

# **Connecticut Energy Efficiency Board**

## **Operating Procedures**

# Table of Contents

## Section 1: Energy Efficiency Board Structure and Rules

1. Board Priority Tasks (p. 3)
2. Board Governance (p. 4)
3. Board Membership (p. 4)
4. Board Appointments (p. 5)
5. Committees (p. 7)
6. Election and Terms and Duties of the Chair and Vice-Chair (p. 7)
7. Communications (p. 8)
8. Voting (p.10)
9. Consultant Coordination and Technical Support (p. 10)
10. Meeting and Other Event Scheduling (p. 13)
11. Interface with the Department of Energy and Environmental Protection and Other Entities Developing Energy Policy or Programs (p. 14)

## Section 2: Energy Efficiency Board Processes for Vendor Contracting, Public Involvement, Definitions, and Funding Eligibility Standards for EEB Review and Implementation of Conservation & Load Management Programs

1. Introduction (p. 15)
2. Processes for Public Involvement and Opportunities for Public Input (p. 16)
3. Definitions for Conservation & Load Management (C&LM) Activities (p. 19)
4. C&LM Eligibility Standards (p. 21)
5. Fair and Equitable Opportunities in C&LM Programs for Qualified Contractors and Vendors (p. 22)

## Section 3: EEB Evaluation Roadmap

1. Summary (p. 24)
2. Program Evaluation Process (p. 26)
3. Evaluation Planning (p. 27)
4. Research Area Approach (p. 29)
5. Study Development (p. 29)
6. Contractor Selection Process (p. 32)
7. Project Initiation (p. 35)
8. Project Management and Completion (p. 40)
9. Regional Studies (p. 46)
10. Communication Protocols for Evaluation and Non-Program Evaluation Research Studies (p. 46)

# Section I

## Energy Efficiency Board Structure and Rules

### 1. Board Priority Tasks

The Board has priority tasks it undertakes to fulfill its obligations, including those defined in statute<sup>1</sup>, and as otherwise imposed by the General Assembly, and those assigned by other funding sources and authorities such as the U.S. Department of Energy and the Connecticut Department of Energy and Environmental Protection (DEEP):

- i. **Program and plan development:** Advise and assist the electric and natural gas distribution companies in the development of a comprehensive plan to implement cost-effective energy conservation programs for all energy savings and market transformation initiatives<sup>2</sup>;
- ii. **Plan review and approval:** Review and approve plans proposed by the utility administrators<sup>3</sup>, municipal electric cooperatives, and other parties<sup>4</sup> including reviewing program proposals, new initiatives, budgets, and budget allocations, ensuring both geographic and class and sub-class parity in EEF benefits relative to revenues received when viewed over time.
- iii. **Program tracking, evaluation, and reporting:** Monitor and evaluate the development, implementation and performance of programs on an ongoing basis. Report to the legislature on the performance of the programs and activities specified in the conservation and load management plan<sup>5</sup>. Make recommendations to regulators such as, but not limited to, DEEP, in PURA dockets, at technical meetings, and other forums, and to policy makers in the General Assembly on policy matters related to Board responsibilities.
- iv. **Collaboration with Connecticut Green Bank:** Collaborate with the Connecticut Green Bank to further the goals of the plan<sup>6</sup> and to examine

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<sup>1</sup> Conn. Gen. Stat. § 16-245m, Conn. Gen. Stat. §7-233y

<sup>2</sup> Conn. Gen. Stat. § 16-245m(d)(1)

<sup>3</sup> Conn. Gen. Stat. § 16-245m

<sup>4</sup> Conn. Gen. Stat. § 7-233y

<sup>5</sup> Conn. Gen. Stat. §16-245m(f)

<sup>6</sup> Conn. Gen. Stat. § 16-245m(d)(1)

opportunities pursuant to coordinate the programs and activities funded by the Clean Energy Fund<sup>7 8</sup>.

## 2. Board Governance

The Board process is controlled by its Chair and membership. Board meetings are the substantive and procedural venues for decision making and voting.

## 3. Board Membership

The Commissioner of the Connecticut Department of Energy and Environmental Protection or designee serves on the Board, as does the Consumer Counsel or designee and the Attorney General or designee. The Commissioner is responsible for appointing Board members other than the representatives for the Office of Consumer Counsel and the Attorney General and convening the Board. Board membership is defined by Connecticut General Statutes § 16-245m and includes the following in addition to the Commissioner, Attorney General and Consumer Counsel or their designees:

**i. Environmental public interest**

Representative of an “environmental group knowledgeable in energy conservation program collaboratives.”<sup>9</sup>

**ii. Business consumers**

Representative of “a state-wide manufacturing association”<sup>10</sup>

Representative of “a chamber of commerce”<sup>11</sup>

Representative of “a state-wide business association”<sup>12</sup>

Representative of “a state-wide retail organization”<sup>13</sup>

Representative of “a state-wide farm association”<sup>14</sup>

**iii. Residential consumers**

Representative of “residential customers”<sup>15</sup>

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<sup>7</sup> Conn. Gen. Stat. § 16-245m(d)(2)

<sup>8</sup> The Clean Energy Fund is established by Conn. Gen. Stat. § 16-245n

<sup>9</sup> Conn. Gen. Stat. § 16-245m(c)(1)

<sup>10</sup> Conn. Gen. Stat. § 16-245m(c)(3)

<sup>11</sup> Conn. Gen. Stat. § 16-245m(c)(4)

<sup>12</sup> Conn. Gen. Stat. § 16-245m(c)(5)

<sup>13</sup> Conn. Gen. Stat. § 16-245m(c)(6)

<sup>14</sup> Conn. Gen. Stat. § 16-245m(c)(7)

<sup>15</sup> Conn. Gen. Stat. § 16-245m(c)(9)

**iv. Utilities**

Representatives of each of “the electric distribution companies in whose territories the activities take place for such programs”<sup>16</sup>

Two “representatives selected by the gas companies”<sup>17</sup>

Representative of “a municipal electric energy cooperative created pursuant to chapter 101a.”<sup>18</sup>

#### **4. Board Appointments**

By agreement with the Commissioner of DEEP, the following governs Board appointments.

- i. Appointments by the Commissioner to the Board shall be for five years and Board members may be reappointed. Members shall serve only so long as any appointed individual continues to represent the statutory category for which the appointment was made and so long as the appointed individual does not have a conflict of interest in serving. Unless the member has a conflict of interest in serving, members who continue to represent the statutory category for which their appointment was made and who have served the five year term for which initially appointed, shall serve until a successor is appointed and qualified.
- ii. The EEB recommends the Commissioner of DEEP consider the following in evaluating candidates for appointment to the EEB. The EEB recognizes the Commissioner may have additional considerations and that no single item of consideration will be determinative regarding an appointment.
  - 1. Candidate has appropriate nexus to the statutory category for which s/he seeks appointment.
  - 2. Candidate supports the statutory goals guiding the EEB and EEF’s administration.
  - 3. Candidate has appropriate professional expertise, and that expertise is complementary to that of other EEB members.
  - 4. Candidate has demonstrated interest and/or background in energy efficiency.

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<sup>16</sup> Conn. Gen. Stat. § 16-245m(c)(2)

<sup>17</sup> Conn. Gen. Stat. § 16-245m(c)

<sup>18</sup> Conn. Gen. Stat. § 16-245m(c)(8)

5. Candidate is willing and able to put in the time to be an effective EEB member.
  6. Candidate is willing to work collaboratively with EEB membership to seek consensus approaches in the interest of all utility customers in CT.
  7. Candidate does not have a conflict of interest in serving on the EEB.
  8. Candidate advances the demographic diversity of the EEB.
- iii. In the event that a Board appointee is unable or unwilling to complete an appointed term, or develops a conflict of interest, the appointee will notify the Commissioner and the Board's Chair and Vice-Chair in writing as soon as possible before the next scheduled Board meeting and the appointee's replacement shall be selected through the same process as new appointments and the term of the appointment shall be for five years.
- iv. When a Board member position is available for appointment by the Commissioner, either because the five year appointment period has ended, a Board member no longer represents the statutory category for which their appointment was made, a Board member is unable or unwilling to continue to serve on the Board, or for any other reason, the Commissioner will notify the Board and any currently serving Board member whose position is subject to new appointment, that the Commissioner will make an appointment for the position. The Board may offer input on the appointment qualifications, process for appointment and potential candidates for appointment. The Board may cause notice of the position to be published on the website for the Board and such other publications as the Commissioner deems appropriate. Such notice shall indicate the position subject to appointment, the statutory representation requirements related to the member position, the preferred qualifications for the position, and the procedure to follow for interested parties who seek appointment. The Commissioner will seek to make appointments to the Board within 60 days of the Commissioner's notice that the position is available for appointment or within 60 days of a Board member position vacancy, whichever occurs first.
- v. The Commissioner will notify the Board of any appointment to the Board, including the appointee's contact information, the statutory entity for which the appointee is responsible for representing, and the term of such appointment. The Board shall cause the name, contact information, term of appointment,

and statutory entity for which the appointee represents to be posted on the Board's webpage at EnergizeCT.com.

## 5. Committees

Committees perform responsibilities assigned by the Board.

- i. **Standing Committees:** The Board has the following standing committees: Residential, Commercial & Industrial, Evaluation, and Consultant. The chair of each standing committee is selected by members of that committee; there is no set term length for committee chairs.

1. **Joint Committee of the Energy Efficiency Board and the Connecticut Green Bank (Joint Committee).** Conn. Gen. Stat. § 16-245m(d)(2) established a joint committee to examine opportunities to coordinate programs and activities, and to create financing offerings to increase the benefit of C&LM programs. The Joint Committee consists of 9 members: 2 voting and 2 non-voting members from the Energy Efficiency Board; 2 voting and 2 non-voting members from the Green Bank Board of Directors; and the DEEP Commissioner (or her or his designee) who is a voting ex officio member of the Joint Committee. The endorsement or implementation of opportunities examined by the Joint Committee requires action by the Energy Efficiency Board. The Energy Efficiency Board's representatives to the Joint Committee shall not vote on any measure before the Joint Committee that would commit the Board to any action or support, or constitute the Joint Committee taking a position on any matter before any local, state, regional or federal legislative or administrative body, without first bringing the matter to the Board for review and approval.
2. **Short-term Committees:** The Board creates committees to address matters before the Board, including those related to development and oversight of RFPs, dispute resolution, and development and presentation of such specialized documents or positions as may be necessary. Committees are created to operate for the length of a specific project or as agreed upon by the Board, but no longer than three years without Board action to maintain the committee.

