecting the Steering Committee's decision to adopt the 2010 proposed project agenda and estimated budget.
7. Steering Committee members should notify Rich Sedano if they are interested in serving as a Steering Committee co-chair in 2010 and/or if they wish to nominate a Steering Committee member for this position. Please contact Rich at [rapsedano@aol.com](mailto:rapsedano@aol.com).
8. NEEP will distribute potential dates/times for the next quarterly Steering Committee meeting to be held in late January 2010.

## Meeting Overview:

### The meeting commenced at 1:02pm

Julie Michals opened the meeting with introductions and reviewed the meeting agenda and objectives.

### 1. Forum Update

#### Overview

Julie Michals provided an overview of the current status of the Forum. Due to the delay in receiving funding commitments from states in 2009, the Forum's 2009 projects did not get underway until mid-year; therefore several projects will carry over into 2010. The Forum has now issued multiple RFPs and will issue a total of 7 by the end of 2009. Three projects will be completed by year-end. The Forum has received many positive comments about its first completed project, the Glossary of Terms and Acronyms, which is now being referenced at many EM&V venues/forums throughout the country. The Forum will continue to share and distribute this document at EM&V-related events in 2010.

The Forum held its first Annual Public Meeting on September 16, which brought together over 90 EM&V stakeholders, including many Forum participants. NEEP facilitated a quarterly Project Committees meeting on September 17, which further informed the proposed 2010 project agenda and budget.

#### 2009 Project Updates

Julie Michals and Elizabeth Titus highlighted recent developments with the 2009 Forum projects. *Project A2: Develop Common EM&V Methods Guidelines and Survey Savings Assumptions*: The results of this project will hopefully feed into the North American Energy Standards (NAESB) and National Action Plan for Energy Efficiency (NAPEE) projects. Julie Michals will be presenting this project at a NAESB

meeting on Monday, November 2. The next phase is the proposed 2010 project PD2 to address EM&V methods and assumptions for emerging technologies.

*Project A3: Develop Common Reporting Guidelines.* This project is underway and will be completed in April 2010. A potential next phase may be to scope a regional online database in 2011.

*Project A4: M&V for EE in Wholesale Markets.* The Forum continues to monitor and provide comments on ISO-NE, PJM, and NAESB's M&V efforts. The balance of 2009 funds for this project will support the Forum's participation in the 2010 NAESB project.

*Project A5: Develop Common Savings Assumptions (MD, DE, DC).* This project is underway and will be completed in March 2010. The proposed 2010 project PD5 will address additional measures.

*Project B1: Loadshape Research.* This project has been completed and the final report, catalog of studies, and a project abstract/summary have been posted to the EM&V Forum website. The Forum is now beginning Phase 2 of the project and will issue two RFPs. The 2010 budget for proposed project RE2 will supplement the 2009 budget for this project.

*Project B2: Commercial Lighting Persistence Study.* This project is underway, and results will be available mid-year 2010. Concern has been expressed about the proposed sample size. The proposed 2010 project RE4 will expand this project to include additional lighting measure persistence research.

*Project B3: Scoping Paper.* This project will produce a white paper addressing net savings and a white paper addressing energy efficiency savings from building codes. The RFP for the net savings paper is under development, and the RFP for building codes will be developed and issued in 2010. The net savings white paper will develop recommendations to inform the proposed 2010 project PD1, currently described as: 'Establish Guidelines and Common Approaches to Calculate/Address Net Savings'.

**Discussion - Net Savings Project:** Elizabeth Titus asked for input on whether to pursue proposed 2010 project PD1 in 2010 or wait until 2011.

Pam Stonier (Vermont PSB) asked if the net savings white paper from 2009 Project B3 will develop a scope of work for project PD1. Elizabeth Titus explained that the white paper will propose options and recommendations but will not deliver a scope of work for PD1. She added that the B3 subcommittee will share the white paper with the Forum and propose a scope of work based on the recommendations from the white paper.

