

**Commercial Building Energy Labeling Working Group**  
**Meeting Notes**  
**November 13, 2020**

Attendees: Michael Crowley, Keith Downes (co-chairs), Kelly Launder, Keith Levenson, Craig Peltier, Geoff Wilcox, Michael Russom, Tim Heney, Randy Drury, Dan Edson, Peter Tucker, Jen Green, Robert Lehmert

**Approval of Minutes from October 23<sup>rd</sup> meeting**

- Keith Downes reviewed the October 23<sup>rd</sup> meeting notes.
- Motion to approve – Tim Heney, second Keith Downes. Motion approved by voice vote.

**Discussion of Draft Legislative Report**

- Discussion of including mandatory program information in commercial section
  - In RBELWG it was decided to take out the proposed mandatory program pros and cons.
  - Dan E: We've had so much discussion on a mandatory vs voluntary that it would be disingenuous to not include any information about it.
  - Tim H: Agree with that.
  - Peter: As long as it's not a time of listing requirement, they are OK with it.
  - Mike R: There are jurisdictions throughout the country doing this and they have found a way to do it and comply and the sky hasn't fallen.
  - Geoff W: In general their program is regarding low-income Vermonters, not as clear how the Commercial mandatory requirement would impact low-income Vermonters such as renters. Would not be for it if there would be costs that would be passed down to low-income renters.
  - Randy D: Support the discussion of mandatory in the report. Would be a shame to not include that information in the report.
  - Mike C: As long as it doesn't impact EVT's budget, they are opposed to administering a mandatory program. Fair to include information on what other states have done, important and useful context. Hard to find evidence on impact so hard to have pro and con's regarding. Would recommend staying as objective as possible on where other programs exist.
  - Keith D: Agree with Dan that it would be disingenuous to not discuss at all when we've discussed it so much, should just stay factual. Its fine to quote numbers, like IMT, as long as its clear that we don't have information to back it up. Should just include what the vote was (4 for, 2 abstain, and 2 against) and state the facts.
  - Craig P: Maybe could just have it be clear before the mandatory timeline be clear and say that we didn't agree/pass it, but we discussed and are including.
  - Keith L: Sounds like the group has agreed to include a high-level discussion of mandatory but make clear that it's not a recommendation of the group.
  - Keith L: Should we add a discussion of minimum performance standards?
    - Mike R: Bringing the discussion of potential min. performance standards may be a poison pill. But could include what is being considered in other states for awareness purposes.
    - Randy D: Thought at the last meeting we decided not to go there. There might be some confusion if we add that discussion, that one goes with the other, it might confuse people. We had to clear that up in our group.
    - Keith L: Recommend that we not bring into the discussion.

- Keith D.: Only way he would bring into the discussion it to be explicit that we are not recommending min. performance standards.
  - Keith L: Should we include the mandatory pros vs. cons that was discussed in the Res group?
    - Keith D: Should stick to what we've discussed
    - Mike C: I agree
- How multi-family is defined in report. Act 62 says more than one unit, but we've defined as more than three units.
  - Tim H: Maybe say we recommend defining as three or more units.
  - Kelly L: Would be good to add if there is some kind of limitation in ESPM. Dan will look.
- Building Owner vs. Professionally verified and level of accuracy
  - Randy D: Energy Star certified requires professional verification. Still want to require that if score is 75 or over because entering a particular tier at that point so should be verified.
  - Keith L: Do architects and PE's that verify scores of 75 or above need any particular training?
    - Dan E: There used to be a requirement, but it might have changed, will double-check on that.
- BEAM database tool
  - Keith L: Should we reconsider as it will be a year or more before its ready?
  - Mike C: There is a proprietary database from Overlay available but it's really expensive.
  - Mike R: Helix won't be available for commercial because they want to steer people towards BEAM
  - **Group OK with sticking with BEAM.**
- Advisory Committee
  - Keith L: Is there anyone else to add to the list, such as building community and realtors?
  - Craig P: Would also add VHCB or others from the low-income community.
  - Group concurred. **Add affordable housing advocates and providers**
- Third party administrator for mandatory program
  - Kelly L: Recommend using the same language as is in the Res report regarding EEU's not wanting to administer a mandatory program.
- Budget for Labeling Program
  - Keith L: Scope would be determined by whether it would be voluntary or mandatory. Can Mgt Sub. add a budget for this task?
  - Keith D: could add a footnote on mandatory, that it's not being recommended.
  - Kelly L: Could take mandatory column out, its pretty similar, and just summarize in text
  - Keith L: Can the mgt group/Kelly change this and then group can comment on?

### Discussion and next steps

- Keith L. will complete a revised draft for review and comment and the Management group will add the pieces they said they would (Striving for November 20<sup>th</sup>). Members should put their comments and suggested edits into the sharepoint draft by December 4<sup>th</sup>. Keith L. will send notifications when the revised draft is ready for review and reminders for due dates.