## 6. Election and Terms and Duties of the Chair and Vice-Chair

- i. **Election and terms:** By simple majority of all of the Board members eligible to vote, the Board elects a Chair and Vice-Chair in June of even numbered years from among the voting Board members for a two year term. The Chair

and Vice-Chair may not represent a utility, only one may be a state employee, and only one may be from the business grouping. The Chair and Vice-Chair serve at the pleasure of the Board and may be recalled by the Board. In case of a recall or for any other reason a Chair or Vice-Chair is not available to complete his/her term, the Board will elect a replacement to complete the term.

ii. **Duties:** The Chair and Vice-Chair are responsible for the following on behalf of the Board:

1. Coordinate Board matters. The Chair conducts Board meetings. When the Chair is unavailable or otherwise at the Chair's discretion, the Vice-Chair conducts Board meetings. On behalf of the Board, they receive reports of the committees and other communications. In the case of the unavailability of the Chair, the Vice-Chair serves in his/her stead.
2. Provide immediate and ongoing direction to Board consultants when needed, consistent with Consultant committee direction and policy regarding the consultants.
3. Develop Board meeting agendas with assistance from the Board Consultants.
4. Act as a point of contact for DEEP and PURA and other governmental bodies, press, public and others.
5. Make procedural decisions regarding the operation of the Board.
6. Such other responsibilities as may be decided by the Board.

## 7. Communications

i. **Intra-Board Communication:** The following procedures govern intra-Board communications, with a focus of ensuring adequate opportunity to consider information, positions and recommendations informing decision-making, efficiency and accountability, and to provide opportunity for Board communications to include dissenting positions.

1. **Advance notice:** Reports, analyses and other documents and information which may form the basis for Board discussions and decisions, including program modifications and new program proposals with budgets and target goals, will be circulated to all Board members whenever reasonably feasible at the Board meeting preceding the meeting at which the discussion will occur or a vote will be taken, but no later than three days prior to the meeting, except the Conservation and Load Management Plan must be provided no later than five business days prior to a vote by the Board. Periodic reports such as those concerning program activities and program status do not need to



be circulated in advance of the Board meeting where they will be presented. Other exceptions are permitted only where a significant reason for the delay is demonstrated or there are other emergency circumstances, and if challenged, a simple majority of all of the Board members eligible to vote must vote to permit the delay for the discussion or vote to be taken.

2. **Agendas:** Items requiring decision or extensive discussion are placed on the Board meeting agenda. Draft agendas are circulated for comment five days in advance of Board meetings. Final agendas are provided to Board members when available but no later than the day of the meeting. All agendas will include sufficient detail to provide notice of what will be discussed, provide time for discussion and identify items on which a vote will be taken.
3. **Minutes:** Draft minutes will be provided to Board members and posted on the Board website at least three business days prior to the next meeting. Board members may review the minutes and forward readily identified corrections to the Executive Secretary, or they may request corrections at the Board meeting.

## ii. **Communications with outside parties**

1. **Representing Board Positions:** While representing the Board, Board members and consultants may only present as Board positions those adopted by majority vote of the Board or by clear consensus.
2. **Dissenting position procedure:** Any Board member who votes in opposition to any communications of the Board to other entities may draft a dissenting view to be included with such Board communication, provided the dissenting document is provided to the Executive Secretary prior to the date of the communication or other deadline set by the Board and a copy of the dissenting document is provided to all Board members at the time it is submitted to the Executive Secretary.
3. **Availability of Board Documents to the Public:** The Board treats any document distributed to the Board and discussed at a meeting as a public document available during Board meetings. Such documents will be made available via the Board website for general availability. Other documents available under the Connecticut Freedom of Information Act will be provided on request to the public.

## 8. Voting

- i. **Board Members Eligible to Vote:** There are fifteen members of the EEB. Five represent utilities, and ten represent non-utilities. The five utility Board members are non-voting members. The ten other Board members are voting members.
- ii. **Quorum and Voting:** At least half of voting Board members must be present to conduct a Board meeting. Votes, however conducted (in person or electronically), require a minimum participation of at least half of voting Board members. If there are any vacancies on the Board at the time a vote is conducted, then the total number of voting Board members at that meeting is ten minus the number of vacancies. If a voting Board member is not able to vote (or not able to identify a proxy to vote on his or her behalf) due to illness or other extenuating circumstance, then that Board member's non-vote is considered to have resulted in a temporary Board vacancy for the purpose of that vote.
- iii. **Voting on Plans and Budgets:** At least half plus one of voting Board members must vote yes (in person or electronically) on program plans and budgets in order for the Board to approve program plans and budgets. Once the Board has approved a plan or budget, subparts of that plan or budget, including RD&D projects, require only a simple majority vote of a Board quorum for approval.
- iv. **Proxies:** By notifying in writing in advance of a meeting the Chair, Vice-Chair or the Executive Secretary, any Board members may send another individual to represent their interests at Board meetings and vote in their stead or assign their voting proxy to another Board member present at an EEB meeting (in person or electronically).

## 9. Consultant Coordination and Technical Support

To assist the Board in fulfilling its responsibilities, the Board retains the assistance of an independent Executive Secretary and independent expert consultants whose responsibilities are defined by the Board and who report to the Board and operate under its control and in its discretion. The Board and utilities provide feedback to the Executive Secretary and consultants on their Board activities, so these individuals are informed regarding the impact of their work on the Board processes and programs.

Board consultants serve at will of the Board and operate within a defined budget. The utilities will designate staff to act as liaisons with the consultants and direct them to appropriate program managers when information is not available to the consultant at a more strategic level.

- i. **Coordination:** The Executive Secretary: ensures the administrative needs of the Board are met; prepares documents at Board direction; assigns Board queries to the appropriate technical consultant(s); ensures technical support is timely and within budget; provides a point of contact for the public and others seeking to communicate with the Board; and handles other tasks as assigned by the Board in the course of conducting its business.
- ii. **Technical Consultants:** Managing and Program Consultants: provide the Board with information to assist it in developing policy and positions; review utility plans and proposals; develop options for innovative program and plan modifications based on their expertise, approaches in other jurisdictions and regional and national policy; provide assessments of utility positions and data; evaluate the basis for proposed performance goals; monitor and evaluate program performance including development of evaluation policies and RFPs and interpretation of evaluation and tracking data; assist in framing and examining policy initiatives; prepare documents and represent Board positions at Board direction; and handle other tasks as assigned by the Board in the course of conducting its business.
  1. **Managing Consultant:** The Board retains a Managing Consultant to augment and coordinate the technical activities of the Program Area and other Board consultants. The Managing Consultant is the primary contact and resource for the Board for program design and related areas, and is expected to participate in most regular Board meetings.
  2. **Program Area Consultants:** The Board retains experts selected for their particularized expertise and experience with and knowledge of Connecticut's efficiency program with responsibility for: residential programs; commercial and industrial programs; and program evaluation and performance.
  3. **Specific Project Consulting:** The Board may retain consultants as needed for specific projects. The Board must approve the scope of work for such a consultant.

### iii. **Consultant Travel and Reporting**

1. **Travel:** Travel taken to carry out work tasks assigned to consultants and accounted for within an approved budget does not require prior additional approval by the Board.
2. **Reports:**
  - a. **Where travel is involved:** Written reports will be prepared by consultants for scope of work assignments involving travel to analyze programmatic or M & E activities. If directed by the Board, drafts of these reports will be provided to the Executive Secretary to allow the Board to indicate a need for further information and input to clarify the intent of the Board.
  - b. **Ongoing activities:** Unless otherwise directed by the Board, consultants shall provide brief monthly reports to the Board and any relevant committee regarding activities undertaken for the Board. For consultants with responsibility for residential programs and commercial and industrial programs, at least quarterly such reports shall indicate whether the utilities are timely committing and expending budgeted program funding and if not, recommending budget or program modifications to ensure expenditures are in accordance with approved budgets.
3. **Consultant Billings and Payments**
  - a. **Consultant firm staff billing:** Experts from a firm retained as a Board consultant for whom services may be invoiced, must be listed in the contract with the consultant.
  - b. **Invoicing and tracking:** Consultants will submit invoices on a monthly basis to the utilities and provide a copy to the Executive Secretary. The Executive Secretary will review invoices for completeness and accuracy and track consultant billings as follows for each EEB consultant: the consultant's current invoice amount; previous expenditures for each consultant in the program year; the annual budgeted amounts for each consultant and the budgeted funds remaining for each consultant. The Executive Secretary will provide a copy of the monthly report of invoicing for review by the Executive Committee.
4. **Emergency Retention of a Consultant:** If a simple majority of voting members of the Board believes a consultant should be retained for a

limited special purpose beneficial to meeting the Board's responsibilities, that time is of the essence in retaining such a consultant and the time frame is too short to engage all Board members if they cannot all be reached, a written request with detailed information regarding the need for the consulting services and identification of the consultant and his/her expertise must be made of the Executive Secretary. The Executive Secretary will immediately provide the information to the full Board and attempt to obtain feedback and a vote from each Board member through e-mail or other means, as time permits. The total expense for consultants retained under this procedure may not exceed an annual cap of \$5,000. If the Executive Secretary is not available, the Board Chair or Vice-Chair may act in the Executive Secretary's stead. The Board will be notified regarding identification of and contact information for any consultant hired, the capacity in which the consultant was hired, and the cost for the consultant's services.

#### **5. Technical Consultant, Executive Secretary, and Evaluation**

**Administrator Requests for Proposals (RFP):** The EEB issues an RFP for the Technical Consultants, Executive Secretary, and Evaluation Administrator every three years. The EEB's Consultant Committee conducts the RFP process on behalf of the Board but the full Board votes to approve final selection of Technical Consultants, the Executive Secretary, and the Evaluation Administrator. The RFPs for the Technical Consultants, Executive Secretary, and Evaluation Administrator are separate RFPs, and may be conducted at different times.

