

STATE OF NEW YORK  
PUBLIC SERVICE COMMISSION

At a session of the Public Service  
Commission held in the City of  
Albany on June 16, 2011

COMMISSIONERS PRESENT:

Garry A. Brown, Chairman  
Patricia L. Acampora  
Maureen F. Harris  
James L. Larocca

CASE 07-M-0548 - Proceeding on Motion of the Commission  
Regarding an Energy Efficiency Portfolio  
Standard.

ORDER APPROVING MODIFICATIONS TO THE ENERGY EFFICIENCY  
PORTFOLIO STANDARD (EEPS) PROGRAM TO STREAMLINE  
AND INCREASE FLEXIBILITY IN ADMINISTRATION

(Issued and Effective June 20, 2011)

BY THE COMMISSION:

INTRODUCTION

In this order, the Commission approves modifications to the Energy Efficiency Portfolio Standard (EEPS) program to streamline certain processes and to provide appropriate added flexibility in the administration of approved EEPS programs by the utilities and NYSERDA. The modifications include (a) the organization of all the approved EEPS programs into specific Classification Groups of similar programs with an established list of approved energy efficiency measures for each Classification Group; (b) new flexibility to program administrators to offer, within a program in a Classification Group, any measure on the list of energy efficiency measures established for the Classification Group; (c) discontinuance of a small number of measures that are not cost-effective; (d)

streamlining modifications and clarifications to required procedures for program administrators to pre-screen energy efficiency measures for cost-effectiveness; (e) easier requirements for program administrators to reduce customer rebate or incentive levels by removing the requirement for Staff approval of downward adjustments and eliminating the current 20% limit on rebate or incentive adjustability; (f) new flexibility allowing similar adjustments to customer rebate or incentive levels for "Fast Track" residential electric and gas HVAC programs that previously were subject to uniform Statewide rebate levels; and (g) authorization to the Director of the Office of Energy Efficiency and Environment (OEEE) to make substantive modifications to the Technical Manual used to guide savings calculations, and to add measures to the list of measures established for a Classification Group, that have consensus support of the EEPS Implementation Advisory Group (IAG) consisting of representatives of all program administrators.

NOTICE OF PROPOSED RULEMAKING

A Notice of Proposed Rulemaking concerning the EEPS modifications under consideration here was published in the State Register on April 20, 2011 [SAPA07-M-0548SP34]. The minimum period for the receipt of public comments pursuant to the State Administrative Procedure Act (SAPA) regarding that notice expired on June 6, 2011. Comments were received from Central Hudson Gas & Electric Corporation (Central Hudson); Consolidated Edison Company of New York, Inc. and Orange and Rockland Utilities, Inc. (Con Edison/O&R); Niagara Mohawk Power Corporation d/b/a National Grid, The Brooklyn Union Gas Company d/b/a National Grid NY and KeySpan Gas East Corporation d/b/a

National Grid (National Grid Companies); New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation (NYSEG/RG&E); New York State Energy Research and Development Authority (NYSERDA); and Pace Energy and Climate Center (Pace). The comments received are addressed as set forth below.

#### DISPOSITION OF PROPOSED MODIFICATIONS

##### Types of Measures

The Commission has approved lists of eligible energy efficiency measures that may be offered on an individual program basis (subject to the required pre-screening of measures for cost-effectiveness). In some cases, the approved measures have been in the nature of broad categories. In other cases, the approved measures have been very specific.

Staff reports that as the various program administrators became familiar with the content of each other's programs, there arose a desire for all to offer similar measures in similar individual programs. As a way to accommodate such requests in a streamlined fashion, Staff proposes the organization or grouping of the many approved EEPS programs into a number of Classification Groups and the group designation of a list of approved energy efficiency measures for each Classification Group. The program administrator would be given flexibility to offer any measure on the list of energy efficiency measures established for the Classification Group, subject to the required pre-screening of measures for cost-effectiveness. In preparing the groupings and lists, Staff has identified a small number of measures which it recommends be discontinued by the program administrators. Finally, in response to comments received, Staff recommends that the Commission authorize the Director of OEEE to add measures to the

list of measures established for a Classification Group that have consensus support of the EEPS Implementation Advisory Group (IAG) consisting of representatives of all program administrators.

Central Hudson supports the grouping of approved programs into Classification Groups because it may permit the Commission's oversight of the EEPS Program to be more efficient. Central Hudson requests consideration of a more simplified grouping structure. According to Central Hudson, the flexibility of program administrators to respond to market conditions and customer preferences will be increased because the breadth of measures within a given group will be increased. Central Hudson urges that program administrators also be given flexibility to add measures to the list without the need for Commission approval, or if deemed necessary, that such approval be expedited so that program administrators can react to changing market conditions. Central Hudson does not object to the measure discontinuances proposed, but believes program administrators should be given flexibility to re-establish, on their own initiative, a previously discontinued measure provided that adequate pre-screening is conducted if the efficiency of the product is improved or improvements in installation methods or techniques reduce costs sufficiently. Central Hudson also seeks authority to discontinue marketing programs that are not achieving success in the marketplace, either on its own authority or through a simple notification to Staff if a discontinuance procedure is required. As to "emerging technologies", Central Hudson believes that a research and development or "pilot" approach should be considered for emerging energy efficiency measures to allow for strategic, state-of-the-art technologies and/or work processes to be

examined by utility program administrators for funding. Central Hudson also requests that certain specific additional measures be added to the Classification Groups at this time. Central Hudson proposes eight Classification Groups, as follows:

1. Residential Electric
2. Residential Gas
3. Commercial & Industrial Electric
4. Commercial & Industrial Gas
5. Multifamily Electric
6. Multifamily Gas
7. Low-Income Electric
8. Low-Income Gas

Similarly, Con Edison/O&R support the Classification Group concept, but would substantially reduce the number of groups and would permit measures to be included in multiple categories. Con Edison/O&R see the Classification Group proposal as a substantial improvement over the status quo, as demonstrated by Con Edison's experience seeking approval to add freezers to its Appliance Bounty Program, which it found to be too cumbersome. Con Edison/O&R request that a new process be created to add specific additional measures to the Classification Groups.

The National Grid Companies note that the Classification Groups are organized by fuel type (i.e., electric and gas), market sector (i.e., residential, low income, multifamily, commercial and industrial, and agricultural) and delivery type (i.e., installation/rebate, bounty/recycling, exterior shell, behavior modification, and custom measures). The National Grid Companies agree that different fuel types and market sectors warrant separate Classification Groups. However, the National Grid Companies suggest that all delivery types should be included in a single group to provide program administrators additional flexibility to expand energy

efficiency measure offerings to customers. The National Grid Companies further recommend that the approval of new energy efficiency measures be delegated to Staff by the Commission for expediency as an extended regulatory review and approval process is a barrier to the timely delivery of new energy efficiency measures to customers. Further, an extended regulatory review and approval process to remove measures no longer cost-effective is a barrier to program cost control. Allowing Staff to approve and discontinue measures would allow for a more expeditious process. The National Grid Companies propose ten Classification Groups, as follows:

1. Residential Electric Programs
2. Residential Gas Programs
3. Low Income Electric Programs
4. Low Income Gas Programs
5. Multifamily Electric Programs
6. Multifamily Gas Programs
7. C&I Electric Programs
8. C&I Gas Programs
9. Agricultural Electric Programs
10. Agricultural Gas Programs

NYSEG/RG&E are concerned that the basis for the Classification Groups has not been fully explained and the implications of administering a program within a Classification Group are unclear. NYSEG/RG&E seeks clarification on the implications for operating a program not currently listed within a Classification Group, and programs which may not fit neatly into a single group. NYSEG/RG&E suggest that having a larger number of groups may in fact limit program administrator flexibility in administering programs and request that fewer, more encompassing groups be formed and also request a technical conference to review the Classification Groups, the basis for each group, and an opportunity to provide input as part of a

collaborative effort. NYSEG/RG&E also suggest that the Commission adopt a streamlined process for adding new measures, including certain specific measures, and for eliminating measures which are not cost effective.