Frank Felder (Rutgers University - For New Jersey BPU) asked if there is an actual need for a net savings white paper. Elizabeth Titus replied that a white paper is a critical step needed to address net savings and is included in the 2009 budget allocation. Julie Michals added that the white paper will serve to frame the issues surrounding net savings. The draft RFP will be ready in mid-late November, and the Forum will follow up with participants to review the draft RFP at that time.

#### Consensus decision/vote regarding access to EE reports and data

Julie Michals summarized the Energy Efficiency Data Reporting Practices memo included in the meeting materials. Under the direction of the Steering Committee, the Forum researched current state reporting practices by including questions about state reporting practices in its 2010 Project Planning Survey. The purpose of this research is to better understand which states have specific reporting policies, and what types of data and reports are submitted to Commissions, with the goal of improving reporting policies/practices so that publicly funded, non-confidential energy efficiency data is available to help inform Forum projects.

This topic was on the agenda for the September 17 Quarterly Project Committees Meeting but was not discussed due to time constraints. Forum staff discussed the topic with the Project Committees co-chairs, and it was agreed that the Steering Committee should be asked to recommend as a general practice that energy efficiency EM&V studies, reports and supporting data should be made available to

the Forum, with the necessary protection of any confidential data, in order to ensure Forum projects are informed by best available data.

**Discussion - Access to EE Reports and Data:** Sharon Reishus (Maine PUC) opened the issue up for discussion and added that she believes the recommendation fulfills the general mission of the Forum.

Frank Felder stated that it is incredibly important to have publicly available data, and to have that data in a form that can be manipulated. He added that consultants should not categorize data as proprietary and confidential if the research was publicly funded. Julie Michals added that the Forum's RFPs include language that project deliverables must include supporting data.

Mike Townsley (New York PSC) asked if the recommendation to make data available to the Forum would be a guideline or a firm requirement. He added that primary research has been completed in New York that has been designated as confidential, and he questioned whether this confidential data would be required to be made public. Julie Michals replied that any state language to protect confidentiality would supersede a recommendation from the Steering Committee. The recommendation would be a guideline that would declare general support for sharing data.

Sharon Reishus asked if there is consensus to endorse as a general practice the recommendation that energy efficiency EM&V studies, reports and supporting data should be made available to the Forum, with the necessary protection of any confidential data, in order to ensure Forum projects are informed by best available data.

No objections were raised; Sharon Reishus declared that the recommendation was passed by consensus.

**Action Item:**

1. The Steering Committee recommends as a general practice that EE EM&V studies, reports, and supporting data should be made available to the Forum, with the necessary protection of any confidential data, in order to ensure that Forum projects are informed by best available data. NEEP will bring this recommendation to the Project Committees at its December quarterly meeting.

**2. Review and Approval of 2010 Forum Project Agenda and Budget**

Process for developing project agenda and budget

Julie Michals provided an overview of the process used to develop the 2010 project agenda and budget. She thanked Steering Committee members for their input and guidance and clarified that the Forum is not seeking funding commitments at this time; the Steering Committee is being asked to recommend the proposed portfolio of projects for adoption. The Forum will seek funding commitments in 2010.

Julie Michals reviewed the criteria used to select Forum projects and reviewed the value proposition of the Forum. The Forum recognizes that states have their own criteria for participating in projects, and that further dialog and clarification about the 2010 projects will be necessary over the next few weeks.

**Discussion - Project Criteria:** Frank Felder requested that the Forum reexamine its criteria for selecting projects and sharpen its selection criteria to ensure that participants are getting value from the Forum's collective efforts. He added that regional collaboration may not be appropriate in all cases. There may be more value in learning about the experiences of other Forum participants rather than in seeking uniformity across multiple states and regions.

Sue Coakley (NEEP) recommended that the Forum should directly consider the inherent value of each project and determine the best method to achieve that value as the scopes for the 2010 projects are developed. Frank Felder agreed that this recommendation would adequately address his concerns about project selection criteria.

**Action Item:**

2. As the Forum develops scopes for the 2010 projects, it will directly consider the inherent value of each project and will determine the best method to achieve that value.