### **10. Meeting and Other Event Scheduling**

- i. Meetings:** The Board meets on a monthly or semi-monthly basis and conducts conference calls of the Executive Committee to plan Board meetings, as its responsibilities require.
- ii. Public input at meetings:** A portion of each meeting will allow members of the public to address the Board for up to three minutes each on any relevant matter.
- iii. Scheduling meetings and events:** The Board publishes its meeting schedule and the schedule of planned conference calls for the year as early as possible in each new year but no later than the third meeting of the year. By the third meeting of the year the Board also establishes a comprehensive annual schedule of events including, but not be limited to: public input events; due dates for its annual legislative report; program plan and budget draft

preparation and final filing submission dates; quarterly reports; specific project milestones; and meetings devoted to detailed review of specific programs and evaluations.

## **11. Interface with the Department of Energy and Environmental Protection and Other Entities Developing Energy Policy or Programs**

The Board is an independent entity with specific statutory responsibilities. Its responsibilities overlap with the responsibilities of other entities developing energy related policy or programs. It endeavors to coordinate with and seek input from such entities to the extent practicable and appropriate to better meet its responsibilities. In particular it seeks input from DEEP regarding DEEP's guiding principles on issues such as prioritization of goals, parity, program design, budgetary allocations and other areas fundamental to the Board's operation.

## **Section II**

# **Processes for Vendor Contracting, Public Involvement, Definitions, and Funding Eligibility Standards for EEB Review and Implementation of Conservation and Load Management Programs**

### **1. Introduction**

The General Assembly established the Energy Conservation Management Board (Energy Efficiency Board, EEB or Board) to advise and assist the electric distribution and gas companies in development and implementation of a comprehensive plan to implement cost-effective energy conservation programs and market transformation initiatives, and to review similar plans of the municipal electric cooperatives. The electric distribution and gas company plans are subject to approval by the Department of Energy and Environmental Protection's (DEEP). (Conn. Gen. Stat. §§ 16-245m, 16-32f and 7-233y). To fulfill the EEB's mission of providing input regarding conservation plans, including input from the public, it has developed public intake and deliberative processes. This description of those processes (Roadmap) provides the public, DEEP, legislature and others with a clear delineation of three key aspects of Board operations. To the extent these processes include municipal utility efficiency oversight, that is specifically indicated.

- Processes for public involvement;
- Definitions for Conservation and Load Management (C&LM) activities; and
- C&LM funding eligibility standards regarding the electric distribution and gas company programs.

The legislature intended the EEB to act as a forum for public input and comments on C&LM programs, including proposals for products/technologies and program revisions. The Board believes this enhances its efforts. Individuals or organizations may also petition DEEP to participate in its annual review of C&LM program plans of the electric distribution and gas companies.

In implementing the intent of its governing statutes, the Board will use the processes, definitions, and funding eligibility standards described in the Roadmap to advise the utilities regarding development and implementation of the comprehensive C&LM plans, to encourage and address public involvement in C&LM planning and program implementation, and to ensure Connecticut has successful cost-effective C&LM programs.

## 2. Processes for Public Involvement and Opportunities for Public Input

### Options for Providing Public Input

The EEB has five main processes providing opportunities for public input and comment, each described below:

- Public comment at EEB meetings
- Focused topic discussions at EEB meetings
- Public input forums
- Consideration of specific products/technologies or program revisions
- Public Review of Reports and Plans

#### i. Public Comment at EEB Meetings

- 1. Meeting Access:** EEB and EEB Committee meetings are open to the public. The meeting dates, times and agendas are noticed on the EEB website at least 5 days in advance. The EEB maintains a regular meeting schedule with dates for future meetings posted on the web site. Meeting dates are also published on the EnergizeCT EEB Meetings Calendar. The DEEP notices the Secretary of State for all EEB and EEB Committee meetings. In addition, the EEB Executive Secretary maintains an interested parties e-mail list to notify interested individuals and organizations of upcoming meetings.
- 2. Public Comment at Meetings:** EEB provides an opportunity for public comment at each of its meetings early in the meeting, following the agenda review and approval of minutes. Each individual or organization is allowed three minutes for public comment. A sign-up sheet is available in the room prior to the beginning of the meeting in which speakers are asked to provide their name and affiliation and identify the topic they wish to address. If unable to attend an EEB meeting, comments may be submitted in writing through the EEB Executive Secretary.
- 3. Meeting Documents:** All documents distributed to the EEB during Board meetings are available to the public on the EEB website.

- ii. Focused Topic Discussions at EEB Meetings:** The EEB schedules focused topic discussions on specific programs, markets or issues at some of its meetings. Topics are scheduled in advance and identified on the EEB



meeting agendas. Board materials are available to the public during the meeting. Individuals and organizations with experience or interest in a given topic may be invited by the Board to present during some discussions. Others may comment during the public comment period.

- iii. **Public Input Forums:** Each year, early in the planning process for a future program year, the EEB sponsors a public forum on existing programs and new program concepts. The EEB solicits public input regarding programs to serve all sectors, including residential, low income, commercial and industrial programs. Later in the program planning process, input from the public forum is addressed in a public input document that provides utility and Board responses to the suggestions. Many ideas are incorporated in program plans and budgets.
- iv. **Consideration of Specific Products/Technologies or Program Revisions**
  1. **Products Needing Development or Demonstration:** If a new product or technology needs further development or demonstration prior to commercialization and inclusion in a C&LM program, it is considered within the RD&D process. The proposer could respond to an RD&D solicitation, discuss the product with the RD&D administrators, or discuss the product with the RD&D policy working group. Note that DEEP and PURA do not endorse use of C&LM funds as startup funds for vendors so such funding should not be expected as a result of this process.
  2. **Products Proposed for EEB Funding:** If a product/technology or program revision is being proposed for inclusion in a C&LM program, the EEB encourages the proposer to request utility administrators review and assess its feasibility, appropriateness, potential effectiveness and cost-effectiveness. The EEB believes the fastest and most efficient review process for the vast majority of proposals is through the utilities in their role as program administrators. If the proposer is not satisfied with the utility review and assessment, or if the proposer chooses not to submit the product or program revisions for utility review prior to EEB review, then the EEB will assign the proposal to a committee to review the product or program revision. The EEB committee will be comprised of five members including one business representative, one representative of a state agency that is a consumer representative, one representative of either an environmental organization or residential consumers and two utility representatives. The EEB committee may assign EEB consultants to provide technical assistance during the review. The assigned committee will report its conclusions to the full EEB for its consideration, and the EEB will determine its recommendation within 45 days. Proposers should

understand that even under EEB committee review, the EEB will request that utility administrators review the product or program revision concurrent with EEB review.

- 3. Participation in Regulatory Oversight Proceedings:** Individuals or organizations may also petition DEEP to participate in its annual review of C&LM program plans of the electric distribution and gas companies.

**v. Public Review of Reports and Plans**

- 1. Annual Report to General Assembly:** The EEB submits an annual report to the legislature in March of the subsequent year. This report is available to the public and posted on the EEB website.
- 2. Quarterly Reports to EEB:** Electric distribution company reports of program performance and experience are available quarterly and are posted on the EEB website. The EEB reviews the utility quarterly reports at scheduled Board meetings, generally 30 to 45 days following the end of a quarter. The public may comment on the quarterly reports during the public comment period at EEB meetings.
- 3. Draft Plans:** Draft plans for future program years prepared by the electric distribution companies are available for public review and comment prior to filing with DEEP. The EEB sponsors public forums prior to developing program plans and reviews the draft plans at Board meetings. The public may review draft program plans, participate in public forums, and provide comments during the public comment period at EEB meetings.
- 4. Municipal Electric Plans:** Municipal electric company plans are reviewed by the EEB. The public may review the plans and provide comments during the public comment period at EEB meetings.

**Process for Managing Unsolicited Proposals to the EEB**

Definition

An unsolicited proposal to the EEB is one in which a party makes an unsolicited written request to the EEB that it approve or support a project or program that would direct C&LM funds to that party to administer such project or program.

## Process

A party should submit an unsolicited proposal to the EEB Executive Secretary. Upon receipt of the proposal, it will be given to the Board for its consideration. The EEB may request that the Companies, in consultation with the EEB Technical Consultants and DEEP, evaluate the proposal for potential funding. As part of its request to the Companies, the Board should indicate the extent to which the Companies should conduct qualitative and/or quantitative analyses as part of the evaluation. As appropriate, the Companies and/or Technical Consultants may also engage the party to discuss potential modifications to the proposal to better align it with the goals and needs of the C&LM programs and/or available funds. As part of the Board's consideration of the proposal, the party will be given an opportunity to present its proposal to the Board at the annual Public Input Session or at a regularly scheduled monthly Board meeting. Depending on the budget and/or scope of the proposal, the Board may decide to refer the proposal to the Companies and not be involved further in decision-making regarding the proposal.

Upon completion of the evaluation of proposals, the Companies, in consultation with the Technical Consultants and DEEP, will present to the Board whether they recommend the proposed project or program for C&LM funding. The Companies will strive to make such a presentation to the Board within two Board meetings of the original request. The Board will then vote to support, or not support, the recommendation of the Companies, at the meeting when the presentation is made, at the next Board meeting, or in an e-vote between the two meetings. The Board may also direct the Companies, in consultation with the proposing party, the Technical Consultants and DEEP, to develop a modified project or program and to do a follow-up presentation at the next Board meeting. Upon completion of the vote, the Board's determination will be communicated in writing to the requesting party within seven business days by the EEB Executive Secretary.

For those proposals referred directly to the Companies by the Board for evaluation, the Companies will communicate their recommendation within two Board meetings of receipt of the proposal to the proposing party and copy the EEB Executive Secretary, Board Leadership, and the Lead Technical Consultant.