For completeness and accuracy, NYSERDA recommends that a number of Classification Groups be added to reflect programs that provide custom measures. The National Grid Companies, NYSEG/RG&E and NYSERDA also suggest that there are a number of specific omissions and misclassifications on the list that should be corrected.

#### Discussion

The Classification Group proposal is consistent with our desire to give program administrators greater flexibility and we see merit with the approach. The proposal is approved with some minor corrections and additions to the lists. As the National Grid Companies noted, the Classification Groups are deliberately organized by fuel type, market sector, and delivery type. While that organization results in a large number of Classification Groups, such divisions are necessary to maintain the established funding balance between delivery types at this time. We recognize that there may be a benefit to an approach which further reduces the number of Classification Groups but are not ready at this time to weigh potential benefits against unintended consequences. We will therefore defer this question for later resolution.

Any measure to be offered will have been approved by us for a similar program and little purpose would be served by us doing redundant reviews. We also note in particular that the permission we will be granting to program administrators will remain subject to the required pre-screening of measures for cost-effectiveness, so it will be incumbent on program

administrators exercising the flexibility to ensure that their actions are cost effective. As to new measures not previously approved by the Commission added by the Director of OEEE, they will have been identified in a consensus process and found to be in accordance with the categorized scheme of programs such that the distinctions we have made for different types of program delivery shall be preserved. We also agree that the small number of measures identified by Staff for discontinuance should be discontinued by the program administrators as they are not cost-effective. Any measure that is discontinued could be considered for reinstatement in the consensus process we have established for new measures. We do not wish to consider Central Hudson's "emerging technologies" proposal at this time, but the specific new efficiency measures that Central Hudson and Con Edison/O&R would like considered should be considered in the consensus process we are instituting.

#### Other Clarifications

Central Hudson raises a concern that an unintended consequence of the classification approach would be to force it to discontinue offering certain previously approved custom measures as part of an existing C&I program since the C&I program is now to be classified as an installation/rebate program. That is incorrect. NYSEDA raised similar concerns about custom measures in some of its programs, and NYSEG/RG&E raise a similar concern about certain agricultural measures. Placement of a program into a Classification Group will not operate to force discontinuance of any measures previously authorized for the program unless the measures are overtly designated on the list as measures to be discontinued. As an example, in the instance cited by Central Hudson, it would be

able to continue to offer custom measures as part of the existing C&I program, assuming they were previously authorized, but other program administrators of installation/rebate programs would not have the flexibility to also offer custom measures which are purposefully not designated on the list of measures that can be offered by all programs within the installation/rebate Classification Group.

NYSEG/RG&E raise a concern about whether the classification scheme eliminates the eligibility of non-residential customers in multifamily buildings from participating in multifamily programs, or whether the classification scheme eliminates the eligibility of non-residential customers who, because of the nature of their activities, are eligible to choose a residential rate, to participate in either residential or non-residential programs if the customer meets the eligibility requirements for the respective program. In response, we clarify that placement of a program into a Classification Group will not operate to force any change as to eligibility of customers for particular programs.

Central Hudson raises a concern about discontinuing measures and programs found to not be cost effective. In general, no program administrator should be offering measures found to be not cost effective. When a pre-screening calculation demonstrates that a measure or project is not cost effective, it should not be offered in that instance. Program administrators do not need to obtain approval to not offer a measure or project deemed not cost effective. When a program administrator determines that a program as a whole is not working in a cost effective manner, and wants to discontinue the program, the program administrator should consult with Staff and

petition the Commission for approval to discontinue the program. In the interim, the program administrator should refrain from promoting or offering measures or projects within the program that are not cost effective.

#### Pre-screening of Measures for Cost-Effectiveness

To ensure cost-effective investments on behalf of ratepayers, the Commission has required that every energy efficiency measure be "pre-screened" by program administrators to ensure that it will likely be cost-effective. A new pre-screening analysis can occur in every instance, or in some cases measures (including some custom measures) can be "pre-qualified" such that a new pre-screening analysis need not be undertaken in every instance. It should be stressed that approval by the Commission of a list of measures for a program does not constitute either "pre-screening" or "pre-qualification". Each measure must achieve a resource benefit/cost ratio of at least one (1.0). Each program's implementation protocols include a total resource cost (TRC) ratio pre-screening analysis at both the site-specific measure level and project level. Both analyses include a CO<sub>2</sub> adder and use of Commission-approved Long Run Avoided Costs (LRACs), Staff methodologies and the "Technical Manual" (New York Standard Approach for Estimating Energy Savings from Energy Efficiency Programs). The project level analysis includes adding a factor to represent pro rata program costs, including evaluation, measurement and verification costs. For utilities, the project level analysis also includes adding a factor to represent pro rata utility shareholder energy efficiency incentives as a resource cost. For NYSERDA, the project level analysis also includes adding a

factor to represent pro rata New York State Cost Recovery Fees as a resource cost.

Custom Measures

Currently, the pre-screening analysis performed by the program administrators for custom measures must be provided to Staff, but the analyses need not be reviewed and approved by Staff prior to implementation. Staff recommends that the rule be changed so that the pre-screening analysis for custom measures need not be provided to Staff. Instead, the pre-screening analysis would be performed by the program administrators for all measures, custom and non-custom, and documented in auditable records maintained on file by the program administrators and available for audit by Staff at any time. If Staff audits the records and has concerns about the cost-effectiveness of a measure and the difference cannot be resolved, either party would be able to refer the issue to the Commission for resolution.

Pre-qualifications

For the measure pre-screening analysis, measures (including some custom measures) that are likely to be cost-effective in most applications based on typical costs and savings in a service territory can be pre-qualified such that a new measure analysis need not be undertaken in every instance. Originally, pre-qualifications had to be approved by the Commission. Pre-qualified measures were identified in various Commission orders where the orders note the measures are likely to achieve a TRC ratio of at least 1.0 under most conditions, either statewide or on a locational basis. The current rule is that program administrators may pre-qualify additional measures on their own so long as the same methods and criteria employed by Staff in its benefit/cost analyses are used. To implement a

pre-qualification, a program administrator is required to provide Staff with its benefit/cost calculations and documentation of costs and savings estimates. If Staff has concerns about the cost-effectiveness of a measure and the difference cannot be resolved, either party may refer the issue to the Commission for resolution. Pre-qualification is not available for (a) measures that are not likely to be cost-effective in most applications based on typical costs and savings in a service territory; (b) measures which have costs and savings that vary from site to site such that they cannot be characterized as "typical"; and (c) unique custom measures, which by their nature require measure-level site-specific calculations and analysis.