Review projects and budgets – state interest status

Julie Michals reviewed the proposed 2010 projects and estimated budget. She added that the 2010 budget includes a 10% contingency fund based on the Steering Committee's recommendation from 2008. The Project Committees recommended that the contingency fund be funded by undesignated 2009 carry over funds. The Forum currently has about \$180,000 in carry over funds from 2009 resulting from RFPs that came in under budget and unanticipated funding from EPA.

Julie Michals stated that the cost allocation used for the 2010 budget is the same as the cost allocation for the 2009 budget. She reported that there is still some uncertainty about proposed projects PD1 and RE5. She added that Pennsylvania may be interested in joining the Forum in 2010, but it is unknown when this will be decided, and will update the Steering Committee about the state's potential involvement in the Forum at the next quarterly Steering Committee conference call. Sharon Reishus stated that it's not clear if Pennsylvania can act in time to join before the participating states need to make their 2010 funding commitment; therefore, the Steering Committee should consider the proposed budget and not count on Pennsylvania's involvement.

Julie Michals stated that potential projects PD1 and RE5 deserve special attention and discussion since there is still some uncertainty about them. She added that for project RE5, New Jersey should be moved from the 'yes' column in the proposed projects table to the 'no/unsure' column. She asked if any other states are not correctly categorized for any of the proposed projects.

**Action Item:**

3. NEEP will update the Steering Committee about any developments related to Pennsylvania's potential involvement in the Forum in 2010 at the next quarterly Steering Committee meeting.

**Discussion - Projects and Budgets:** Frank Felder shared several comments: 1) he is not making a commitment to fund any projects today, 2) the RFP process for many of these projects should be shorten/streamlined, 3) the Forum is too consultant-driven, and 4) he needs to see a more detailed scope before committing to any projects. He added that he knows it is an iterative process but cannot commit to projects without more information.

Sharon Reishus stated that the Forum's business model of outsourcing activity is helpful in Maine because their staff is extremely busy, and she would not be able to commit Maine PUC resources to do the type of work the Forum is doing. She also added that Forum subcommittee members are actively involved in the project work.

Frank Felder replied that he recognizes that states have different levels of available resources but still believes the existing Forum business model of using consultants is more costly than necessary. He requested that the Forum not exclude other ways of doing business.

Clifton Below (New Hampshire PUC) asked if Mr. Felder could give a specific example of a project where a different approach could be employed. He asked if the net savings project could be used.

Frank Felder stated that the Forum may or may not need to hire a consultant for the net savings white paper and for scoping the PD1 project. He suggested that the Forum could bring in a few experts to meet and develop a scope for PD1. He added that proposed project PD3 could be addressed by first researching and working with each ISO in the region rather than coordinating an effort amongst all of the states that participate in the Forum. Once each ISO is on board, the Forum could take a step back and see how to proceed rather than immediately writing an RFP.

Pam Stonier asked how such an effort would be staffed in the absence of a consultant.

Frank Felder offered to staff the PD3 project for free. He added that NEEP could continue its administrating/coordinating/facilitating role. He suggested that there may be other projects where a state with experience in the particular issue being addressed could step up and lead the project.

Jim Volz (Vermont PSB) stated that Vermont does not have staff available to work on these projects. He added that participating in the Forum and pooling resources is a way to get work done without hiring staff. He added that one advantage to using consultants is that the product is more uniform in quality and approach; no particular state has more influence than another in how a product comes out.

Frank Felder suggested that money for Forum projects could be used for NEEP to hire staff to do the work rather than to hire consultants for particular projects.

Julie Michals stated that the subcommittees for all projects are directed to critically examine the project goals when developing the project scope and determine if issuing an RFP is the best approach. She suggested selecting a few 2010 projects to test a shortened/streamlined procurement process that will more fully utilize existing resources and the experiences of Forum participants.

Elizabeth Titus added that the Forum hires technical consultants for some projects to help develop the scopes of work. NEEP staff also does a lot of leg work to inform the scopes of work.

Frank Felder added that he believes the Forum is spending too much time on process rather than substance. At the lower levels in particular, he wants to spend more time on substance. He reiterated that the current study cycle should be shortened.