### **3. Definitions for Conservation and Load Management (C&LM) Activities**

The definitions below are consistent with Connecticut law related to CL&M plans, programs and budgets, and are intended for use as guidelines for EEB processes

- i. **Conservation Programs:** save energy by reducing the amount of end-use service provided.
- ii. **Energy Efficiency Programs:** save energy by increasing the efficiency of energy use in end-use applications. Such savings are generally achieved by substituting more technologically advanced equipment to produce the same or an improved level of end-use service with less electricity or fuel input.
- iii. **Demand-Side Management:** DSM includes energy efficiency and conservation, load management and distributed resources at the customer's premise.
- iv. **Distributed Resources:** The combined or individual use of distributed generation, energy storage, load management or energy efficiency, located and sized to address distributed loads. For the purposes of C&LM and RD&D funding, the EEB recommends that distributed resources be limited to installations on the customer side of the meter, primarily to address customer loads at their premises, and to address specific customer reliability and power quality needs. C&LM funding may also be used for planning activities and studies of distributed resources. The EEB recommends C&LM funding for non-energy-efficiency distributed resources only on a research, development or demonstration basis.
- v. **Distributed Generation:** The application of small (up to 65 MW) power generation systems at or close to the point of electricity end use. For the purposes of C&LM and RD&D funding, the EEB recommends that distributed generation be limited to installations on the customer side of the meter, primarily to address customer loads and reliability or power quality needs at their premises.
- vi. **Education:** Educational programs for schools and children, through museums, programs and events for the public, and to support energy efficiency programs when providing information, data, analysis and training are important to influence customer or trade ally knowledge and decision-making, are eligible for funding.
- vii. **Load Management Programs:** Influence the timing of energy use.
- viii. **Market Barriers:** Any characteristic of a market for an energy related product, service or practice that helps to explain the gap between the actual level of investment in or practice of energy efficiency and an increased level that would appear to be cost beneficial. Market barriers can include information and search costs, uncertainty about performance, transaction

costs, lack of access to financing, high first costs and split incentives (such as between landlords and tenants).

- ix. **Market Driven/Lost Opportunity Investments:** Programs designed to minimize lost opportunities in the market by providing energy efficiency opportunities at the time of a naturally occurring market event such as new construction, expansion, renovation, remodeling or equipment replacement.
- x. **Market Transformation Initiatives:** Strategic initiatives to induce lasting changes in the structure, function or behavior of the market for end-use devices and systems that result in increases in the adoption of energy efficiency products, services and/or practices. As the term has been used to fund ratepayer conservation in New England, market transformation means working with manufacturers, customers and distributors to improve the efficiency of electric energy in end use devices.

#### 4. C&LM Funding Eligibility Standards

The funding eligibility standards below describe what the C&LM charge should be utilized to support, consistent with prior EEB resolutions, recommendations and processes, governing legislation and DEEP decisions.

- i. Funded activities should include:
  - Energy efficiency
  - Load management
  - Research, development and demonstration (RD&D) of energy efficiency, load management or distributed resources technologies
  - Distributed resources (DR, non-energy-efficiency DR applications are limited to research, development and demonstration)
- ii. Research, development, and demonstration (RD&D) should include:
  - Energy efficiency
  - Load management
  - Distributed resources
- iii. Distributed resources (DR) should include:
  - Targeted energy efficiency
  - Targeted load management
  - Energy storage
  - Distributed generation (DG)

## **5. Fair and Equitable Opportunities in C&LM Programs for Qualified Contractors and Vendors**

The Energy Efficiency Board (EEB) supports fair and equitable opportunities for qualified contractors and vendors to provide energy efficient products and services to Connecticut customers through the Conservation and Load Management (C&LM) programs. See Conn. Gen. Stat. § 16-245m(d)(5). The EEB recommends that the utilities, as the program administrators of the C&LM programs, ensure that qualified contractors and vendors are provided fair and equitable opportunities to participate in the C&LM programs. The EEB also recommends that the utilities employ clear, transparent, and fair procurement and project assignment processes in their administration of the C&LM programs.

Specifically, the EEB recommends:

1. Best practices in the utilities' implementation of their contractor and vendor procurement and selection processes. These processes should provide clear, fair, and equitable opportunities for qualified contractors and vendors to provide energy efficient products and services to customers who participate in the C&LM programs. Similarly, the utilities should document and implement clear, transparent, and fair project assignment and lead generation/allocation processes to ensure fair and equitable treatment of qualified contractors and vendors.
2. Effective communication with qualified contractors and vendors to ensure that all opportunities, roles, and responsibilities in all C&LM programs are clear and transparent. This includes the development and dissemination of detailed documentation of C&LM program policies, procedures and processes in a manner that facilitates their use by participating contractors. The utilities should ensure that the opportunity to participate in all C&LM program activities is made widely known to the eligible contractor population.
3. Effective communication and coordination among and across Connecticut Green Bank (CGB) and C&LM offerings to ensure effective and efficient delivery of programs, offerings, and services in the field, to eliminate any duplication of effort and any confusion in the marketplace, and to support program synergies and leveraging of multiple funding sources. Part of this effort is to ensure that all offerings, roles, and responsibilities are clearly defined, explained, and transparent to all qualified contractors and vendors, and to all customers.

The Board reaffirms its commitment to ensure that the ratepayer-funded C&LM programs are implemented in a cost-effective and cost-efficient manner to achieve deep savings among all residential customer segments, and to do so irrespective of customer income.

## **Section III**

# **EEB Evaluation Roadmap**

### **1. Summary**

#### **i. EEB Evaluation Independence:**

The Energy Efficiency Board (EEB) Evaluation Committee, which consists of non-utility EEB members, represents the EEB in the evaluation process. The evaluation process includes both Program Evaluations and research related to markets and program development. The EEB Evaluation Committee and the EEB Evaluation Administrator is independent from the EEB Technical Consultants and the Program Administrators. The EEB Evaluation Administrator reports directly to the EEB Evaluation Committee. Absent payment through the CEEF, the EEB Evaluation Administrator shall have no financial or business ties to CL&P, UI, Yankee, SCG, CNG, any EEB members, or any other EEB Technical Consultants who plan the efficiency programs. In addition, the EEB Evaluation Administrator may not have financial or business ties to vendors that provide program-related products or services to the Program Administrators.

#### **ii. Responsibilities and Authority:**

The EEB Evaluation Administrator, under direction of the EEB Evaluation Committee, will execute the following responsibilities: evaluation planning, development of study scopes, contractor selection, project initiation, project management and completion, and finalization of evaluation reports. All RFPs will be issued by the EEB Evaluation Administrator and responses will also be sent to the EEB Evaluation Administrator.

The EEB Board members (including DEEP), the Technical Consultants, and the Program Administrators (PAs) may provide initial insights into the scope of work, review proposals that have been submitted, and may submit preferences for contractor selection, but final decisions rest with the EEB Evaluation Administrator, with the advisement of the Evaluation Committee. The Program Administrators review the final work products conducted and



provided by third party evaluators and may provide comments on the Review Draft report in writing. After completion of the Final report, the Evaluation Administrator, through the EEB Executive Secretary, files the evaluation report with the Board and DEEP, and the Board will post a copy of each report on its Internet web site. The Board and its members, including electric distribution and gas Program Administrator representatives and other interested members of the public have the opportunity to file written comments regarding any Final evaluation report with DEEP or for posting on the Board's Internet website.

In addition, the Program Administrators must file with DEEP a description of how the results and recommendations will be implemented, including a summary chart. This responsibility is described further in the Project Completion section below.

The Evaluation Committee may add to, reduce or alter the roles of the Evaluation Administrator and/or the Companies at its discretion at any time so long as those changes comport with the requirements of state law.

The EEB Evaluation Administrator communicates and coordinates with the EEB Evaluation Committee, and then with interested EEB members, the Companies, and the public through scheduled Committee meetings and retention of documents as described herein. These communications continue throughout the course of all evaluation activities. The EEB Evaluation Administrator schedules and coordinates all stages of the evaluation process to address the research and design concerns of the EEB Evaluation Committee and, as appropriate, the Companies to assure the highest quality of studies and the best allocation of ratepayer dollars among the studies.

**iii. Transparency:**

The EEB revised Program Evaluation Roadmap is independent and transparent, with the EEB Evaluation Administrator communicating progress through the scheduled events of the EEB Evaluation Committee. The EEB Evaluation Administrator schedules and coordinates all EEB Evaluation Committee meeting dates and conference calls, and the EEB Executive Secretary posts dates in a way that allows all interested EEB members and

members of the public to attend events, participate in calls, and provide input as appropriate. The Evaluation Committee confers with and directs the Evaluation Administrators in all activities as it deems fit.

**iv. Adoption of Connecticut’s Energy Efficiency Program Evaluation Measurement and Verification Process:**

Per CGS 16-245m, DEEP must adopt an independent, comprehensive program evaluation, measurement, and verification process. When the evaluation process roadmap is updated, DEEP and the Board post the document on their internet websites and DEEP provides for a 30-day public comment period surrounding the EEB meeting at which the evaluation process roadmap is reviewed. The final document is posted on the DEEP and EEB Websites.

The general guiding responsibilities are characterized as follows: DEEP adopts an evaluation process. The Evaluation Committee hires an Evaluation Administrator, adopts an Evaluation Plan, and monitors progress of the Evaluation Plan’s constituent projects and budget. The Board approves the Evaluation budget and contracts with the Evaluation Administrator. The Evaluation Administrator is responsible for managing the independent conduct of Evaluation Plan projects, and selecting and overseeing project contractors.

## **2.Program Evaluation Process**

The EEB Evaluation Committee and the EEB Evaluation Administrator lead the conduct and performance of the program evaluation process. Program Administrators (PAs) are in a strong position to identify aspects of their programs (savings, market, process) that would benefit from evaluation activities. The Program Administrators have intimate knowledge of program procedures and program data collection that are necessary to evaluation. Moreover, the Program Administrators have a strong interest in ensuring program improvements. Continued participation in planning and the opportunity to examine final draft reports for factual issues are important for ensuring that evaluations will be used to improve the programs.

### 3. Evaluation Planning

With consultation and input from the EEB Technical Consultants and the Program Administrators, the EEB Evaluation Committee and Evaluation Administrator develop a Three-year plan prepared every two years and interim updates. The Evaluation Committee and Consultant develop an initial slate of evaluations expected to be needed, set overall priorities, and establish the evaluation budget in line with those priorities.

Consistent with CGS 16-245m(d)(4), program and measure Evaluation, Measurement and Verification (EM&V) studies are conducted on an ongoing basis, with emphasis on the following evaluation priorities:

- impact and process evaluations,
- programs or measures that have not been studied, and
- programs or measures that account for a relatively high percentage of program spending.

The Companies, separately and together, provide important programmatic information that helps ensure that needed information on evaluation issues, program structure, and ex ante estimates are available to the Evaluation Administrator in a timely manner. For evaluation planning, the following process is used.