Staff recommends that the Commission clarify that the pre-qualification analyses need not be reviewed and approved by Staff prior to implementation. In addition, Staff requests a further clarification that "provided to Staff" means a written document provided to the Director of the Office of Energy Efficiency & Environment including an "active" spreadsheet of calculations showing the full formulas and values used.

#### Pre-screening Exemptions

Pre-screening is not required if the measures fall under the multifamily "extremely low cost or incidental" exemption from TRC analysis. Program Administrators must provide Staff with a list of planned extremely low-cost measures with estimates and documentation of their costs per multifamily dwelling unit, forecast how many such measures might apply to a multifamily dwelling unit, and cap such expenditures per multifamily dwelling unit. In addition, various Commission orders approved the provision of extremely low cost or incidental non-multifamily measures for specific programs with

varying stated costs and caps on the number or cost of such measures.

Staff recommends that the Commission clarify that the exemption from TRC analysis also applies to "extremely low cost or incidental" measures in non-multifamily programs. Staff suggests that Program Administrators should provide Staff with a list of planned extremely low-cost measures with estimates and documentation of their costs per project (per unit for projects with more than one dwelling or commercial unit per project), forecast how many such measures might apply to a project (per unit for projects with more than one dwelling or commercial unit per project), and cap such expenditures per project (per unit for projects with more than one dwelling or commercial unit per project). According to Staff, extremely low-cost measures should be limited to \$15 per extremely low-cost measure and \$50 per project (per unit for projects with more than one dwelling or commercial unit per project). The cost of extremely low-cost measures that are installed on a "central" basis (e.g., a furnace filter for a furnace serving more than one apartment) should be applied pro rata per unit for projects with more than one dwelling or commercial unit per project. In addition, Staff requests a further clarification that "provided to Staff" means a written document provided to the Director of the Office of Energy Efficiency & Environment.

Comments

The National Grid Companies and NYSEG/RG&E are generally supportive of the proposed changes to timing and approval of the analysis of measures cost-effectiveness screening. Con Edison/O&R also support the elements of the Staff proposal because they reduce the burden on both program administrators and Staff and will permit more efficient use of

limited resources. In addition, Con Edison/O&R propose that the current rule should be changed to eliminate the requirement that the pre-qualification analysis be completed at the measure level. Con Edison/O&R urge that program administrators be permitted to package measures in order to maximize energy savings and the Commission should explicitly permit measures with TRCs less than 1.0 to be packaged with measures whose TRCs exceed 1.0. According to Con Edison/O&R, if the aggregated benefits exceed costs at the program level, customers are protected, unnecessary costs and delay are avoided, and energy savings are maximized. Con Edison/O&R see the requirement that all measures be cost-effective as an unnecessary impediment to achieving the goals of the EEPS program. Central Hudson also desires to package together in a project delivered to an individual customer (whether residential, commercial or industrial) measures with a TRC below 1.0 together with measures having a TRC above 1.0, provided that the weighted TRC is at least 1.0.

Pace is generally supportive of the proposed changes but raises concern that correcting some flaws in the current protocols fails to address what Pace sees as greater obstacles hindering overall effectiveness and jeopardizing ultimate success. PACE recommends a process be instituted to modify the TRC test and how it is applied, such as: including other benefits not currently captured, reducing the discount rate, reevaluating LRACs, and applying the TRC on a project basis and not at the measure level. PACE also recommends establishing further cooperation and coordination between NYSERDA and utility programs to reduce the complexity of offers available to consumers and to increase savings achieved per project.

Discussion

Staff's proposals are relatively simple refinements and appear to make practical sense and are approved. The requested clarifications are also adopted as they eliminate ambiguity. The requirement that all measures have a TRC score of at least 1.0 except for some promotional extremely low cost or incidental measures is an important safeguard that ensures that ratepayer funds are spent wisely and efficiently and will not be disturbed at this time. While we appreciate Pace's proposal regarding the TRC fundamentals, program implementation is at a critical stage at this juncture and this is not the time to consider fundamental adjustments to the TRC calculations as such adjustments would distract from and perhaps disrupt program implementation.

Other Pre-screening Matters and Clarifications

Central Hudson notes that it does not object in principle to maintaining "auditable" records of its pre-screening/pre-qualification calculations, but different auditors have differing expectations. Accordingly, Central Hudson seeks clarification and specificity concerning which records should be retained, at what level of detail and in what format. Similarly, Central Hudson requests that the Commission specifically identify the methods and criteria that are to be employed in future pre-screening analyses, and also that the Commission notify parties if and when there are any changes to either methods or criteria, so that program administrators have clear knowledge of the applicable requirements. In response to Central Hudson's request, Staff should work with Central Hudson and the other program administrators in the Implementation Advisory Group to clarify with specificity what records should

be maintained including the level of detail and format. We understand that the methods and criteria that are employed in pre-screening analyses are reasonably well known by the program administrators, but if Central Hudson needs additional explanation it should contact Staff directly.

NYSEG/RG&E is concerned that Staff's proposal regarding "extremely low cost or incidental" measures is unclear and request a list from Staff of which measures are included by program. In response to the NYSEG/RG&E request, Staff should work with NYSEG/RG&E and the other program administrators in the Implementation Advisory Group to compile such a list by program.

NYSERDA supports allowing program administrators the discretion to pre-qualify measures. However, NYSERDA seeks clarification on how pre-qualification would apply to custom measures, and the extent to which custom measures may be included. Custom measures are by their nature unique and do not lend themselves readily to pre-qualification, but Staff is correct in not precluding the pre-qualification of custom measures in all instances. As experience is gained in the deployment of custom measures, certain measures may be repeated often enough such that it would be efficient to pre-qualify them. Staff should work with NYSERDA and the other program administrators in the Implementation Advisory Group if there are lingering questions regarding how or whether to pre-qualify custom measures.

Central Hudson is concerned that the default application of 100% of the utility shareholder incentive for TRC screening is not appropriate in the context of utility-sponsored programs that may not be earning a 100% incentive and potentially biases the results of the TRC calculations. Central Hudson recommends that the Commission employ a reasonable

estimate of actual utility incentive performance through December 31, 2011 rather than the assumption of 100%. We clarify that in order to keep the calculations conservative and manageable the utilities should continue the default application of 100% of the utility shareholder incentive.

Central Hudson states that it understands that it has previously received pre-qualification for all of its residential HVAC measures, since all such HVAC measures are specifically spelled out in Commission Orders with identification of levels of rebate dollars authorized for each measure. Central Hudson requests that if that understanding is incorrect it be so informed. In response to Central Hudson's request, we clarify that wherever a measure and specific rebate level is set forth as approved in a Commission order for a "fast track" or "60 day" program, the measures were pre-qualified (unless they were later changed). Measures for "90 day" programs were not pre-qualified by Commission order.

Central Hudson states that it has pre-screened commercial lighting measures on a programmatic basis and they pass the TRC test based upon its application of the most recent LRACs and most recent Technical Manual, but the calculations have not been provided to DPS Staff representatives. Based on that description, Central Hudson further states that it understands that it need only pre-screen any other measure types it may add in the future. Central Hudson requests that if that understanding is incorrect it be so informed. In response to Central Hudson's request, we clarify that "pre-screening on a programmatic basis" is what we have described as "pre-qualification". In the instance described by Central Hudson, its attempt to pre-qualify commercial lighting measures is not effective until Central Hudson provides the pre-qualification

analyses to Staff. Under the new rule, the pre-qualification analyses need not be reviewed and approved by Staff prior to implementation. As to the pre-screening of other measure types, they must all be pre-screened on a measure and project level.

