



Efficiency First NY and BPCA Joint Petition Statement Regarding PSC Case 07-M-0548:

We encourage the success and expansion of current programs administered by NYSERDA and New York's electric and gas utilities. They play an important role in the energy efficiency industry, creating jobs, improving the economy, and reducing homeowners' cost of living.

However, recent public policy decisions have created barriers to this expansion. In fact, many contracting firms have put off expansion plans or even down-sized as a direct result of rule changes regarding how the cost-effectiveness of these programs is calculated. This is primarily due to the state regulators' narrow interpretation of New York's Energy Efficiency Portfolio Standard (EEPS) cost-effectiveness requirements. Ultimately, this could threaten to drive the home performance contracting industry out of the state effectively un-doing more than a decade of infrastructure-building. We need to remove barriers to the growth of the residential energy efficiency market to protect both public and private sector investments already made and ensure that future investments in this market are secure.

Position Details

We seek to end the practice of applying the Total Resource Cost Test (TRC) at the measure level as is currently required under Public Service Commission (PSC) orders. Recently introduced PSC orders under EEPS require the Total Resource Cost test at the measure level, rather than at the program or portfolio level. This is bad policy because:

- Using a TRC test to evaluate cost-effectiveness at the individual measure level is difficult and costly to administer and restricts a consumer's spending choices.
- Measure level TRC tests ignore the interactivity of energy efficiency improvements and defeat the concept of the "house as a system," a basic principle of building science.
- Requiring 100% of the consumer's investment to be justified through energy savings alone is unrealistic. Counting the participant's contribution on the cost side implies that we understand why a person chooses to spend money and that we can quantify those reasons on the benefit side of the equation. The current rule neglects to account for any additional benefits that influence a consumer's decision-making process.
- The application of a TRC test to performance based programs like Home Performance with Energy Star (HPwES) and the Multifamily Performance Program (MPP) is contrary to the fundamental design principal that these programs are intended to function as market transformation initiatives as well as energy efficiency resource acquisition programs.

There are two potential remedies recommended to address these issues:

1. Allow programs to use the Program Administrator Cost Test (PACT) instead of the TRC, particularly for programs that are performance-based in nature and are designed to promote market transformation.
2. If a TRC test is to continue to be used, the PSC should modify the current order and adopt the best practices consistent with those described by the National Home Performance Council in its recently published paper "[Getting to Fair Cost Effectiveness Testing](#)" (Sep. 2011). These modifications should include, at a minimum, allowing for TRC at the program or portfolio level and a reasonable proxy to account for the participant's non-energy benefits.

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