

WHPA Executive Committee Meeting – October 18, 2017

Call to Order

Mark Lowry (BBI CEO) called the meeting to order at 12:07 p.m. PDT.

Agenda

Topic	Facilitator
Roll Call	Bonnie Gustavson
Approve Minutes of September 20, 2017, EC Meeting	Mark Lowry
Vote Request on HSES Committee Recommendation: “Pursue Taking WHPA to Legal Entity Structure with Non-Profit Status as an Option”	Bob Wiseman, IHACI HSES Co-Chair
WHPA Committee and Working Group Support Wind-Down Update	Ellen Steiner
Compliance: “Best Practices in Online Permitting” Memo Work Product	Bob Barks, CALBO Compliance Committee Chair
New Business and Adjourn	Mark Lowry

Roll Call – Attendance

A quorum (eight or more) of the Executive Committee (EC) was present or represented by proxy.

To avoid repetition, the abbreviation for the name of the member organization will be used in the body of the minutes.

Organization	First Name	Last Name	WHPA Category	P=Present
Executive Committee				
ACCA (Air Conditioning Contractors of America)	Don	Langston	Contractor Association	Standing proxy to Louis Fuentes
AHRI (Air-Conditioning, Heating, and Refrigeration Institute)	Garrett	McGuire	HVAC Manufacturer Association	Proxy to ACCA
ASHRAE	Ron	Jarnagin (Co-Chair)	Engineering Society	P
CEC (California Energy Commission)	Lea	Haro	Government (Other than CPUC)	P
CPUC (California Public Utilities Commission)	unassigned		CPUC	
HARDI (Heating, Airconditioning & Refrigeration Distributors International)	Talbot	Gee	Distributor Association	P
IHACI (Institute of Heating and Air Conditioning Industries)	Bob	Wiseman	Contractor Association	P
JCEEP (Joint Committee on Energy and Environmental Policy) Western States Council	Dave	Dias	Organized Labor	P
NCI (National Comfort Institute)	Dominick	Guarino	Educator, Trainer	P
PG&E (Pacific Gas and Electric Company)	Christian	Weber	California IOU	P
SCE (Southern California Edison)	Scott	Higa	California IOU	P
SDG&E (San Diego Gas & Electric)	Paul	Thomas (Co-Chair)	California IOU	P
SoCalGas (Southern California Gas Company)	Harvey	Bringas	California IOU	P
UA (United Association)	Don	Tanaka	Organized Labor	
Guests				
ACCA (Air Conditioning Contractors of America)	Louis	Fuentes	Contractor Association	P-ACCA vote and proxy for AHRI

Organization	First Name	Last Name	WHPA Category	P=Present
CALBO (California Building Officials)	Bob	Barks	Codes & Standard Official (Association or Jurisdiction)	P
PG&E (Pacific Gas and Electric Company)	Mark	Salavitch	California IOU	P
Staff				
BBI (Better Buildings, Inc. CEO) (Facilitator)	Mark	Lowry	Energy Efficiency Program Consultant	P
BJGustavson Consulting (WebEx)	Bonnie	Gustavson	Other Stakeholder	P
InfoPlast (HSES and OPWG Staff Support)	Wendy	Worrell	Other Stakeholder	P
Key SEO/Key Marketing Group (Scribe)	Judy	Johnson	Other Stakeholder	P
Opinion Dynamics (Presenter)	Ellen	Steiner	Energy Efficiency Program Consultant	P

Approve Minutes of September 20, 2017, Meeting – posted on WHPA website

MOTION made by Paul Thomas (SDG&E) and seconded by Ron Jarnagin (ASHRAE) to approve the Meeting Minutes of September 20, 2017. All EC members present or represented by proxy voted in favor of passing the motion. Motion **CARRIED**.

Vote Request on HVAC Stakeholder Engagement Strategy (HSES) Committee Recommendation

PRESENTATION by Bob Wiseman (IHACI and Industry Co-Chair of HSES Committee) – Presented an update on meetings of the HSES Committee including recommendations with a request for a vote today by the EC.

- HSES has had two meetings. There was a lot of positive feedback of what the WHPA has done and what it stands for. The WHPA is a place where the entire industry can get together.
- It was weighing on our minds that the WHPA does not have a formal structure even though it is an entity.
- What would be the focus of the WHPA moving forward? Should we have only an HVAC lens or expand into whole buildings? Several people commented that we can't lose sight of the *boots on the ground* when implementing a lot of these policies. The diversity of the WHPA (membership) has come up multiple times—the benefit of diversity. A lot of comments about the CEC and the CPUC being engaged in this process as well. We all have a vested interest in doing the best we can within the state of California. We did not resolve most of these issues.
- One thing we did resolve is our recommendation to “Pursue Taking WHPA to Legal Entity Structure with Non-Profit Status as an Option.” We wanted to present this recommendation to the Executive Committee.
- In parallel, the HSES Committee would continue to work on the answers to these other good questions.
- There are only a few months left on the IOUs' existing contract with WHPA, so we need to move quickly.
- Also, the HSES Committee thinks that the WHPA should reestablish the Charter Committee in order to move forward to a legal entity and non-profit status as an option.