Central Hudson requests additional clarification on whether program administrators are required to re-pre-screen measures based upon changes in the Technical Manual that occur subsequent to the time when the administrator pre-screened the measure. In response, we clarify by reiterating the requirement we stated in the October 18, 2010 EEPS Order:

We believe that it is of utmost importance to track savings as accurately as possible in order to understand actual progress toward the 15 by 15 goal and to enable the New York Independent System Operator (NYISO) and others to plan for future electric load levels. We therefore will require program administrators to use the revised technical manual for estimating savings for measures approved on or after January 1, 2011. In other words, every project contract or incentive awarded on or after January 1, 2011 will be based on energy savings estimates calculated using the revised technical manual. We will not, however, require that energy savings contracted or procured prior to that date be recalculated and restated using the revised technical manual.<sup>1</sup>

Central Hudson seeks clarification as to whether a measure must first be included in a Classification Group to qualify for pre-screening, and if a measure has not been included in any of the twenty-seven Classification Groups, what methods and criteria should be used to pre-screen such measure.

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<sup>1</sup> Case 07-M-0548, Energy Efficiency Portfolio Standard (EEPS), Order Approving Consolidation and Revision of Technical Manuals (issued October 18, 2010) p. 7.

In response to Central Hudson's request, we clarify that the criteria and need to pre-screen measures for cost effectiveness is universal for all measures independent of the Classification Group concept. Every measure must be pre-screened and/or pre-qualified at the measure and project level.

Rebates/Incentive Levels

The Commission has in many instances approved specific rebate/incentive levels for specific measures on a program specific basis. For custom measures, the Commission has not approved specific rebate/incentive levels. For "Fast Track" residential electric and gas HVAC appliance rebate programs, the Commission has mandated the use of uniform rebate levels on a Statewide basis.

Adjustability

Under the current rules for adjustments to rebate/incentive levels, all program administrators, including NYSEERDA, are allowed to make adjustments in energy efficiency program or measure rebate/incentive levels of up to plus or minus 20% of Commission-approved levels.<sup>2</sup> Utilities and NYSEERDA may implement such adjustments by providing to Staff such information as Staff requires. Such adjustments may be implemented if the Director of the Office of Energy Efficiency and Environment certifies that such adjustments (a) do not result in net reductions in aggregate energy savings; (b) make

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<sup>2</sup> The Commission has established a guideline, in programs where applicable, that the total incentive paid for any rebate will not exceed an amount that produces less than a one-year payback period for commercial customers and one-half year for industrial customers. This guideline would apply to prescriptive rebates on a one-time measure screening basis and for custom rebates the information developed in the measure assessment should be used to monitor adherence to the guideline.

efficient use of ratepayer funds; and (c) do not appear to be detrimental in any other manner to the EEPS program.

Staff recommends that the rule be changed so that any decrease in customer rebate/incentive does not require any approval so long as it is applied similarly to all customers and the Director of the Office of Energy Efficiency & Environment is provided written notification of the change (no review or approval by the Director of the Office of Energy Efficiency & Environment would be needed to implement the change). Staff also recommends that the downward 20% cap should be eliminated so that there is no limit on downward adjustments. Staff recommends that any increase (capped at plus 20%) should need approval as before.<sup>3</sup>

#### Uniformity

Regarding "Fast Track" residential electric and gas HVAC programs, the Commission recognized that there are different demographic characteristics in each service territory, but it was not persuaded that the program differences proposed correlate particularly to demographic profiles or to the degree that it would be worth experimenting with different rebate levels and measures. Rather, it was more important to the Commission that equipment distributors and installers can strategically deploy a manageable variety of unit types. Under the current rules, the utilities offer only the energy efficiency measures, qualifying energy efficiency thresholds and corresponding customer rebates on a uniform basis Statewide, as set forth on approved tables in Commission orders.

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<sup>3</sup> The Commission established guideline that the total incentive paid for any rebate will not exceed an amount that produces less than a one-year payback period for commercial customers and one-half year for industrial customers would continue.

Staff now recommends that this system of rigid uniformity yield to Staff's recommendations on flexibility as to rebate/incentive levels described above.

Comments

Central Hudson states that the proposed flexibility to program administrators on rebate levels is helpful, but does not address whether the rebates are calibrated correctly at this time in light of the changes in markets and technologies since the existing rebates were approved. According to Central Hudson, some anomalies exist and the "baseline" rebate should be re-evaluated, and the revised baseline rebate then would be subject to the flexibility criteria. In addition, Central Hudson believes that program administrators should have the authority and flexibility to adjust the baseline rebate level in the future in response to changes in efficiency levels and market conditions, such as consumer preferences for sizes.

Con Edison/O&R support the proposal to eliminate the approval requirement for decreases in rebate/incentive levels, but propose that the rule be changed so that there would also be no cap on upward adjustments to rebate/incentive levels. According to Con Edison/O&R, program administrators should be able to respond to market conditions and adjust rebate/incentive levels as necessary to maximize cost-effective energy savings, to attract customer interest, and to conform to offerings of other utilities across the country. Written notification would continue to be required to the Director of the Office of Energy Efficiency & Environment and Staff would always have the right to dispute an increase and to seek Commission resolution of the dispute. The elimination of the upward cap should apply to Fast-Track programs, consistent with the Staff proposal.

The National Grid Companies support the proposal to give program administrators additional flexibility and authority to decrease customer rebate/incentive levels, with no limit on such downward adjustments.

NYSEG/RG&E agree that program administrators should be able to make downward adjustments without waiting for approval because the proposal will increase flexibility for modifying rebate/incentive levels. However, NYSEG/RG&E request that the Commission shorten the time period for Staff to respond to requests for upward adjustments to rebate/incentive levels from 90 days to 60 days.<sup>4</sup> The Companies also request that the Commission consider a ceiling on rebates offered in a regional area. Currently, the varying rebate/incentive levels within the same geographic area has resulted in confusion among trade allies in describing rebate levels offered by different program administrators for the same measure.

NYSERDA supports the proposed modified rule allowing uncapped downward incentive adjustments without prior approval. According to NYSERDA, this is a constructive and modest administrative improvement, allowing for program administrators to make minor program adjustments in response to changing market conditions. However, NYSERDA cautions that alignment of incentives among overlapping programs does not resolve customer confusion issues. According to NYSERDA, consistency in incentives does not by itself assure consistency in participant benefits or ratepayer cost per unit of energy efficiency resources acquired. Overlap in programs contributes to participant and contractor confusion, delay and dissatisfaction,

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<sup>4</sup> The 90 day time period referenced only applies to "minor refinements" to certain electric "fast track" rebates/incentives. Action occurs substantially quicker if the request is complete and properly supported.

higher cost of participation (staff, implementation, and evaluation costs), and increased expense of outreach and marketing. Program administrator investment in coordination of incentives and program outreach is unlikely, absent coordinated action on reducing overlap and the design of shareholder incentives/penalties and other critical factors.