- The Evaluation Administrator assembles from the Companies, the EEB Technical Consultants, and others, lists of studies each entity would like to be included in the evaluation plan; and suggested priorities for those studies; and associated budgets for the studies.
- The Evaluation Administrators organize the information and use criteria adhering to, but not limited to, those provided in state law and provides the prioritized draft plan of projects and budget. The Plan may include Connecticut studies as well as regional and other joint studies. The Plan should cover a Three-Year period, to provide an organized research agenda and use time and resources efficiently.
- The Evaluation Plan and budget are reviewed and approved by the EEB Evaluation Committee.
- Budgets that are sufficient to support the final plan as determined by the EEB Evaluation Committee are then approved by the EEB;

- The Evaluation Plan and budget are incorporated into the three-year C&LM Plan and annual updates.
- The EEB and the Companies submit the three-year C&LM Plan and annual updates to DEEP for the
- Commissioner's review and approval.

As part of the annual process of establishing the evaluation work plan, the Evaluation Committee should prioritize studies emphasized under 16-245m(d)(4). Under the statute, four types of studies would be considered higher priority including: (1) impact evaluations, (2) process evaluations, (3) programs or measures that have not been studied or sufficiently addressed in existing studies, and (4) programs that account for a relatively high percentage of program spending. The Evaluation Committee shall also consider other criteria, including, the maximum number of studies that can be feasibly reviewed by the Consultants, Contractors, and Program Administrators and other criteria considered high priority by the Evaluation Committee. To the extent possible, the studies are scheduled to provide time to ensure that Program Administrators can effectively implement evaluation report recommendations for program improvements.

Voting members of the Board determine the budget for evaluation to be included in the budgets presented in the Three-year C&LM Plan and annual updates. The three-year C&LM Plan and annual updates are submitted to DEEP for the commissioner's review and approval. The electric and gas Program Administrator representatives and the representative of a municipal electric energy cooperative are not voting members of the Board and may not vote on board plans, budgets, recommendations, actions or decisions regarding such evaluation budgets, program evaluations and their implementation. The Evaluation Administrator:

- Provides the Evaluation Committee with a package of program evaluations, priorities and costs;
- When the evaluation plan is approved by the EEB Evaluation Committee, establishes resulting total budget to submit to the full EEB for vote;
- Writes Evaluation Plan to be approved by the EEB Evaluation Committee and EEB, and included in the filing of the Companies' Annual Plan;

- Revises the plan periodically, with Committee approval, to reflect changes in opportunity, circumstances, remaining budget or other considerations. The Evaluation Administrator will explicitly solicit input from the Technical Consultants and others for the revision. Unless a different process is voted on by the Evaluation Committee, it is anticipated that the full Three-Year Plan process will be conducted every two years, and updated in the second year. The third year of the Plan provides guidance for key elements of the first year of the new three-year plan, for continuity.

#### **4. Research Area Approach**

Under a Research Area approach to managing evaluation studies, an RFP/RFQ is released for each research area. Respondents provide detailed information on work scope and budgets for a set of near-horizon studies, understanding of the issues and broad approach to addressing those issues, and a guaranteed set of rates for the full time period – usually, but not necessarily, three years.

The winning proposer is the primary evaluation contractor team for their particular research area. That team will be expected to handle the bulk of all evaluation issues and therefore is responsible to do what is needed to make sufficient resources available for required studies. However, the research area approach does not guarantee that the contractor will be provided any particular volume of work, nor does it guarantee the contractor team will retain the contract if their work is unsatisfactory or the research area is no longer needed. In addition, the Evaluation Administrator or the Evaluation Committee may elect to have particular studies conducted by a contractor selected through a separate competitive process in cases in which it is deemed to be in the best interest of the State of Connecticut.

#### **5. Study Development**

##### **i. Development of RFPs**

The Research Area approach retains contractor teams to perform all needed studies in their area over a multi-year time period. Therefore, in any particular year there may be no need to seek additional or new contractor teams.

In the RFP development phase, the EEB Evaluation Committee and Consultant develop the Request for Proposals, with input from the EEB Technical Consultants and the Companies. The group provides lists of needed information and studies, along with outlines of desired objectives and suggestions of overall priorities for these studies. Since the contractor team is being selected to provide services over several years, and study needs change more frequently, the studies provided and included in the RFP generally represent near-term needs rather than a comprehensive set of studies. Proposing contractor teams must explain their understanding of the objectives of each of the studies including discussion of measurement and analytical complexities and how they would anticipate solving the challenges. The proposing team provides anticipated level of effort for each study. For one or more studies in the slate of studies provided, the proposers are required to provide a more complete description of the methods that would be used and the costs that would be required. These requirements are included to provide those reviewing the proposal with information on: how the team thinks through and solves problems, their current understanding of the types of studies presented, their ability to respond to novel situations, the ways the team thinks about pricing studies and their ability to explain their thought processes clearly in writing. Respondents are also required to provide guaranteed hourly rates for each year.

The Evaluation Administrator, as representative of the Evaluation Committee, finalizes the RFP after review and written comment by the Companies and Technical Consultants. Thereafter, the Evaluation Administrator requests suggestions for bidders to be included in the issuance in addition to those already known. The Companies may also suggest that inclusion of some contractors may be inadvisable, providing reasons for those beliefs. The Companies shall provide their Terms and Conditions documents for inclusion in the RFP.

The RFPs explicitly identify the EEB Evaluation Committee as the entity requesting proposals and the EEB Evaluation Administrator, who works on behalf of the EEB, as the sole contact for additional information and for receipt of the proposals. The EEB Evaluation Committee, through the Evaluation Administrator, releases the RFP to previously identified firms, the Association

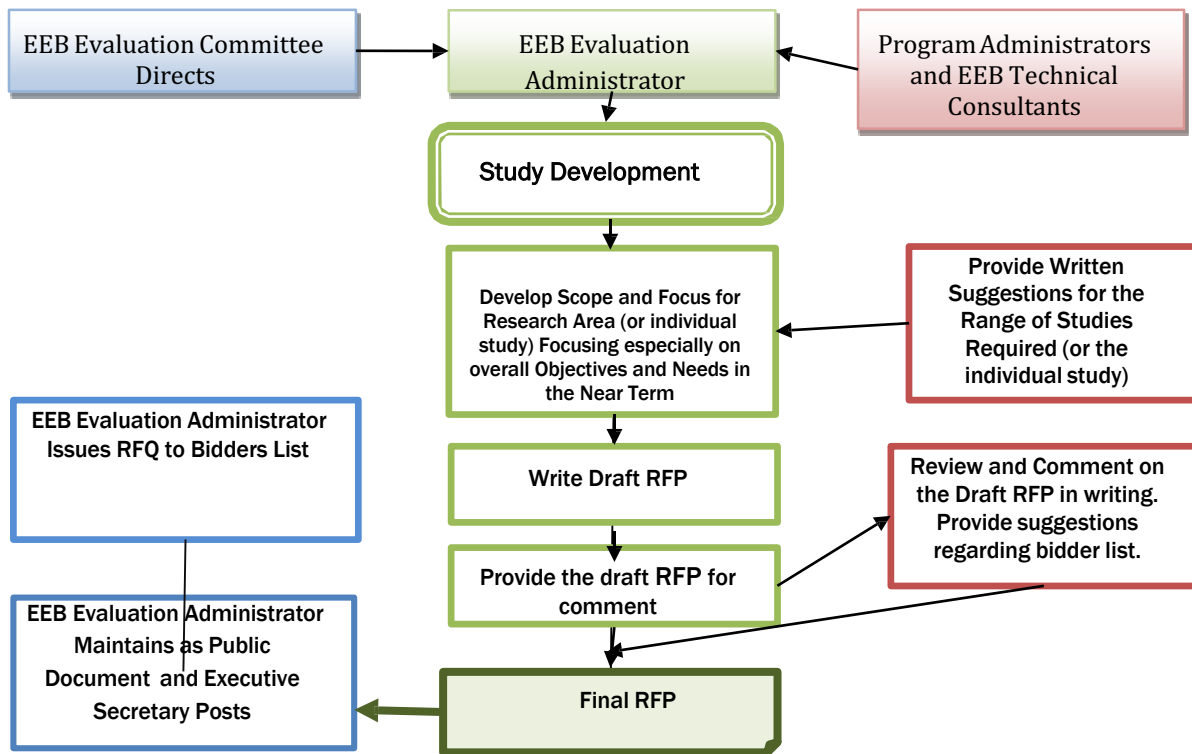
of Energy Services Professionals and the Executive Secretary posts the RFP to the Board website.

See Figure 1.

**ii. Development of RFPs Outside the Research Area Process**

For projects voted by the EEB Evaluation Committee to be conducted outside the Research Area process, (for example if the study would require skills not currently available among the current contractor pool, or a separate bidding process is determined to be in the best interest of the State and its ratepayers), the development process is very similar to that discussed above. In the study development phase, the EEB Evaluation Administrator, with input from the EEB Technical Consultants and the Companies, develops the Scope of Work for the particular study to be undertaken. The Program Administrators and EEB Technical Consultants provide the EEB Evaluation Administrator with suggested study objectives, issues to be included in the scope, and types of results needed to form the focus of the RFP. The resulting RFP is prepared by the Evaluation Administrator and requests a complete and definitive proposal of the work that will be done and the price the contractor will require in order to provide that scope of work. All other aspects of the process are the same as that used for Research Areas.

