



WHPA Work Product Summary

DATE: June 26, 2017

INITIATING BODY: WHPA Compliance Committee

WORK PRODUCT NAME: HVAC Compliance Definition Matrix (Option B dated 04-13-17)

TYPE OF ACTION REQUESTED: **VOTE** **GUIDANCE** **OTHER:**

The initiating body requests that the WHPA Executive Committee adopt the referenced HVAC Compliance Definition Matrix (Compliance Matrix) as a WHPA Work Product to be posted and marketed in accordance with previously established policy.

NOTES: This is an updated version of the document presented to the WHPA Executive Committee in March, 2017. Primary updates include:

- Addition of an Owner Definitions tab to further define “Owner”, “Shared”, and “Factor” color coding;
- Market Actor column changes (for Utility, Certifying Body, Third Party Quality Assurance Provider, and Educator/Trainer) on the Residential and Nonresidential HVAC Compliance tabs;
- Components of HVAC Installation Process row changes (for removal of Utility row boxes except for the added factor for “Implement Codes and Standards Programs (e.g. Energy Code Ace)” with clarification that the component is not a Compliance Item.);
- Cross-referencing of Compliance Items to the Components of the HVAC Installation Process on the Component Definitions tab for consistency with the Residential and Nonresidential HVAC Compliance tabs;
- Adjustment to the representative WHPA member organizations listed under the Third-Party Quality Assurance Provider row on the Market Actor Glossary tab.

A full review of the Excel document is recommended, paying particular attention to the above referenced updates, as well as to the red text (based on the reasons clarified in this Work Product Summary’s Outstanding Issues/Debates/Minority Views section).

APPROVAL HISTORY

COMMITTEE: WHPA Compliance Committee

BY CONSENSUS **BY VOTE (EMAIL)**

TALLY: The Work Product (Option B to adjust Utility content rather than remove the Utility column) was approved for escalation to the WHPA Executive Committee by a quorum (9+) of votes cast as follows by email:

AYE (x10): ACCA (Todd Washam*), Brody Pennell (Mike Carson), CALBO (Bob Barks), CSE (Lindsey Hawes), Enalays (Eric Taylor*), The Energy CA LLC (Eric Beriault), IHACI (Bob Wiseman), HARDI (Jon



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Melchi*), JCEEP (David Dias), SynergyNexGen (Barbara Hernesman).

* Votes cast with comment "Utilities should be considered a factor for permit compliance".

NAY (x0)

ABSTAIN (x3): CEC (Lea Haro), Goodman Manufacturing (Aniruddh Roy), SMUD (Ravi Patel)

NO RESPONSE (x3): CalCERTS (Charlie Bachand), CHEERS (Bob Johnson), HVACRedu.net (Scott Oakley)

DATE: May 30, 2017

WORK PRODUCT OBJECTIVES:

For 2016, the Western HVAC Performance Alliance (WHPA) Executive Committee approved three goals for the WHPA Compliance Committee all focused on achieving consistent and effective compliance, enforcement, and verification of applicable building and appliance standards. One of these goals was to "develop a compliance definition matrix detailing the meanings to each market actor and the factors affecting understanding of compliance. The ultimate deliverable is to determine the commonalities for a universal definition of compliance with the understanding that compliance must be a repeatable process."

Under leadership of its Chair (Bob Barks with CALBO), the Compliance Committee worked on the requested goal through a collaborative process that involved the entire Committee and included many rounds of input and discussion. Final Committee approval of the Compliance Matrix was achieved in May 2017 following additional rounds of edits after the March 2017 WHPA Executive Committee request for review/removal of Utility information and the January 2017 WHPA Executive Committee request for component ownership definition clarification. Ultimately, the Committee vote strongly indicates belief that Utilities should be referenced in the Matrix but under the "Other Stakeholders" category and with a new row added at the bottom of the Matrix clarifying their role to "Implement Codes and Standards Programs (e.g. Energy Code Ace)".

CA ENERGY EFFICIENCY PLAN STRATEGIC GOAL ALIGNMENT:

GOAL 1 GOAL 2 GOAL 3 GOAL 4

CEESP HVAC GOAL STRATEGIES:

The development of a Compliance Matrix supports several of the compliance-related goals articulated in the Strategic Plan including:

- Goal 1-1: Develop streamlined local government HVAC permitting systems, including on-line HVAC replacement permitting
- Goal 1-2: Streamline process for obtaining and overseeing contractor business licenses
- Goal 1-4: Develop affordable standards and quality compliance solutions

The Strategic Plan identified the low rate of permitting for HVAC installations as a factor impacting the

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energy performance of residential and commercial buildings, and thus proposed a number of strategies intended to improve compliance. This Compliance Matrix will help to inform many of these strategies.

BENEFITS: The purpose for developing the Compliance Matrix was to establish a foundational definition of the term “compliance” and identify the various elements involved with compliance, as well as the various stakeholders responsible for each of these elements. This foundation will not only help inform the efforts of all WHPA committees that work on compliance issues, but can also be used by other regulatory and programmatic efforts related to compliance. Ultimately, the Compliance Matrix enables one to better understand all the various factors influencing compliance in order to better address these factors with specific tactics to help realize the goals of the Strategic Plan.

OUTSTANDING ISSUES / DEBATES / MINORITY VIEWS: During initial development of the Compliance Matrix, language was included relating to the Third-Party Quality Control Provider (TPQCP) designation. During subsequent development, CEC informed of a change resulting in no CEC approved TPQCPs under the 2016 Standards. Although the Compliance Committee kept some TPQCP language in the Compliance Matrix in the event a provider is again approved, it is recommended that the WHPA Executive Committee review the TPQCP related Component of the HVAC Installation Process on the Residential HVAC Compliance tab, the Component Definitions tab, and the Market Actor Glossary tab to evaluate if the suggested red text on those tabs should be added for clarification, if the references to TPQCP should be removed, or if no adjustment is needed.

POTENTIAL AUDIENCE: The potential audiences for the Compliance Matrix are all the key stakeholders listed in the matrix including Local Government (City and County Jurisdictions / Building Officials), State Government (CEC, CPUC), HERS Raters, Utilities, Contractors, Building Owners, Property Management Companies, Equipment Manufacturers/Distributors, Educators, etc.

WHPA EXECUTIVE COMMITTEE ACTIVITY: At the June 21, 2017, Executive Committee Meeting, the HVAC Compliance Definition Matrix (Option B dated 04-13-17) Work Product Summary and Spreadsheet were presented by WHPA Compliance Committee Chair Bob Barks (CALBO).

MOTION: At the EC Meeting, Paul Thomas (SDG&E) made the motion and Ron Jarnagin (ASHRAE) seconded the motion to approve the Work Product with modification to remove the red text related to “TPCQP” (Third Party Quality Control Provider).

VOTE TALLY: 12 Aye votes were cast at the meeting, via email, and/or by proxy vote by ACCA, AHRI, ASHRAE, HARDI, IHACI, JCEEP, NCI, PG&E, SCE, SDG&E, SoCalGas, and UA.

There were no Nay votes.

2 Abstentions were cast by CEC and CPUC.

FURTHER ACTIONS REQUIRED: WHPA Staff will ensure the combined Work Product Summary and “HVAC Compliance Definition Matrix” document are properly posted and distributed in accordance with established marketing protocol for approved WHPA Work Product.



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NEXT STEPS: WHPA Staff to facilitate distribution of the approved WHPA Work Product to the list of potential audiences, as well as to the WHPA at large.