Discussion

Upon reflection, it appears that no useful purpose is served by the cap on downward adjustments in rebate/incentive levels or the requirement that downward adjustments be approved. While upward caps and approval requirements give discipline to spending, downward caps may result in overspending in instances where a lower rebate/incentive level would be sufficient to spur the investment in the energy efficiency measure. Staff's recommendations as to downward adjustability are approved. We are also inclined to eliminate the upward cap on adjustability but to maintain the approval requirements for upward adjustability. We note that any upward adjustment will be subject to payback criteria limitations and other limitations we may impose from time to time. We also note that the criteria that must be applied for approval will tend to become more limiting the higher the request. As to Staff's proposal regarding elimination of the uniformity requirement, experience has now shown that it would be in the interests of the EEPS program to allow some adjustments, particularly downward in areas of the State where the uniform rebate/incentive levels have been proven to be higher than necessary. Therefore, the recommendations are approved.

Improvements to the Technical Manual

The Commission has approved the contents and use of a "Technical Manual" (entitled "New York Standard Approach for Estimating Energy Savings from Energy Efficiency Programs") to standardize energy savings estimation approaches, calculations and assumptions at the measure level. An Evaluation Advisory Group (EAG) subcommittee has been established to review and provide advice on the Technical Manual calculation methodologies. The EAG subcommittee may recommend proposed modifications to the Technical Manual to the Director of the Office of Energy Efficiency & Environment (OEEE Director). The OEEE Director may recommend proposed modifications to the Technical Manual to the Commission. As a streamlining measure, the Commission has also authorized the OEEE Director to make minor technical changes to the Technical Manual "limited to updating data and calculations to reflect changes to factors such as energy codes and standards, product specifications, and evaluation results."

Staff now recommends that the OEEE Director be authorized by the Commission to make substantive consensus modifications to the Technical Manual to improve the accuracy and appropriateness of the standardized energy savings estimation approaches, calculations and assumptions at the measure level contained therein, as well as to add estimation approaches for new measures. The process Staff recommends requires consultation with the Implementation Advisory Group (IAG) consisting of designated representatives of all program administrators, and the Evaluation Advisory Group (EAG) which has a much broader membership of stakeholders. If a consensus is reached with the IAG, the modifications could go into effect. If any member of the IAG objects to the intended modifications

by making a written objection to the OEEE Director within a reasonable period of time established by the OEEE Director for the receipt of objections, the intended modifications would not be implemented without referral to and approval by the Commission. Nothing in Staff's proposal is intended to restrict any party from petitioning the Commission at any time for a redress of grievances regarding the Technical Manual.

NYSEG/RG&E support granting authority to the OEEE Director to make substantive consensus modifications to improve the accuracy and appropriateness of the standardized energy savings estimation approaches, calculations and assumptions at the measure level contained within the Technical Manual. NYSERDA believes that this process will provide an effective means for involving the Implementation Advisory Group and will provide efficiencies in decision making. Con Edison/O&R note that the EAG is familiar with evaluation issues and would be able to utilize its experience to evaluate proposed Technical Manual improvements. They propose that the EAG be given a similar role as the IAG such that a blocking objection by a member of the EAG would prohibit implementation of a rule without Commission action. Similarly, the National Grid Companies believe that the EAG should have an instrumental role in any proposed modifications to the Technical Manual as the EAG is the organization that has worked extensively on the development of the Technical Manual.

#### Discussion

We welcome the institution of a consensus process to deal with the detailed and highly technical matters presented by the Technical Manual, to streamline the process and speed necessary changes. The process Staff has proposed preserves the right of all parties to be heard by the Commission if consensus

cannot be reached. The IAG, being made up of all program administrators, is the appropriate body to achieve the consensus. The EAG's membership is much broader than that of the IAG and contains many entities that do not have the responsibility of conducting energy efficiency programs under our supervision. While the EAG will be consulted for its technical expertise, it is unnecessary to extend the "veto" power to such a broad group. The proposal is approved.

#### SEQRA FINDINGS

Pursuant to our responsibilities under the State Environmental Quality Review Act (SEQRA), in conjunction with this order we find that programs approved here are within the overall action previously examined by us in Case 07-M-0548 and will not result in any different environmental impact than that previously examined. In addition, the SEQRA findings of the June 23, 2008 order in Case 07-M-0548 are incorporated herein by reference and we certify that: (1) the requirements of SEQRA, as implemented by 6 NYCRR part 617, have been met; and (2) consistent with social, economic, and other essential considerations from among the reasonable alternatives available, the action being undertaken is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable.

#### CONCLUSION

For the reasons discussed above, the Commission approves modifications to the EEPS program intended to streamline processes and increase flexibility in administration.

The Commission orders:

1. The many approved EEPS programs shall be organized into Classification Groups as set forth in the appendix to this order. In administering a program within a Classification Group, the program administrator shall have flexibility to offer any measure on the list of energy efficiency measures established for the Classification Group, subject to the required pre-screening of measures for cost-effectiveness. The measures listed as "Discontinue" shall be discontinued by the respective affected program administrators in an orderly fashion within 60 days of the date of issuance of this order.

2. The pre-screening analysis for custom measures need no longer be provided to Staff. The required pre-screening analysis for all measures, custom or non-custom, must be performed by the program administrators for all measures and documented in auditable records maintained on file by the program administrators and available for audit by Staff at any time. If Staff audits the records and has concerns about the cost-effectiveness of a measure and the difference cannot be resolved, either party may refer the issue to the Commission for resolution.

3. The pre-qualification analyses that must be provided to Staff need not be reviewed and approved by Staff prior to implementation. "Provided to Staff" means a written document provided to the Director of the Office of Energy Efficiency & Environment including an "active" spreadsheet of calculations showing the full formulas and values used.

4. Pre-screening is not required if the measures fall under the "extremely low cost or incidental" exemption from TRC analysis, which shall also apply to measures in non-multifamily programs. Program Administrators shall provide Staff with a

list of planned extremely low-cost measures with estimates and documentation of their costs per project (per unit for projects with more than one dwelling or commercial unit per project), forecast how many such measures might apply to a project (per unit for projects with more than one dwelling or commercial unit per project), and cap such expenditures per project (per unit for projects with more than one dwelling or commercial unit per project). Extremely low-cost measures shall be limited to \$15 per extremely low-cost measure and \$50 per project (per unit for projects with more than one dwelling or commercial unit per project). The cost of extremely low-cost measures that are installed on a "central" basis (e.g., a furnace filter for a furnace serving more than one apartment) shall be applied pro rata per unit for projects with more than one dwelling or commercial unit per project. "Provided to Staff" means a written document provided to the Director of the Office of Energy Efficiency & Environment.

5. The 20% cap on downward adjustments to rebate/incentive levels by program administrators is eliminated such that there is now no limit on downward adjustments. Such downward adjustments will no longer need the approval of the Director of the Office of Energy Efficiency & Environment so long as they are applied similarly to all customers and the Director of the Office of Energy Efficiency & Environment is provided written notification of the change. No review or approval by the Director of the Office of Energy Efficiency & Environment will be needed to implement the change.

6. All program administrators, including NYSERDA, will still be allowed to make upward adjustments in energy efficiency program or measure rebate/incentive levels, without the cap that was previously imposed, subject to the established

guideline, in programs where applicable, that the total incentive paid for any rebate will not exceed an amount that produces less than a one-year payback period for commercial customers and one-half year for industrial customers, and such other limitations as the Commission may specify from time to time. Utilities and NYSERDA may implement such reallocations by providing to Staff such information as Staff requires. Such adjustments may be implemented if the Director of the Office of Energy Efficiency and Environment certifies that such adjustments (a) do not result in net reductions in aggregate energy savings; (b) make efficient use of ratepayer funds; and (c) do not appear to be detrimental in any other manner to the EEPS program.