Figure 1: Study RFP Process for Retention of Research Area Teams and Contractors for Individual Studies



## 6. Contractor Selection Process

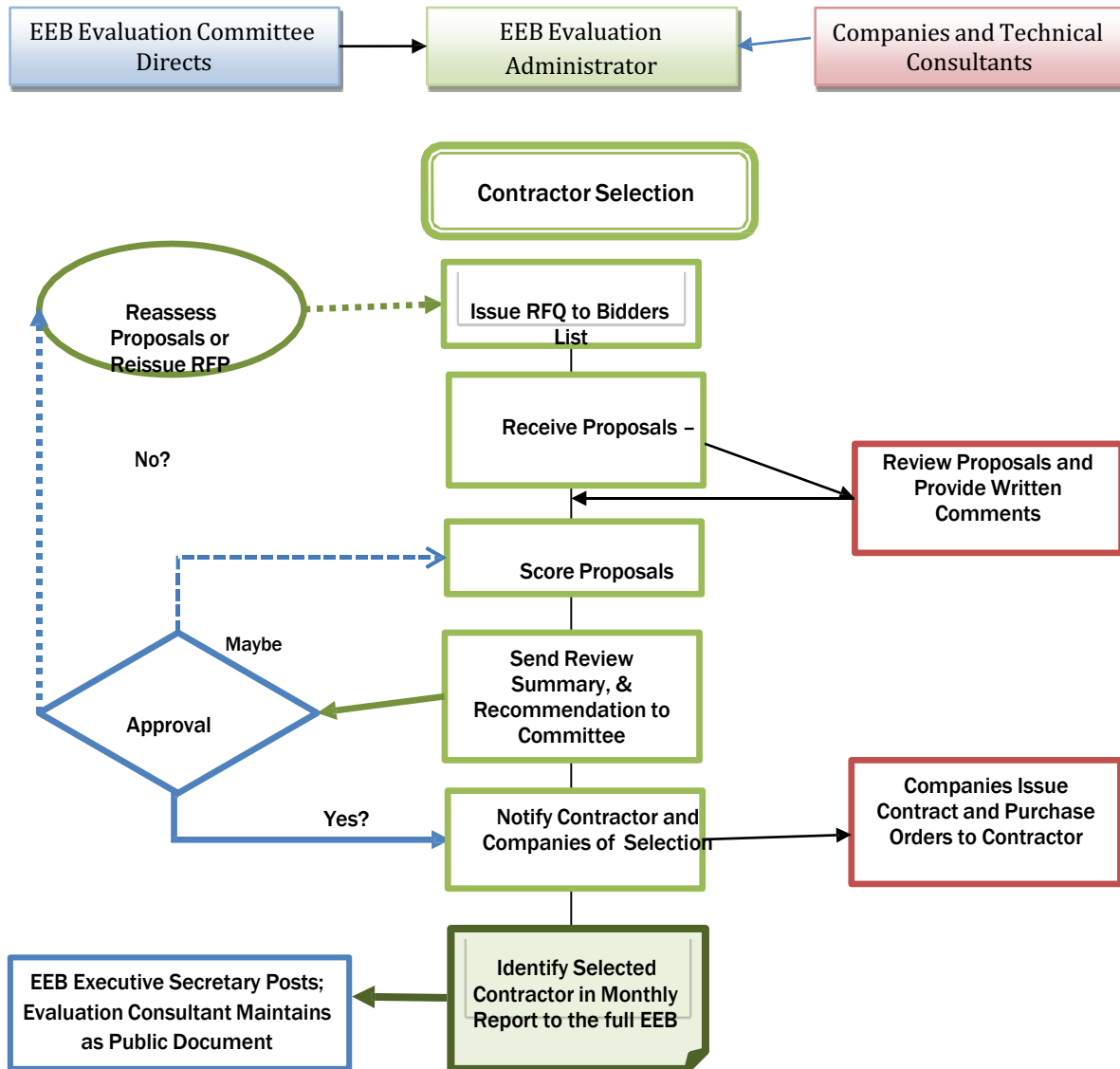
### i. Contractor Selection for Research Area Studies

It is especially important that the selection of 3rd party contractors be transparent. The EEB process (Figure 2) for selection of an evaluation contractor is as follows:

- Contractor proposals are submitted directly to the EEB Evaluation Committee through the Evaluation Administrator. The Evaluation Administrator provides the technical proposals to EEB Technical Consultants and a staff person or persons from each appropriate Program Administrator who may review the proposals. All proposals are initially reviewed for technical content only. Any reviews will be provided to the EEB Evaluation Administrator in writing.



Figure 2: Full Contractor Selection Process



- The EEB Evaluation Administrator then scores the proposals based primarily on the understanding of the studies, quality of proposed approaches and solutions, the contractors' experience and qualifications, and the proposed costs. The top 2 or 3 finalist proposals are identified.
- The EEB Evaluation Administrator sends a summary of the finalist proposals, proposal analysis, and the EEB Evaluation Administrator recommendations to the EEB Evaluation Committee members.
- The EEB Evaluation Committee reviews the summary and selects the evaluation contractor.
- A public summary of the basis for selecting the winning contractor is drafted by the EEB Evaluation Administrator and approved by the EEB Evaluation Committee. The EEB Evaluation Administrator, Executive Secretary and each Program Administrator's purchasing agent retains this summary of the basis for the bid award as public record.
- The EEB Evaluation Committee notifies the winning contractor and the other proposers.
- The Program Administrators then issue contracts and execute Purchase Orders, depending on their Purchasing requirements.

EEB Evaluation Committee reports to the full EEB at the regularly scheduled EEB meetings. The report shall include identification information on the evaluation contractors selected since the previous EEB meeting.

**ii. Optional Process for Contractor Selection for Non-Research Area Studies**

For non-research area studies, the process is the same as listed above. Alternatively, the EEB Evaluation Committee may vote to allow the EEB Evaluation Administrator conduct an abbreviated process, in which the contractor is judged by the Evaluation Administrator on the merits of the approach and pricing for their proffered solution to the individual project required. It is expected this abbreviated process will be reserved for small studies, quick turn-around studies, non-evaluation studies, or similar conditions. Note that the selected Research Area consultants are eligible to bid on these contracts.

## 7. Project Initiation

### i. Project Initiation

For all projects (Research Area / non-Research Area, Evaluation and non-Evaluation, and regional projects) included in the Evaluation Plan, and occasionally others (e.g. contingency fund projects, etc.), the Evaluation Administrator will move individual projects forward by providing to the Evaluation Committee with a Scope Overview document for committee vote. This document provides a brief summary of the project and scope, key objectives, tangible outcomes, general analytical methods, level of effort / budget, along with survey targets / topics / timing, and type and timing of data requests. This document includes four elements treated as additional, outside the base budget provided, and requiring specific committee vote:

1. Review of scope / work plan document (with additional costs to Evaluation Contractor and Evaluation Administrator): If scope review is approved as part of the scope overview document, a work plan is submitted broadly for written comment / mark-up (with comments aggregated for each Company). The Evaluation Contractor and Evaluation Administrator negotiate a revised plan, and if the revisions call for a revised budget or substantial changes to the scope, a revised Scope Overview document and budget is provided for consideration and vote to the EEB Evaluation Committee. The Evaluation Administrator issues the final / revised scope (this is conducted after the kickoff, if kickoff is selected).
2. Kickoff of Work plan (with additional costs to Evaluation Contractor and Evaluation Administrator): If attendance at Kickoff meeting is approved in the project's scope overview above, the Evaluation Administrator schedules a call-in / web kickoff meeting and the Evaluation contractor walks through scope / approach in kickoff meeting. The meeting is broadly noticed to the Evaluation Committee, Technical Consultants, Companies, Program Administrators, and others, and their schedules are considered in the designation of the kickoff date and time. The Evaluation Administrator takes comments and works with the Evaluation Contractor to revise scope, if warranted. The Evaluation Administrator prepares and distributes a memo of any substantial changes that for wide distribution including to the Evaluation Committee, Technical Consultants, and Program Administrators, among others. IF both kickoff and scope are selected, these changes are reflected in

the final scope. If the project is an evaluation project, the Evaluation Contractor will avoid detailed topics of survey questions.

3. Review of Survey Instruments (with additional costs to Evaluation Contractor and Evaluation Administrator): Note this step cannot be considered or included for Program Evaluation Studies. If review of survey instruments is approved in the project's scope overview above, the draft survey instrument is distributed, and written comments are provided to the Evaluation Administrator (one document per company). The Evaluation Administrator and Evaluation Contractor develop a revised version – the Revised draft -- which is distributed. The Evaluation Administrator may request that additions must be paired with subtractions, to make sure requests are useful.
4. Other special elements (with additional costs to Evaluation Contractor and Evaluation Administrator): Additional data meetings may be held with company staff and Evaluation Contractors to assure good communication and project progress, but must include the Evaluation Administrator, with prior consent of the Evaluation Administrator. For both evaluation and non-Evaluation projects, notes of attendees and primary topics must be taken and retained. When data requests are involved, the EEB Evaluation Administrator, the Program Administrators and the selected evaluation Contractor meet to discuss the proposed approach and establish data availability and processes for acquiring data. The EEB Evaluation Administrator organizes date, time, location and needed personnel for the meeting, apprising the Program Administrators of the final schedule. The schedule should be advised by input from Companies on scheduling, particularly related to data request timing and turnaround. Representatives of the Program Administrators may attend this first kick-off meeting, often by phone, since meetings will be held either in the presence of the Evaluation Administrator or by telephone with Evaluation Administrator in attendance. This requirement is set in order to ensure the selected Contractor understands the project management structure and need for the study to be independent of those who administer the programs studied. The Program Administrators may raise questions relative to the scope of work and will describe data availability, format and requirements for transfer to the Contractor. Following this meeting, the Contractor may need to incorporate revisions to the final Scope of Work

The Evaluation Administrator is expected to hold management and administrative/technical kickoff meetings with the Evaluation Contractors, if needed to clarify/firm up changes, and is expected to hold regular progress meetings with contractors on projects. For Research Area and non-Research Area projects, following execution of contracts and release of Master Services Agreements between the PAs and the Selected Evaluation Contractor, a Kick-off Meeting is held between the Selected Evaluation Contractor and the EEB Evaluation Administrator. The Selected Evaluation Contractor and EEB Evaluation Administrator meet to establish management and reporting requirements, methodological metrics and an understanding of processes that must be followed. In this meeting, direction on content and provision of the Final Work plan will be developed. Evaluation work plans must be developed to assure use of statistically valid monitoring and data collection techniques appropriate for the programs or measures being evaluated. The Contractor will be informed that all evaluations must contain a description of any problems encountered in the process of the evaluation, including, but not limited to, data usability and collection issues. Recommendations regarding addressing those problems in preparation for future evaluations are required. The Contractor will also be apprised of all reporting relationships and procedural requirements. The EEB Evaluation Administrator will supply the EEB Evaluation Committee and the Program Administrators with notes summarizing the decisions made regarding methods as provided by the Contractor.

If the Evaluation Administrator identifies issues that may reflect the possible introduction of bias, conflict, or other problems in comments received in scoping / kickoff / surveys for evaluation studies or other stages, the Evaluation Administrator may, at its discretion, call a meeting or call of the EEB Evaluation Committee to notify about and discuss the issue. The meeting or call will involve a discussion of the perceived problem and call for a vote of the Evaluation committee for resolution of the issue.