Julie Michals noted that the extension of 2009 projects into 2010 is in large part due to the time it took to secure funding commitments from each state. Now that projects are underway, a great deal of substance is being covered by the project subcommittees. She is very aware of the need to move things forward on a timely basis.

**Action Item:**

4. NEEP will address with project subcommittees whether 2010 projects may be conducive to a shortened/streamlined procurement process or alternative approach that will more fully utilize existing resources and the experiences of Forum participants, and report back to the broader Project Committees with recommendations as part of more fully developed project scopes.

**Discussion - Proposed Project PD1:** Julie Michals summarized the issues surrounding potential project PD1. She asked whether it makes sense to wait to see the results of the net savings white paper (2009 project B3) before undertaking proposed project PD1, which will be based on the results of the white paper.

Calvin Timmerman (Maryland PSC) stated that net savings is a hot issue for Maryland. PD1 is a compelling project from a time perspective for Maryland. They will be looking at their energy efficiency plans late next year and want to be able to use new net savings information.

Mike Townsley stated that New York uses net savings in its reporting. He stated that he needs to demonstrate to commissioners that the money being used to support the Forum is creating value for New York. He added that the Commission in New York wants to be sure that the money being spent on efficiency programs in New York (about \$6 million) is producing net benefits. He wants to see the results of the net savings white paper to inform next steps and added that New York wants to see where the net savings study is going before making a stronger commitment to it.

Frank Felder stated that New Jersey is very interested in net savings, particularly net savings estimates. New Jersey doesn't need a white paper but needs real numbers for real programs.

Tim Woolf (Massachusetts DPU) added that Massachusetts does not have a pressing need for the proposed net savings project PD1.

Sue Coakley added that one reason for the white paper study (2009 Project B3) is to step back and look at the net savings issue now that there are many energy efficiency programs taking place. The white paper will determine the needs and issues surrounding net savings and propose possible steps for moving forward.

Julie Michals added that Phase 1 of PD1 would take the results of the white paper and use it to inform a policy discussion about issues/options for net savings. Phase 2 of PD1 is in question. Phase 2 would develop methods/approaches to addressing and/or calculating net savings for various types of measures and developing supporting material. The budget is currently estimated on the high end. The question is: are current methods good enough or should something new be developed?

James Volz stated that Vermont is fine to wait until 2011 to start PD1 or go forward with the project in 2010.

Cindy Jacobs (Connecticut DPUC) stated that Connecticut is also fine with waiting until 2011 or moving forward in 2010.

Julie Michals summarized each state's position regarding project PD1: Massachusetts - no urgency; New York - wait for the results of the white paper; Maryland and New Jersey - need data as soon as possible; Vermont and Connecticut - either waiting or moving forward is okay.

Julie Michals expressed concern that some states are ready to move forward while others are not and asked if there could be any change to the project scope that could make sense for 2010.

Tim Woolf suggested that the Forum work closely with Maryland, New Jersey and New York since they have an imminent need for net savings information and think through how to provide those states with the appropriate information.

Elizabeth Titus added that there are different kinds of needs. Some states need numbers right away. Other states want to know how this metric/parameter should be addressed going forward. She suggested that the Forum should flesh out those two types of needs.

Mike Townsley stated that he envisions two net savings projects: one framing the larger policy issue and one developing data.

Sue Coakley suggested that the Forum keep the funds budgeted for PD1 in the 2010 agenda and budget with a clear directive to the Project Committees to come up with a solution that will address the different state needs for a net savings project. The Forum can move forward with the project, but it will be important for all states to weigh in with their specific needs for the project.

Sharon Reishus agreed with Sue Coakley's suggestion. She added that the Forum can clarify the scopes at a later time, but the Steering Committee should decide today if they can move forward on this portfolio of projects and estimated budget.

**Action Item:**

5. As a result of information NEEP received during the meeting that revealed differences in the nature and urgency of state stakeholders' needs relating to the proposed 2010 Net Savings project (PD1), NEEP will review/reconsider the description of the proposed project and obtain additional stakeholder feedback to inform further development of this proposed project. Stakeholder feedback and options for this project will be discussed further at the December quarterly Project Committees meeting.