7. Regarding "Fast Track" residential electric and gas HVAC programs for which the rebate/incentive levels have been subject to a requirement of Statewide uniformity, the program administrators are now provided the flexibility to adjust such rebate/incentive levels in the same manner as other programs provided in Ordering Clauses "5" and "6" immediately above.

8. The Director of the Office of Energy Efficiency & Environment (OEEE Director) is hereby authorized to make consensus additions of measures to the list of measures established for a Classification Group and to make substantive consensus modifications to the "Technical Manual" (entitled "New York Standard Approach for Estimating Energy Savings from Energy Efficiency Programs") to promote flexibility in the provision of energy efficiency measures if in accordance with a categorized scheme of programs and to improve the accuracy and appropriateness of the standardized energy savings estimation approaches, calculations and assumptions at the measure level

contained therein, as well as to add estimation approaches for new measures, according to the following process:

(a) The exact text of the intended modifications shall be presented in writing to the members of the Implementation Advisory Group (IAG) consisting of designated representatives of all program administrators. A copy shall be provided to members of the Evaluation Advisory Group (EAG).

(b) The IAG and EAG shall be afforded a reasonable opportunity to review the intended modifications and to advise the OEEE Director as to the proposal.

(c) If any member of the IAG objects to the intended modifications by making a written objection to the OEEE Director within a reasonable period of time established by the OEEE Director for the receipt of objections, the intended modifications may not be implemented without referral to and approval by the Commission.

(d) If no member of the IAG makes a written objection to the intended modifications within a reasonable period of time established by the OEEE Director for the receipt of objections, the intended modifications may be implemented by the OEEE Director, without referral to and approval by the Commission, by filing the exact text of the modifications with the Secretary to the Commission in Case 07-M-0548 and by posting an update or supplement to either the Table of Classification Groups or the Technical Manual on the Commission's website.

(e) Nothing herein shall restrict any party from petitioning the Commission at any time for a redress of grievances regarding the Technical Manual.

9. This proceeding is continued.

By the Commission,

JACLYN A. BRILLING  
Secretary

**Energy Efficiency Portfolio Program - Classification Groups**  
(June 2011)

**Class 1 - Residential Electric Installation/Rebate Programs**

<b>Programs</b>	Central Hudson	Residential Electric HVAC Program
	Con Edison	Residential Electric HVAC Program
	Con Edison	Residential Direct Install Program
	Con Edison	Residential Room Air Conditioning Program
	O&R	Residential Efficient Products Program
	Niagara Mohawk	Energy Star Products
<b>Measures</b>	HVAC	Central Air Conditioning
	HVAC	Central Air Source Heat Pump, Ground Source Heat Pump, and "Quality Insulation"
	HVAC	Window or wall air conditioner, ENERGY STAR® rated or higher
	HVAC	Central Air Source Heat Pump, Ground Source Heat Pump, and "Quality Insulation"
	HVAC	ECM Furnace Fan, Electronically Controlled Motor (ECM)
	HVAC	Duct and Air Sealing, Blower Door and Duct Blaster
	HVAC	Electric Heat Pump Water Heater
	HVAC	Quality Installation, Installation by BPI-certified contractor
	HVAC	Dehumidifier
	Controls	Programmable thermostat, Energy Star
	Other	Compact fluorescent lamps, ENERGY STAR®- quantity limits apply Faucet Aerators, 1.5 GPM Hot water pipe insulation, R-4 Insulation Low-flow showerheads, 1.5 GPM Smart Strip, limit 2 Water heater thermostat setback, limit 2, 120 degrees Weather stripping/sweeps for doors Window-AC Timers
<b>Discontinue</b>	Windows	Windows with a U factor of .35 or less, quantity limits, \$10/window.

**Class 2 - Residential Electric Bounty/Recycling Programs**

<b>Programs</b>	Central Hudson	Residential Appliance Recycling Program (electric)
	RGE	Refrigerator and Freezer Recycling Program
	NYSEG	Refrigerator and Freezer Recycling Program
	Con Edison	Appliance Bounty Program
	Niagara Mohawk	Residential Recycling
	O&R	Residential Efficient Products Program
<b>Measures</b>	HVAC	Window or Wall air conditioner, Energy Star
	HVAC	Dehumidifier
	HVAC	Turn in events or drop off locations for recycling/ disposal of air conditioners
	Home Refrigerators /Freezers	Free pick up (or drop-off by customer) and recycling-disposal of working second refrigerators and freezers 10-30 cubic feet, limit 2 units per customer
	HVAC	Free pick up of working window or through the wall air conditioners with eligible freezer or refrigerator for recycling-disposal .
	Other	Compact florescent lamps, Energy Star, quantity limits apply w/ paid appliance rebate

**Class 3 - Residential Electric Insulation, Exterior Shell Programs**

<b>Programs</b>	Niagara Mohawk	Niagara Mohawk Enhanced Home Sealing
<b>Measures</b>	Sealing/Building Envelope	Audit, incentives for installation of insulation and air sealing

**Class 4 - Low Income Residential Electric Installation/Rebate Programs**

<b>Programs</b>	NYSERDA	EmPower NY (elec)
<b>Measures</b>	Education	In-home energy-use education
	Lighting	Replacements
	Refrigerators	Replacement

**Class 5 - Residential Gas Installation/Rebate Programs**

<b>Programs</b>	Central Hudson	Res Gas HVAC
	Con Edison	Res Gas HVAC Program
	KEDNY	Res Gas HVAC
	KEDLI	Res Gas HVAC
	Niagara Mohawk	Res Gas HVAC
	NYSEG	Res Gas HVAC
	O&R	Res Gas HVAC Program
	RG&E	Res Gas HVAC
	NYSERDA	Home Performance with Energy Star (gas)
	NYSERDA	New York Energy Star Homes (New Construction) (gas)
<b>Measures</b>	Controls	Boiler Reset Control, Programmable Thermostats
	HVAC	Steam or Water Boiler
	HVAC	Duct and Air Sealing
	HVAC	Furnace
	HVAC	Indirect Water Heater
	Other	Pipe Insulation (1st 12')

**Class 6 - Residential Gas Insulation, Exterior Shell Programs**

<b>Programs</b>	KEDNY	Enhanced Home Sealing Program
	KEDNY	Residential Energy Star Products
	KEDLI	Enhanced Home Sealing Program (gas)
	KEDLI	Residential Energy Star Products (gas)
	Niagara Mohawk	Enhanced Home Sealing Program (gas)
	Niagara Mohawk	Residential Energy Star Products (gas)
	NYSERDA	Home Performance with Energy Star (gas)
<b>Measures</b>	Sealing/Building Envelope	Audit, Incentives for installation of insulation and air sealing
	Doors	Insulated exterior door
	Insulation	Insulation shell - roof and wall
	Controls	Programmable Thermostat
	Other	Thermal Bypass Inspection Mechanical Ventillation
<b>Discontinue</b>	Windows	Windows with a U-Factor of .35 or less, quantity limits, rebate up to \$10/window.