## **ii. Development of a Work Plan**

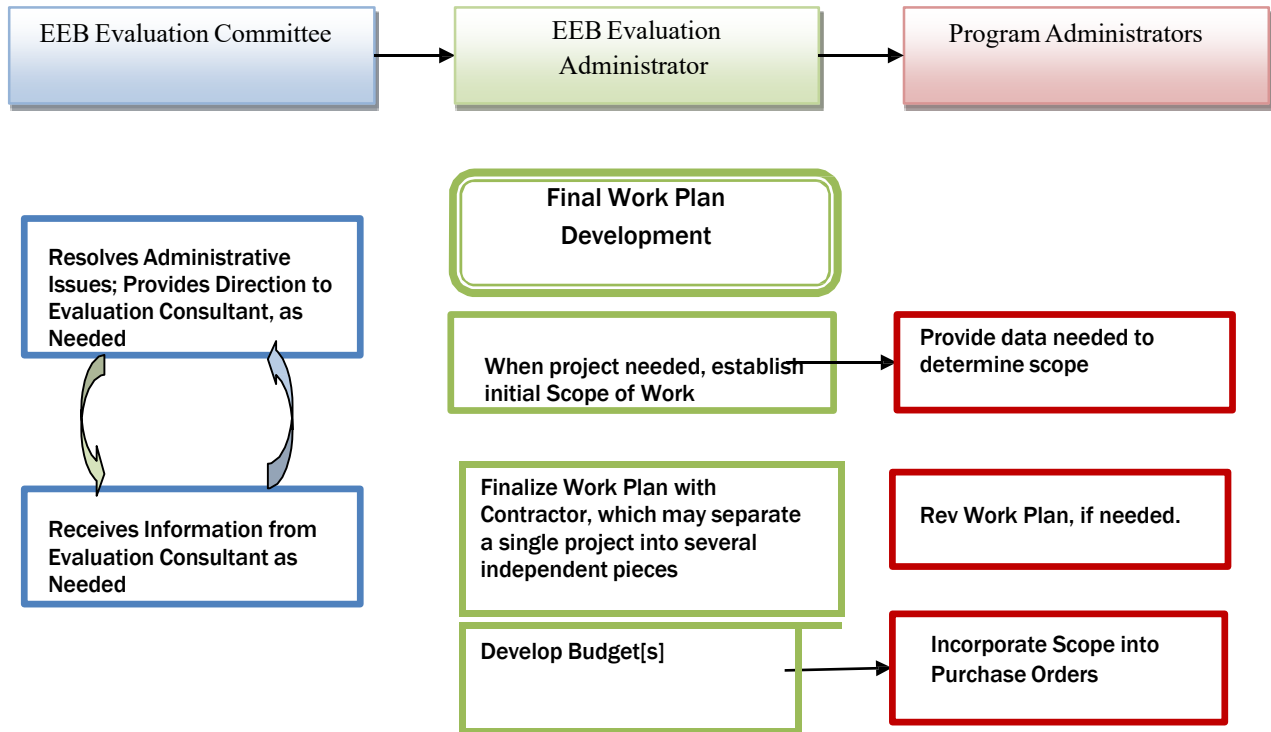
1. Work plans in the Research areas are developed for each single project or project component. It is sometimes helpful to break projects into smaller pieces for technical and scheduling reasons. First, doing so allows information to be provided quickly; it is not necessary, for example, to wait for

both winter and summer data to be collected and analyzed before providing information on one of them. Information that can be provided quickly can be completed while planning is being completed for the larger project.

Subdividing the project also allows for competing demands for studies of different programs. The Companies should also be consulted in developing the data requests; in many cases, smaller data requests may also be preferable for the companies. For example, a program study that is developed in smaller discrete projects can allow for addition of a new project that requires immediate attention without delaying the entire original project. Therefore, the first step is to identify the highest priority study. Priority can be determined by the need to capture weather characteristics, need for information, or regulatory requirement. Then in the Research Areas for each project or subproject:

- The Evaluation Administrator and Evaluation Contractor works together to identify specific objectives for the work
- The Contractor develops methods and timing to satisfy those objects and reviews them with the EEB Evaluation Administrator
- A full work plan is developed and costs assigned
- If additional review steps are approved / voted by the Evaluation Committee, an additional review process is conducted.
- The Final work plan and budget are provided to the Companies. United Illuminating then provides an individual Purchase Order for each project or subproject.
- Note that work plans should be designed to support highest quality research and best practices, and should reflect the ISO-NE accuracy and precision requirements for evaluations. Evaluations should address evaluation and program performance issues, but are also important for forward-looking results and recommendations for the companies to enact their programs. See Figure 3.

Figure 3: Final Work Plan Development



2. For stand-alone projects, the initial work plan is provided in the Contractor's proposal. Then the kick-off meeting may identify scope changes to improve accuracy, align the plan with data availability, or reduce costs. These scope changes may impact the budget as well as changing the work plan.

If additional review steps are voted and funded by the Evaluation Committee, the Program Administrators and EEB Technical Consultants may review potential changes to the work plan and provide comments in writing. The Evaluation Administrator considers these comments and then finalizes the work plan with the selected Contractor. The final work plan and budget will be provided to the Program Administrators for incorporation into Purchase Orders (or, often, revised Purchase Orders). The final work plan will take precedence over the proposed work plan or any draft work plan in guiding the conduct of the study.

## **8. Project Management and Completion**

### **i. Project Management**

Once the evaluation contractor team has been selected and the evaluation has begun, the relationship between (1) the evaluation Contractor, the Energy Efficiency Board Evaluation Committee and the Evaluation Administrator versus (2) the Program Administrators, vendors of the Program Administrators whose products or services are relevant to the evaluation, all other Energy Efficiency Board members, DEEP, and the EEB Technical Consultants will be treated in a similar fashion to a contested proceeding. There shall be no informal communications regarding the design or outcomes of the evaluation between the Program Administrators, vendors of the Program Administrators whose products or services are relevant to the evaluation, the Energy Efficiency Board, DEEP, and the Evaluation Administrator or Evaluation Contractor. The EEB Evaluation Administrator may continue to consult with the EEB Evaluation Committee or the Companies or others for administrative purposes, including issues regarding data requests. An Evaluation Contractor conducting an active evaluation shall not communicate directly with the EEB Board members, including the Evaluation Committee, Program Administrators, EEB Technical Consultants, vendors of the Program Administrators whose products or services are relevant to the evaluation, or DEEP without the Evaluation Administrator being present. Input from the Program Administrators/Energy Efficiency Board shall be limited to responding to the Evaluation Administrator's request for data or technical



assistance. Any communications shall be in writing and include a copy to the EEB Evaluation Administrator.

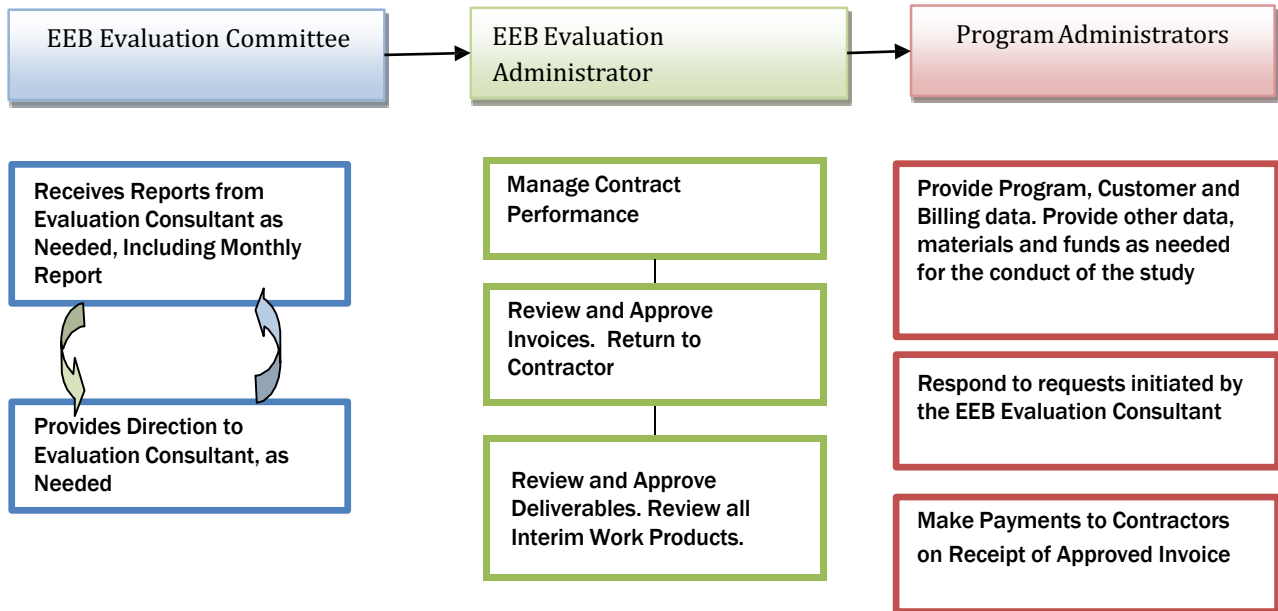
The EEB Evaluation Administrator leads the project management process (Figure 4) and is responsible for determining what information needs to be developed. In particular, the Consultant will:

- Work with the Contractor to resolve issues and expedite solutions.
- Review and approve all deliverables and milestones.
- Review all interim work products and any issues of importance that may impact the results or cost of the evaluation. Provide Review Draft report to the Program Administrators for comment.
- Retain all communications from the Contractor and from Program Administrator representatives.
- Review and approve Contractor invoices for payment by the Program Administrators from the CEEF.
- Provide the full EEB with reports on evaluation schedules and internal project deadlines through monthly reports to the Board.

The Program Administrators act as CEEF contract administrators and conduits for program information. Specifically, the Program Administrators:

- Issue payments to the independent evaluation contractors on approval of the EEB Evaluation Administrator.
- Provide required program, billing, customer data and any other information needed for the completion of the study.
- Provide other materials as needed.

Figure 4: Project Management



## ii. **Project Completion**

There are no differences in procedures between research area studies and non-research area studies. Program Administrators, the Energy Efficiency Board, DEEP, the EEB Technical Consultants, Vendors, and the general public are not permitted to receive or review any internal draft evaluation reports. When the Review Draft report is ready for release for public review, the EEB Evaluation Administrator provides it to the EEB Executive Secretary who then notifies the Review Draft, posts it to the EEB site and simultaneously provides it to the EEB Board, EEB Technical Consultants and those Program Administrator representatives the PAs have designated as well as to any additional Other Persons who have expressed interest in the evaluation study. All parties are invited to provide comments in writing within two calendar weeks after the Review Draft is noticed. The EEB Evaluation Committee may vote to extend the review period for any particular study.

