**SAG Policy Proposals for Additions/Revisions to Existing Policy Manual**

**NRDC Redline Edits 07-12-18 *(track changes accepted)***

**ICC Staff Redline Edits 07-17-18 *(track changes accepted)***

**Nicor Redline Edits 07-18-18 *(track changes accepted)***

**IECC\_LLC Redline Edits 07-18-18(2)**

Proposed DEFINITIONS:

**CODE.** The latest published edition of the *International Energy Conservation Code* (hereafter “IECC”) and the American Society of Heating, Refrigerating and Air-Conditioning Engineers (hereafter “ASHRAE”) Standard 90.1 “*Energy Standard for Buildings except Low-Rise Residential Buildings*” including amendments adopted by the Capital Development Board identified in Subparts ‘B’, ‘C’ and ‘D’ as follows:

**[Subpart ‘B’ State Funded Facilities](http://www.ilga.gov/commission/jcar/admincode/071/07100600sections.html)** must comply with ASHRAE 90.1 per [20 ILCS 3105/10.09-5](http://www.ilga.gov/legislation/ilcs/ilcs5.asp?ActID=362&ChapterID=5). See Subpart B of the [Illinois Energy Conservation Code](http://www.ilga.gov/commission/jcar/admincode/071/07100600sections.html) for more information. The 2013 edition of ASHRAE 90.1 went into effect 1/1/16. As of 3/1/2019, the 2016 edition of ASHRAE 90.1.

**[Subpart ‘C’ Privately Funded Commercial Facilities](http://www.ilga.gov/commission/jcar/admincode/071/07100600sections.html)** must comply with IECC per [20 ILCS 3125](http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2614&ChapAct=20%A0ILCS%A03125/&ChapterID=5&ChapterName=EXECUTIVE%20BRANCH&ActName=Energy%20Efficient%20Commercial%20Building%20Act.). See Subpart C of the [Illinois Energy Conservation Code](http://www.ilga.gov/commission/jcar/admincode/071/07100600sections.html) for more information. The 2015 edition of the IECC went into effect on 1/1/16. As of 3/1/2019, the 2018 edition of the IECC.

[**Subpart ‘D’ Residential Buildings**](http://www.ilga.gov/commission/jcar/admincode/071/07100600sections.html) must comply with IECC per [20 ILCS 3125](http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2614&ChapAct=20%A0ILCS%A03125/&ChapterID=5&ChapterName=EXECUTIVE%20BRANCH&ActName=Energy%20Efficient%20Commercial%20Building%20Act.). See Subpart D of the [Illinois Energy Conservation Code](http://www.ilga.gov/commission/jcar/admincode/071/07100600sections.html) for more information. The 2015 edition of the IECC went into effect on 1/1/16. As of 3/1/2019, the 2018 edition of the IECC.

APPROVED. Acceptable to the code official.

AUTHORITY HAVING JURISDICTION. "Authority Having Jurisdiction" or "AHJ" means the agency, office or individual responsible for approving equipment, materials, an installation or procedure in accordance with the *code*. In lieu of the county or municipal building official, the agency or agencies charged with administration of the *[Energy Efficient Commercial Building Act](http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2614&ChapAct=20%A0ILCS%A03125/&ChapterID=5&ChapterName=EXECUTIVE%20BRANCH&ActName=Energy%20Efficient%20Commercial%20Building%20Act.)* (hereafter “the Act”). As of *[[EFFECTIVE DATE]]*, such agencies shall include the Illinois Environmental Protection Agency – Office of Energy (hereafter “EPA Energy Office”) and the Illinois Capital Development Board (hereafter “CDB”).

CODE OFFICIAL. The officer or other designated authority charged with the administration and enforcement of the *code* or a duly authorized representative.

1. **Secondary Energy Savings from Reduced Water Use:**

A “kWh per million-gallon” factor shall be used to calculate secondary electricity savings from reduced water use. Specific details on the factor to be used and which measures it will apply to shall be addressed by the TAC in the IL-TRM Version 7.0 process.

The “therm per million-gallon” factor shall also be used to calculate secondary natural gas savings from reduced water use. Specific details on the factor to be used and to which measures it shall apply shall be addressed by the TAC in the IL-TRM Version 7.0 or future TRM processes.

1. **“Below Code” Baselines or Measure Specifications for Estimating Energy Savings**
2. **Individual Measures or Measure Bundles Installed in Specific Buildings for Which Savings are Being Claimed:**
   1. **Custom Measures:** Custom measures, baseline or measure specifications set below code shall not be used in savings calculations unless approved by the Authority Having Jurisdiction in consultation with the Independent Evaluator. (For example, where an existing condition is judged non-compliant with *code* reasonable effort shall first be undertaken to comply with code. Only thereafter, and upon review by the Independent Evaluator of data to back up circumstances of non-compliance and attempts at code minimum compliance, is the existing condition permitted to be used). As is consistent with Commission policy, Program Administrators are subject to retrospective evaluation risk (retroactive adjustments to savings based on evaluation findings) for custom projects, including adjustments to Program Administrator baselines with respect to *code*. Custom measures include any measures the Independent Evaluator evaluates outside the scope of the IL-TRM and in consultation with the Authority Having Jurisdiction, including measures in custom programs and considered outside the scope of the *code*, prescriptive measures not covered by the IL-TRM and considered outside the scope of the *code*, and IL-TRM measures that a Program Administrator elects to have evaluated on a custom basis and considered outside the scope of the *code*. **IL-TRM Measures:** For prescriptive measures, baseline or measure specifications that are set below code may be used in savings calculations at the discretion of the TAC and, ultimately, the TRM Administrator. (For example, if the existing market is not fully complying with code and there is data to back that up, the existing baseline may be used).
3. **Programs Specifically Designed to Improve Code Compliance across an Entire Population of Buildings or Advance Adoption of New Codes (or Product Efficiency Standards) for Application to an Entire Population of Buildings:**

Nothing in the discussion of part A above shall preclude the utilities from proposing to claim savings from programs designed to improve compliance with the *code* and/or to advance adoption of new codes (e.g. codes or standards considered above the current *code* idetified in the Act) or product efficiency standards that will apply to an entire population of buildings. Any such proposal shall include a proposed approach to estimating program savings from the applicable building population, including a method to establish an appropriate below *code* baseline from which savings could be estimated (e.g. a code compliance study), a method for estimating how that baseline has changed over time and as a result of training and technical assistance programs, and a method for attributing the portion of such change attributable to such utility program(s).

1. **Seeking SAG Approval:** Where a situation arises in the IL-TRM TAC where a Program Administrator seeks to utilize a baseline condition that does not meet *code*, the IL-TRM Administrator shall first consult the Authority Having Jurisdiction for an assessment or determination of non-compliance, and only thereafter in presenting such determination to SAG seek SAG approval on a case by case basis before approving any such measure.
2. **Memorializing Policy Agreements:** Policies shall be included in either Policy Manual Version 2.0 or an updated version of the IL-TRM Policy Document. The SAG Facilitator shall add this policy topic to the tracking list.