**Class 7 - Low Income Gas Installation/Rebate Programs**

<b>Programs</b>	NYSERDA	EmPower NY (gas)
	NYSERDA	Assisted Home Performance with Energy Star
<b>Measures</b>	HVAC	Heating system replacement
		Heating system repair
		Water Heater Replacement
Thermostats		
	Education	In-home energy-use education
	Other	Shower Heads, Aerators
		Pipe Wrapping

**Class 8 - Low Income Residential Gas Insulation, Exterior Shell Programs**

<b>Programs</b>	NYSERDA	Empower NY (gas)
<b>Measures</b>	Sealing/Building Envelope	Insulation, blower door assisted air sealing

**Class 9 - Residential Behavior Modification Programs**

<b>Programs</b>	Central Hudson	Home Energy Reporting
	NYSEG	Home Energy Reporting
	RG&E	Home Energy Reporting
	Niagara Mohawk	Building Practices and Demonstration
<b>Measures</b>	Behavior Modification	Reporting

**Class 10 - Multifamily Electric Installation/Rebate Programs**

<b>Programs</b>	Con Edison	Refrigerator Replacement Plus Program
	Niagara Mohawk	Energy Wise
	NYSEG	Multifamily
	RG&E	Multifamily
	NYSERDA	Multifamily Performance (elec)
<b>Measures</b>	Audits/Surveys	Energy Survey, SBC paying customer
	Controls	Occupancy Sensor Controls
	Controls	Direct Digital Control System
	Lamps & Lighting Fixtures	HE Lamps and Fixtures; LED Exit Lighting
	Process Equipment	Premium efficiency motors and variable frequency drive systems
	Home Refrigerator /Freezer	New Refrigerator.
	HVAC	Advanced AC measures
	HVAC	VSD Chillers
	HVAC	(DX) Packaged Air Conditioner System
	HVAC	Room air conditioner
	Other	HE Fixtures CFLs Smart Strips, limit 2 Aerators Low-flow shower heads Domestic hot water tank wrap and minimal domestic hot water pipe wrap

**Class 11 - Multifamily Electric Bounty/Recycling Programs**

<b>Programs</b>	Con Edison	Refrigerator Replacement Plus Program
	Niagara Mohawk	Energy Wise
<b>Measures</b>	Home Refrigerator/ Freezer	Remove old refrigerator
	Room Air Conditioners	Remove old equipment
	Common Area Lighting	\$20 Rebate per fixture

**Class 12 - Multifamily Electric Insulation, Exterior Shell Programs**

<b>Programs</b>	Con Edison Niagara Mohawk NYSERDA	Refrigerator Replacement Plus Program Energy Wise MPP
<b>Measures</b>	Insulation	Incentives for attic, wall, basement or crawl space insulation.

**Class 13 - Multifamily Electric Custom Measures Programs**

<b>Programs</b>	Niagara Mohawk	Energy Wise
<b>Measures</b>	Custom Measures	Building owners incentives for major measures, fixtures and refrigerator.

**Class 14 - Low Income Multifamily Electric Installation/Rebate Programs**

<b>Programs</b>	NYSERDA	Low Income Multifamily Performance (elec)
<b>Measures</b>	Refrigerators	Refrigerator
	Lighting	CFL bulb
	HVAC	Window Air Conditioner
	HVAC	Thru-Wall Air Conditioner

**Class 15 - Multifamily Gas Installation/Rebate Programs**

<b>Programs</b>	Con Edison	Refrigerator Replacement Plus Program
	KEDNY	Multifamily EE
	KEDLI	Multifamily EE
	Niagara Mohawk	Energy Wise
	NYSERDA	Multifamily Performance (gas)
<b>Measures</b>	Controls	Boiler Reset Control
		Gas Heating and Hot Water Controls
		Programmable Thermostat
	HVAC	Duct insulation, Duct Work Leakage Sealing
	HVAC	Condensing, Steam, or High Efficiency Water Boiler
	HVAC	Steam Traps
	HVAC	High Efficiency Gas Furnace, Furnace w/ECM
HVAC	Indirect Fired Water Heater	
<b>Discontinue</b>	HVAC	Aerators & Showerheads, 1 each per unit
		Heating system pipe insulation

**Class 16 - Multifamily Gas Insulation, Exterior Shell Programs**

<b>Programs</b>	Con Edison	Refrigerator Replacement Plus Program
	KEDNY	Multifamily EE
	KEDLI	Multifamily EE
	Niagara Mohawk	Energy Wise
<b>Measures</b>	Sealing/Building Envelope	Air infiltration testing, sealing for gas heating customers
		Reduce Air Infiltration, Weather Stripping & Door Sweeps
Building Shell Improvements (heating customers)		
	Insulation	Rim Joist, Attic, Wall, Floor, or Basement/Crawl Space Insulation

**Class 17 - Low Income Multifamily Gas Installation/Rebate Programs**

<b>Programs</b>	Con Edison	Refrigerator Replacement Plus Program
	Con Edison	Multifamily Low Income
	NYSERDA	Low Income Multifamily Performance (gas)
<b>Measures</b>	HVAC	Hydronic or Steam Boiler
	HVAC	Furnace
	Other	audits, compact fluorescent lamps (quantity limited), smart strip, low flow showerhead, kitchen aerator

**Class 18 - Low Income Multifamily Gas Insulation, Exterior Shell Programs**

<b>Programs</b>	NYSERDA	Low Income Multifamily Performance (gas)
<b>Measures</b>		Duct sealing/insulation Wall Insulation Roof/Attic Add Insulation Rim Joist Insulation Floor/basement Insulation  Energy Star DP Window Statewide

**Class 19 - Agricultural Electric & Gas Installation/Rebate Programs**

<b>Programs</b>	<b>NYSERDA</b>	<b>Agricultural Component of Existing Facilities</b>
<b>Measures</b>	Agricultural Equipment	Variable Speed Drive for Milk Vacuum Pump
	Agricultural Equipment	Plate Cooler
	Agricultural Equipment	Scroll Compressor
	Agricultural Equipment	Variable Speed Drive for Milk Transfer Pump
	Agricultural Equipment	Compressor Heat Recovery
	Lamps & Lighting Fixtures	High Pressure Sodium Lighting
	Lamps & Lighting Fixtures	T-8 Lighting
	Lamps & Lighting Fixtures	CFLs
	Agricultural Equipment	Stock Waterers
	Agricultural Equipment	Fans
	Agricultural Equipment	Timers
	Agricultural Equipment	Custom Gas Measures