Consensus decision/vote to adopt 2010 agenda and budget

Julie Michals reiterated the recommendation from Sharon Reishus to seek a consensus decision from the Steering Committee to adopt the whole portfolio of projects and estimated budget with the caveat

that PD1 will be clarified. She asked if there are any other projects that anyone would like to comment on.

Sharon Reishus called a vote to adopt the 2010 proposed project agenda and budget and asked whether participants understand that the Steering Committee will adopt the agenda and estimated budget if there are no objections.

**Discussion - Consensus Decision/Vote to Adopt Agenda and Budget:** Frank Felder asked why the Steering Committee is voting to approve the budget when the funding will not be committed until the scopes of work for each project have been developed. He questioned what the Steering Committee vote means. He stated that New Jersey has expressed interest in the projects they think make sense and will decide whether to fund the projects when the scopes have been developed. For now, New Jersey abstains from voting.

Sharon Reishus clarified that a decision by the Steering Committee to adopt the proposed agenda provides an expression of interest as a group in the proposed projects and demonstrates each state's interest in the projects as depicted in the 2010 projects summary table. The vote to adopt the proposed agenda will direct NEEP to convene subcommittees to develop scopes for this set of proposed projects and use this particular cost allocation.

Frank Felder continued to question what the vote to adopt the project agenda and budget means and reiterated that New Jersey will abstain from any vote that includes the budget. He requested that the Forum distribute wording about what the vote signifies. Rich Sedano agreed that the Forum will find the right words with regard to the vote. He asked if the rest of the participants have reached a consensus decision to move forward with the proposed project agenda and budget, to which there were no objections.

Frank Felder and several participants continued to debate the meaning of the vote. Clifton Below explained that by approving the agenda/budget, this helped inform NEEP's planning for 2010.

Julie Michals explained that NEEP needs the Steering Committee to approve the portfolio of projects and estimated budget so that NEEP can proceed to the next level, which involves further scoping of the projects and clarifying the issues discussed in this call. Last year, the Steering Committee included a caveat in their consensus decision to adopt the agenda and budget that certain things would be specifically addressed. It was also noted that per the Forum's Operational Guidelines, the Steering Committee cannot reach decisions via email, so consensus must be reached in person or by phone.

Rich Sedano confirmed that there were no objections to adopting the 2010 project agenda and estimated budget; therefore, he declared that the Steering Committee has reached a consensus decision to adopt the proposed 2010 Forum projects and estimated budget. He also confirmed that New Jersey abstained from the decision/vote. He added that the Steering Committee will be more precise about what they are asking Committee members to adopt in the future.

**Action Item:**

6. NEEP will develop and distribute specific language reflecting the Steering Committee's decision to adopt the 2010 proposed project agenda and estimated budget.

**3. Steering Committee co-chair nomination process - 2010 terms**

Rich Sedano explained that Sharon Reishus will be stepping down as Steering Committee co-chair at the end of 2009. He invited any current Steering Committee members to contact him and nominate themselves to the co-chair position for 2010 or nominate other Steering Committee members. The Steering Committee will officially select the new co-chair at the next Steering Committee meeting in January. He and Julie Michals also thanked Sharon Reishus for her leadership and guidance.

**Action Item:**

7. Steering Committee members should notify Rich Sedano if they are interested in serving as a Steering Committee co-chair in 2010, and/or if they wish to nominate a Steering Committee member for this position. Please contact Rich at [rapsedano@aol.com](mailto:rapsedano@aol.com).

**4. 2010 Steering Committee meeting schedule (January, April, July, October)**

Julie Michals reported that the Steering Committee meetings in 2010 will take place in January, April, July and October. She will follow up with Steering Committee members about specific meeting dates/times for the January meeting, and is targeting January 25-27.

**Action Item:**

8. NEEP will distribute potential dates/times for the next quarterly Steering Committee meeting to be held in late January 2010.