COMMENT by Paul Thomas (SDG&E and IOU Co-Chair of HSES Committee) – I appreciate Bob Wiseman's (IHACI) leadership during this process. There was a “chicken-and-egg” discussion on the question about the WHPA and about its structure. The HSES Committee decided that we needed to address its structure first and that we needed to have a discussion on that at the Executive Committee.

QUESTION by Dave Dias (JCEEP) – Can we even do this without approval from the CPUC?

ANSWER by Paul Thomas (SDG&E) – The WHPA is in an interesting gray zone and part of the fundamental problem. The WHPA was founded based on the Strategic Plan, which is not even supported by the CPUC at this time. I have been trying to keep the CPUC apprised of what we are doing, but not recently.

(Scribe Note – There was no CPUC representative on the call. Steve Rickert was the CPUC rep on the Executive Committee, but he resigned from CPUC. Peter Biermayer is the new CPUC representative to the WHPA, but he has not participated in the Executive Committee yet).

COMMENT by Mark Lowry (BBI CEO) – At the beginning, the Strategic Plan stated that there would be a stakeholder advisory group that the IOUs would consult for their programs and that stakeholder advisory group became the WHPA. My gut feeling is that the CPUC might say, “We don’t have an opinion if the WHPA becomes a true incorporated entity, ideally a non-profit”; however, the CPUC might in their decisions tell the IOUs to continue to engage with it. It would be good to get clarity from Peter Biermayer (CPUC) on this.

COMMENT by Paul Thomas (SDG&E) – There is lack of clarity as to who is leading the effort. In the words of the Strategic Plan, there is additional value to other industry stakeholders other than just IOU programs. I think that formalizing a structure supports that.

COMMENT by Ron Jarnagin (ASHRAE) – I support doing something like this (creating an entity), because working with the WHPA has been a pleasant opportunity to engage with other people in the industry; but I keep thinking, “Who is in charge?” Generally, with a legal entity, there is somebody or a couple of people you can go to in order to make final decisions. Because that is missing, it is difficult to represent the organization back to ASHRAE. It would be easier if it was a legal entity and if there was more tangible structure to it.

QUESTION by Dave Dias (JCEEP) – What would that structure look like?

QUESTION by Ron Jarnagin (ASHRAE) – Somebody should be at the head. There should be reporting paths. Who is leading this thing?

QUESTION by Louis Fuentes (ACCA) – Would this new WHPA be recognized as having any clout? Would the government bodies say they listen to the ones that they fund?

ANSWERS by Bob Wiseman (IHACI) – The WHPA has to be funded. There needs to be an individual who is going to drive it when the money goes away. My suggestion is that we discuss (these topics) within the Stakeholder Engagement Committee while the Charter Committee looks at the entity. As to who listens to the WHPA, (the organization) holds weight because of the people involved in the process; the utilities are only one player.

QUESTION by Louis Fuentes (ACCA) – If you don’t know who will fund the WHPA, what keeps the group that funds it from then controlling it?

QUESTION by Dominick Guarino (NCI) – The WHPA was created at the pleasure of the regulatory bodies to provide input to move forward with the Strategic Plan. Don’t we have to start with the vision? Might that be the role of the Charter Committee?

ANSWER by Mark Lowry (BBI CEO) – The current WHPA Charter was not written to reflect the funding source. I would say that the current mission, vision, and goals of the WHPA could remain the same going forward. They include all the stakeholders, not just the IOUs.

COMMENT by Paul Thomas (SDG&E) – My understanding is that, from the beginning, this was not just about the IOUs.

COMMENT by Bob Wiseman (IHACI) – It seems to me that if the WHPA is to continue, there has to be a structure. The sooner we get to dealing with this the better off we will be—there is not much time left on this existing contract. Once the funding runs out, we won’t have Staff support to work through these issues.

COMMENT by Dave Dias (JCEEP) – I worry when I hear “one person” or “one entity.” I don’t want to see someone with self-interest controlling the WHPA.

COMMENT by Paul Thomas (SDG&E) – I have had discussions with Co-Chair Bob Wiseman and BBI CEO Mark Lowry about perhaps Mark Lowry (BBI CEO) serving as Executive Director of the WHPA if authorized by a vote of the Executive Committee, unless someone else steps up. Mark Lowry (BBI CEO) said that he would be open to it. That would make sense for a lot of reasons,

including that BBI holds the current contract. The first step would be to authorize the Charter Committee to look into the formation of a non-profit. The HSES Committee could support in terms of offering recommendations.