**Class 20 - C&I Electric Installation/Rebate Programs**

<b>Programs</b>	Central Hudson	Mid-sized Com Business (Electric)
	Central Hudson	Small Business Electric Program (electric)
	NYSEG	Small Business Direct Install Program
	RG&E	Small Business Direct Install Program
	Con Edison	Small Business Direct Install Program
	Con Edison	Commercial & Industrial Equipment Rebate Program (Electric)
	Niagara Mohawk	Commercial Mid-Size Electric Program - under 2 MW demand
	NYSEG	Prescriptive Commercial and Industrial Rebate Program
	O&R	Small Business Direct Install Program
	O&R	Commercial Existing Buildings Program
	RG&E	Prescriptive Commercial and Industrial Rebate Program
	NYSERDA	Existing Facilities (elec)
NYSERDA	High Performance New Buildings	
NYSERDA	Industrial and Process Efficiency	
<b>Measures</b>	HVAC	(DX) Packaged Air Conditioner System
	HVAC	Cooling Tower-Decrease Approach Temperature, 6 Degrees Fahrenheit
	HVAC	A/C Heatpump
	HVAC	Air Conditioner, Air Cooled Split & Package
	Process Equipment	Chillers, Motors, High Efficiency Air Compressors
	HVAC	Heat pumps, Ground Source, Air Source, Water Source
	HVAC	Heat Pump water heaters
	Controls	Variable Speed Drives/Variable Frequency Drives (AC)/ECM fans
	Lamps & Lighting Fixtures	Lamps and Fixtures
	LED fixtures	Exit signs and downlight fixtures
	Controls	Lighting Controls, Interval Meters, Evaporator Fan Controls
	Controls	Anti-condensation Door Heater Controls Variable temperature controls
	Commercial Kitchen Equipment	Commercial Washer
	Commercial Kitchen Equipment	Combination Oven
	Commercial Kitchen Equipment	Commercial Convection Oven
	Commercial Kitchen Equipment	Commercial Electric Fryer
	Commercial Kitchen Equipment	Commercial Electric Griddle
	Commercial Kitchen Equipment	Commercial Insulated Holding Cabinets
	Commercial Kitchen Equipment	Commercial Electric Steamer
	Commercial Kitchen Equipment	Commercial Air- or Water-cooled Ice Maker
	Commercial Kitchen Equipment	Commercial High Efficiency Reach-in Refrigerators
	Commercial Kitchen Equipment	Commercial High Efficiency Solid-door Reach-in Freezer
	Audits/Surveys	Engineering Study or audit
	HVAC	HVAC - Differential Demand Controlled Ventilation (DCV)
	HVAC	HVAC - Differential Enthalpy Economizer Control System
	HVAC	HVAC - PTAC and PTHP Equipment
	HVAC	HVAC - Single Demand Controlled Ventilation (DCV)
	HVAC	HVAC - Unitary HVAC and Split Air Systems
	HVAC	HVAC Retro-Commissioning
	Controls	Vending Machine Controls, Passive Infrared Sensor Monitoring Vacancy of Area, and Cycling Cooling Controls, Programmable Thermostat
	Controls	Direct Digital Control Systems
	Lighting	LED Refrigeration Case Lights
	Controls	Water Heater Thermostat Setback Thermostat setback and replacement
	Other	Sprayers and Aerators
		CFL
		Water Pipe Insulation

**Class 21 - C&I Electric Custom Measures Programs**

<b>Programs</b>	NYSERDA	Existing Facilities (elec)
	NYSERDA	High Performance New Buildings
	NYSERDA	Industrial and Process Efficiency
	Niagara Mohawk	Small Business Direct Install
	Niagara Mohawk	Commercial Mid-Size Electric Program - under 2 MW demand
	Niagara Mohawk	Industrial Electric Program - over 2 MW
	Niagara Mohawk	Industrial Gas Program - over 2MW in electric demand
	NYSEG	Non-residential Block Bidding Program
	RG&E	Non-residential Block Bidding Program
	NYSEG	Custom Commercial and Industrial Rebate Program
	RG&E	Custom Commercial and Industrial Rebate Program
	ConEdison	C&I Custom Component
	O&R	C&I Custom Component
<b>Measures</b>	Custom Measures	Custom rebates, custom measures

**Class 22 - C&I Gas Installation/Rebate Programs**

<b>Programs</b>	Central Hudson	Small-Mid Com HVAC (gas)
	Con Edison	Commercial & Industrial Gas Equipment Rebate Program
	KEDNY	Commercial
	KEDLI	Commercial
	Niagara Mohawk	Commercial High Efficiency Heating and Water Heating
	Niagara Mohawk	Commercial Mid-Size Gas Program
	NYSERDA	Existing Facilities (gas)
	NYSEG	Prescriptive Commercial and Industrial Rebate Program
<b>Measures</b>	RG&E	Prescriptive Commercial and Industrial Rebate Program
	HVAC	Air to Air Heat Recovery
	HVAC	Stack Heat Exchanger
	HVAC	Boiler (Steam, Hydronic or Condensing Boiler/Unit Heater)
	HVAC	Furnace
	HVAC	Indirect Fired Water Heater
	HVAC	Infrared Heater
	HVAC	Steam Traps
	HVAC	Desiccant Dehumidification
	HVAC	Direct Fired Make-up Air System
	HVAC	Duct insulation or Sealing
		Process Heating Measures
	Commercial Kitchen Equipment	Convection Oven, Fryer, Steamer
	HVAC	HVAC Tune-Up
	Audits/Surveys	Engineering Study or audit
	Controls	Programmable Thermostat Boiler Reset Control/Controls
	Other	Pipe Insulation Spray Valves

**Class 23 - C&I Gas Insulation, Exterior Shell Programs**

<b>Programs</b>	Con Edison	Commercial & Industrial Gas Equipment Rebate Program
	KEDNY	Commercial
	KEDLI	Commercial
	Niagara Mohawk	Commercial Mid-Size Gas Program
<b>Measures</b>	Sealing/Building Envelope	Building Shell Upgrades
	Insulation	Roof, Floor, or Wall Insulation
	Windows & Doors	Windows

**Class 24 - Large Industrial Electric Custom Measures Programs**

<b>Programs</b>	NYSERDA	Industrial and Process Efficiency (elec)
<b>Measures</b>	Custom	Customized process improvements

**Class 25 - Large Industrial Gas Installation/Rebate Programs**

<b>Programs</b>	Niagara Mohawk	Energy Initiative Program
	KEDNY	Commercial & Industrial Gas Equipment Rebate Program
	KEDLI	Commercial & Industrial Gas Equipment Rebate Program
	NYSERDA	Industrial and Process Efficiency (gas)
<b>Measures</b>	Controls	Boiler Reset Control/Controls
	HVAC	Boiler (Steam, Condensing, Hydronic Boiler/Unit Heater)
	HVAC	Furnace
	HVAC	Indirect Fired Water Heater
	HVAC	Infrared Heater
	Commercial Kitchen Equipment	Convection Oven, Fryer, Steamer
	Controls	Programmable Thermostat
	HVAC	Steam Traps
	HVAC	Duct insulation or Sealing
	Other	Pipe Insulation Spray Valves

**Class 26 - Large Industrial Gas Insulation, Exterior Shell Programs**

<b>Programs</b>	Niagara Mohawk	Energy Initiative Program
	KEDNY	Commercial & Industrial Gas Equipment Rebate Program
	KEDLI	Commercial & Industrial Gas Equipment Rebate Program
	NYSERDA	Industrial and Process Efficiency (gas)
<b>Measures</b>	Insulation	Roof, Floor, or Wall Insulation
	Windows	Windows

**Class 27 - C&I and Large Industrial Gas Custom Measures Programs**

<b>Programs</b>	Niagara Mohawk	Energy Initiative Program
	KEDNY	Commercial & Industrial Gas Equipment Rebate Program
	KEDLI	Commercial & Industrial Gas Equipment Rebate Program
	NYSERDA	Industrial and Process Efficiency (gas)
	NYSEG	Custom Commercial and Industrial Rebate Program
	RG&E	Custom Commercial and Industrial Rebate Program
	Con Edison	C/I Custom Gas Efficiency Program
	NYSERDA	High Performance New Construction
<b>Measures</b>	Custom Measures	Custom Measures