
OLR Bill Analysis

sHB 5385

AN ACT CONCERNING ENERGY RETROFITS FOR CERTAIN BUILDINGS AND THE DISCLOSURE OF THE ENERGY EFFICIENCY OF CERTAIN BUILDINGS.

SUMMARY:

This bill establishes several requirements for electric and gas utility companies, state and municipal governments, and certain owners and operators of residential and nonresidential buildings to participate in a system to collect, measure, and compare (benchmark) energy consumption and efficiency data from various buildings. It requires:

1. utility companies to maintain the data for all nonresidential buildings and make the data available for energy efficiency benchmarking at an owner's request;
2. the state to benchmark certain nonresidential state buildings;
3. benchmarking for certain nonresidential buildings that are offered for sale or lease to the state or a municipality;
4. the utilities to develop a program for benchmarking residential buildings; and
5. energy efficiency benchmarking for buildings that receive a certain amount of financial assistance from the Energy Efficiency Fund or the Clean Energy Fund.

The bill also allows the Connecticut Housing Finance Authority to require that, as a condition for a mortgage to build or renovate a housing project, (1) the project must undergo an energy audit prior to the start of any work and (2) the audit's recommendations for energy efficiency upgrades must be implemented. The bill excludes projects that address handicapped accessibility or do not substantially affect energy consumption from the audit and upgrade requirement.

EFFECTIVE DATE: October 1, 2012

NONRESIDENTIAL BUILDING BENCHMARKS

Starting January 1, 2013, the bill requires utility companies to maintain energy consumption data for any nonresidential buildings that they serve. (The law already requires them to maintain this data for all “typical” nonresidential buildings that they serve.) The data must preserve customer confidentiality and be kept in a format that can be uploaded into either the U.S. Environmental Protection Agency’s (EPA) Energy Star portfolio manager or a similar benchmarking system chosen by Public Utilities Regulatory Authority (PURA) (see BACKGROUND). PURA can opt to use different systems with different building classes, but any benchmarking system it chooses must be able to evaluate a building’s energy efficiency under standardized conditions. The bill does not specify a date by which PURA must select a system.

The bill requires the utility companies to upload a building’s energy consumption data into the benchmarking system whenever the building’s owner or operator issues a written or secure electronic authorization for it. The bill defines a nonresidential building as any building except residential buildings with 4 or fewer dwelling units.

State and Municipal Benchmarking

By July 1, 2013, the bill requires the secretary of the Office of Policy and Management to benchmark the energy use of any state owned or operated buildings with a total gross floor area over 10,000 square feet by uploading the building’s energy consumption data to the Energy Star portfolio manager or a comparable system.

Depending on their size, the bill requires buildings offered for sale or lease to the state or any municipality to annually benchmark their energy use by entering their energy consumption data into the Energy Star system or a similar system chosen by PURA. The building’s owner or operator must disclose the benchmarking results for the most recent 12-month period to the state or any municipality looking to purchase or lease the building. Under the bill, the Department of

Energy and Environmental Protection commissioner must also make the benchmarking results publically available one year after the benchmarking requirement begins. Table 1 shows when the requirement begins and when the benchmarking data must be made available to the public under the bill.

Table 1: Benchmarking Requirements For Buildings Offered For Sale Or Lease To The State Or Municipalities

<i>Total Gross Floor Area (square feet)</i>	<i>Benchmarking Requirement Starts</i>	<i>Public Availability Requirement Starts</i>
Over 50,000	January 1, 2014	January 1, 2015
At least 20,000 but less than 50,000	July 1, 2014	July 1, 2015
At least 10,000 but less than 20,000	January 1, 2015	January 1, 2016

RESIDENTIAL BENCHMARKING PROPOSALS

The bill requires electric and gas utility companies to each develop and propose a program to allow a residential building owner to compare a building's electric or gas consumption with that of similar buildings served by the utility. The companies must submit their proposals to the PURA by January 1, 2013 and PURA can approve, deny, or request modifications in any proposal. The companies can recover their costs for developing and implementing the programs from the Energy Efficiency Fund. Under the bill, a residential building is any structure with 1 to 4 dwelling units intended to be, or used as, a residence.

ENERGY EFFICIENCY FUND AND CLEAN ENERGY FUND BENCHMARKING

As a condition for receiving certain amounts of assistance from the Energy Efficiency or Clean Energy Funds, the bill requires residential building owners and nonresidential building owners or operators to upload their building's energy consumption data into the Energy Star system or the benchmarking system established by PURA under the

bill. It applies to residential building owners who receive over \$1,000 and nonresidential owners or operators who receive over \$2,500 in assistance from either fund. They must benchmark their buildings' energy consumption before and after receiving the assistance. The bill requires PURA to make the data uploaded after a building received the assistance available to the public in a manner that preserves confidentiality, including names and addresses.

BACKGROUND

EPA Energy Star Portfolio Manager

According to the EPA, the Energy Star portfolio manager is a free interactive energy management software tool that allows building owners to measure and assess their building's energy use in a standardized way. Once energy consumption data is entered into the system, it allows owners to (1) set an energy use baseline against which improvements can be measured; (2) verify efficiency improvements; (3) obtain data to support mortgages, sales, and leases; (4) and compare a building's performance with that of other buildings.

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable Substitute

Yea 21 Nay 0 (03/28/2012)