MOTION made by Paul Thomas (SDG&E) and seconded by Ron Jarnagin (ASHRAE) to approve “Pursue Taking WHPA to Legal Entity Structure with Non-Profit Status as an Option.” A roll call vote was taken of all EC members present or represented by proxy: AYES were cast by ASHRAE (Ron Jarnagin), CEC (Lea Haro), IHACI (Bob Wiseman), PG&E (Christian Weber), SCE (Scott Higa), SDG&E (Paul Thomas), and SoCalGas (Harvey Bringas); NAY was cast by JCEEP (Dave Dias); ABSTENTIONS were cast by ACCA (Louis Fuentes), AHRI (proxy voted by ACCA), HARDI (Talbot Gee), and NCI (Dominick Guarino). Motion **CARRIED**.

COMMENT by Paul Thomas (SDG&E) – The Strategic Plan has not been updated since 2011. There are some elements that are still relevant, but there would be significant differences. The funding could not be solely from IOU ratepayer funds; however, that might be a major component. I think it is important that this group of leaders show that there is value for what we are doing.

COMMENT by Mark Lowry (BBI CEO) – There are many tasks to become a non-profit (he listed some). There are also things such as the scope of the organization and the funding mechanism. These need to be decided by the body politic not by one person. The scope and purpose of the organization need to be determined before you apply for non-profit status.

COMMENT Judy Johnson (Staff) – It should be easier to make a case for non-profit status because of the many years of WHPA engagement in non-profit activities.

MOTION made by Ron Jarnagin (ASHRAE) and seconded by Bob Wiseman (IHACI) to authorize the (re)formation of the Charter Committee, reporting to the Executive Committee, to “Pursue Taking WHPA to Legal Entity Structure with Non-Profit Status as an Option.” All EC members present or represented by proxy voted in favor of passing the motion, except for an abstention by HARDI (Talbot Gee). Motion **CARRIED**.

WHPA Committee and Working Group Support Wind-Down Update

PRESENTATION by Ellen Steiner (Staff) – Committees and Working Groups will submit to the Executive Committee a Work Product for review or a Status Report to inform where they left off on a work-in-progress. Note that all are subject to change.

- Status Report = 8 Expected including Committees or Working Groups with no near-complete Work Products and/or In-Progress Work Products
- October Votes = 2 today (HSES discussion and vote, and today’s Work Product presentation and vote)
- November Votes = 8
- December Votes = 1 (HSES, tentative)

Compliance: “Best Practices in Online Permitting” Memo Work Product – Work Product posted on WHPA website

PRESENTATION by Bob Barks (CALBO and Chair of the Compliance Committee) – This Compliance Committee Memo Work Product, “Best Practices in Online Permitting,” was originated by the Online Permitting Working Group (OPWG) and is being presented to the Executive Committee for approval. This is Work Product 5 of 5 that the OPWG has been working on diligently this year, meeting generally every two weeks.

- This list gives a concise list of what the jurisdictions, contractors, and public in general really want to see in an online permitting system.
- A majority of the Compliance Committee voted to approve this Work Product and send to the EC for approval.

COMMENT by Scott Higa (SCE) – The first item in the list of conclusions, the word “singular” in the working draft was removed. SCE requests that the word “singular” be removed from Conclusion #1, the reason being that we (the IOUs) would not want a recommendation that an online system only handles HVAC rather that it could be utilized for other purposes.

RESPONSE by Bob Barks (CALBO) – We are not trying to create a new permitting system for everything in California but just discussing what is required for a functional permitting system for HVAC changeouts. There was discussion in both the Compliance Committee at large and the Online Permitting WG that an online permitting system needs to be taken in a bite-sized fashion because

permitting is very complex and has many stakeholders. To your comment about a “singular” online permitting system, the mission of the Committee was only HVAC.

COMMENT by Wendy Worrell (Staff) – Looking at the notes from the meeting, I do not note any discussion that says “singular” should be removed. The IOUs were present at that meeting.

QUESTION by Lea Haro (CEC) – In the Work Product in Conclusion #2, which Energy Commission requirement does this refer to?

ANSWER by Bob Barks (CALBO) – There is a lot of information in the CF1 document. There were many suggestions in the group that the CF1 document contains good information for what is required in a permitting document. There were just a few elements that needed to be added to the CF1 to address the deficits in state law. I believe that was addressed in the prior paper which had to do with legal requirements. The intent was CEC energy document requirements; we may have abbreviated that statement a bit too much in writing the conclusion.

MOTION made by Scott Higa (SCE) and seconded by Paul Thomas (SDG&E) to approve the Work Product “Best Practices in Online Permitting” by the Compliance Online Permitting Working Group with the following amendment: Work Product Conclusion #1 will be amended to add the statement, “This work may be of value to additional online permitting activities.” All EC members present or represented by proxy voted in favor of passing the motion. Motion **CARRIED**.

New Business and Adjourn

No other new business was presented.

The next Executive Committee Meeting is by conference call on Wednesday, November 8, 2017, at noon Pacific Time.

The meeting adjourned at 1:37 p.m. PDT.

Notes by Judy Key Johnson, WHPA Staff
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