After the review, comments are considered by the EEB Evaluation Committee and the Evaluation Administrator, and the EEB Evaluation Administrator will do one or more of the following:

- Finalize the report with no additional changes
- Provide written direction to the Contractor on how to incorporate those changes that are needed
- Require a new Review Draft that will be available for review by Program administrators, Board members and/or EEB Technical Consultant and Other Persons.

The Evaluation Administrator will consider all comments and work with the Contractor to finalize the evaluation report. The Evaluation Administrator will then summarize the Final Report and submit that summary with the final report to the EEB Evaluation Committee for their approval.

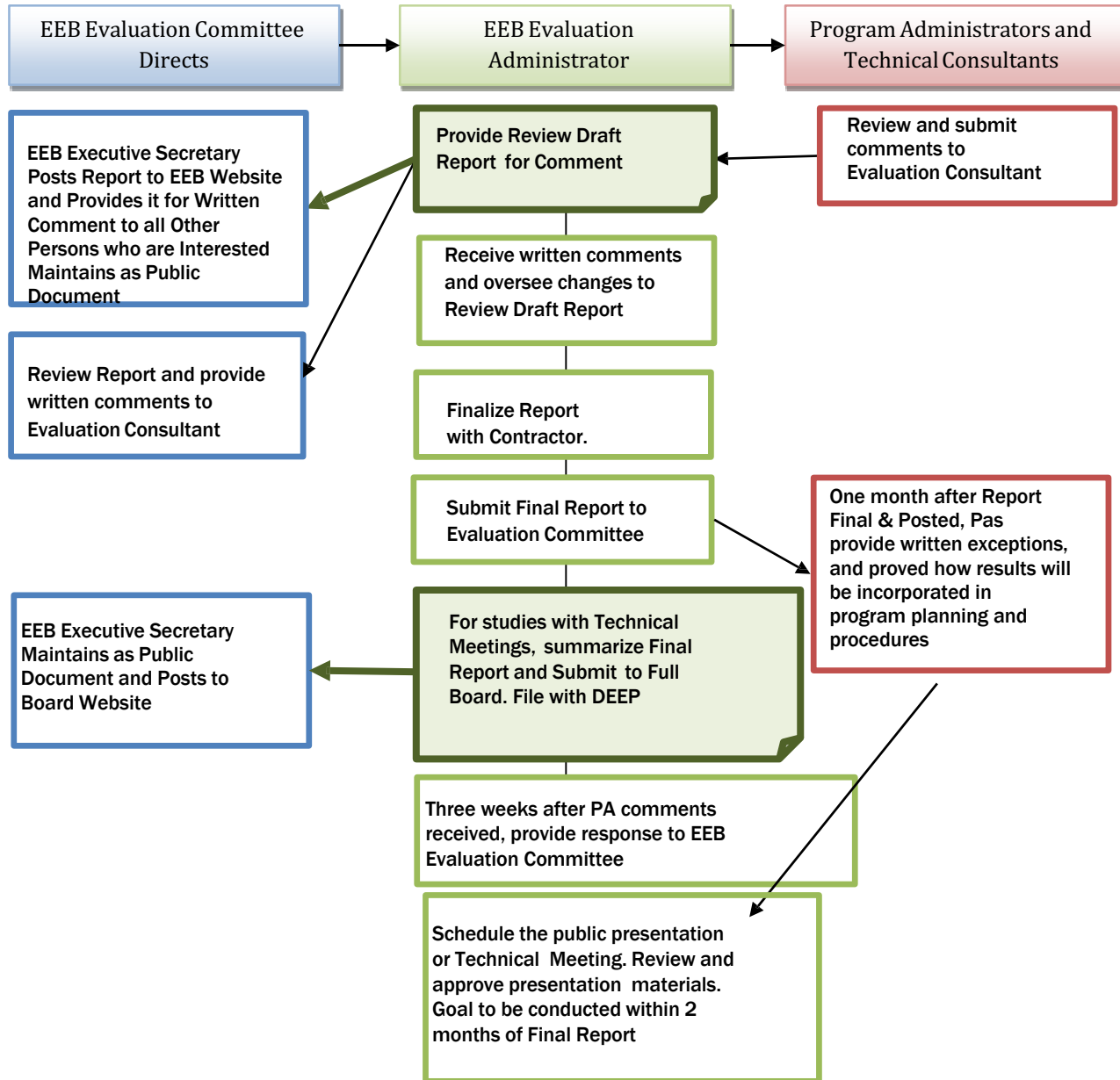
When the Final Report is ready, the Evaluation Administrator, through the EEB Executive Secretary, will file the evaluation report with the Board and with DEEP. The Board shall post a copy of each report on its Internet web site. See Figure 5. The Board and its members, including electric distribution and gas Program Administrator representatives, may file written comments regarding any evaluation with DEEP or for posting on the board's Internet web site.

1. A Technical Meeting will be provided in association with every process and impact evaluation study. Members of the board and/or Program Persons may request in writing, and DEEP shall arrange, for the technical meeting to be recorded or transcribed. For other studies, within two calendar weeks of the filing of any Final evaluation committee report, DEEP, members of the board and/or Program Persons may request in writing, and DEEP shall conduct, a technical meeting to review the methodology, results and recommendations of any evaluation. Members of the board and/or Program Persons may request in writing, and DEEP shall arrange, for such meeting to be recorded or transcribed. Participants in any such transcribed technical meeting shall include the Evaluation Administrator, the evaluation Contractor and the Office of Consumer Counsel (at its discretion).
2. If a technical meeting has not been requested within the two calendar week window, the EEB Evaluation Administrator and Contractor will schedule a public presentation of the final report, which is noticed by the Executive Secretary.
3. Within one calendar month after the Final Report has been filed, the Program Administrators are required to report how they intend to implement each recommendation and how the results will be incorporated into the PSD.
4. Within three calendar weeks after all relevant PA Responses have been filed, the EEB Evaluation Administrator is required to respond in writing to the report and/or to the Program Administrators' response to the recommendations in the report, and within one month thereafter, the EEB Evaluation Committee votes and issues the document.
5. The Evaluation Administrator will be provided with information before the PSD review process is completed or finalized that will allow the Evaluation Administrator to identify whether key evaluation results have been incorporated into the PSD in a timely manner and consistent with the direction of the study recommendations. The Evaluation Administrator will provide a memo to the Evaluation Committee identifying key gaps or any concerns.

Records of all communications during the evaluation, the Review Report and written comments will be kept on file and maintained after the evaluation has been completed. This information shall be available to the public without protective status. Any communications that include confidential customer information will be

released following the guidelines in Section 2 below. The EEB is responsible for maintaining all evaluation products, both interim and final. Neither the third party contractor nor the Program Administrators nor the Evaluation Administrator may release preliminary or final data without prior approval from the EEB Evaluation Committee or its designee.

Figure 5: Project Completion for all Evaluation Committee Studies



## **9. Regional Studies**

The EEB Evaluation Committee may delegate the Evaluation Administrator to represent the EEB Evaluation Committee in all regional evaluation studies, either with the EM&V Forum or with individual Companies and groups of Companies from outside of Connecticut. The EEB Evaluation Administrator will then assume the leadership role for the EEB in all discussions and negotiations among the regional parties involving these evaluation or research studies and bring any substantive issues before the Evaluation Committee. No other entity will hold itself out as representing Connecticut's interests in selecting, reviewing or managing evaluation studies. To the extent applicable and for all regional studies, the EEB Evaluation Administrator and the Program Administrators shall exercise responsibilities in an equivalent fashion as those identified in this document for Evaluation or Research studies as applicable.

## **10. Communications Protocols for Evaluation and Non-Program Evaluation Research Studies**

The purpose of this document is to provide communication procedures for Connecticut Energy Efficiency Fund evaluations in accordance with the provisions of Public Act 11-80. In this section, there are not differences between stand-alone studies and studies conducted through Research Areas.

### **i. Confidential Customer Data**

Processes for protection of confidential customer information are important since substantial quantities of this information are typically exchanged during the course of evaluation studies. Confidential customer data is defined as any personally identifiable customer information, including but not limited to name, account number, telephone number, email address, and service or billing address. The purpose of these procedures is to identify any correspondence that contains confidential customer data. If correspondence that has been identified as containing confidential customer data is requested for public release through a DEEP process, a request from the general public, or any other request, the EEB Evaluation Administrator will submit the document(s) to DEEP for a determination regarding the need for a protective order, redaction, or other methodology to protect the privacy of customers while assuring transparency of the evaluation process.

The following procedures will be employed when dealing with confidential customer data during the evaluation process. The EEB Evaluation Administrator, program administrators, and evaluation contractors will all observe the following for communications between each other:

- All documents that contain confidential customer information must be clearly labeled as such. It is unacceptable for these documents to contain statements that the document “may” contain confidential information. Documents containing confidential customer data must include the word “confidential” or phrase “contains confidential customer information” on every page.
- Email that contains confidential customer information in the body or attachments must use the word “confidential” in the subject line. In addition, any attachments that contain confidential customer information must include the word “confidential” on every page.
- When responding to an email that contains confidential customer information and for which the confidential information is not required for the response, all confidential customer information must be removed. The confidential label must then be removed from the subject line.
- If confidential customer information is transmitted by the one of the program administrators without the labeling described above, that program administrator is solely responsible in the event that information is re-transmitted or otherwise made available to other parties by one of the recipients.

**ii. Communications Concerning Studies that are not Program Evaluations**

The EEB Evaluation Committee has been charged with completing important studies that are not studies evaluating a program’s process or performance. These studies provide information to inform program development. Among them are:

- Market assessment studies
- Studies of customer preferences
- Baseline studies
- Other studies designed to collect and develop information other than that to evaluate program performance

## **1. Determination that a Study is a Program Evaluation or Non-Program Evaluation Study**

Before a study can be considered a non-program evaluation study, the EEB Evaluation Administrator will outline the study's objectives and likely results to the Evaluation Committee which will make any inquiries needed to be satisfied that the study is not a program evaluation. This initial determination is provided as part of the development of the Evaluation Plan, but is revisited upon project start-up. If the Evaluation Committee considers a study to be a program evaluation or cannot reach consensus that the study is not a program evaluation, then the study will be treated in all ways as a program evaluation as outlined in this Roadmap. If anyone, including an Other Person attempts to affect the conduct of the study in order to ensure it produces results it finds favorable, the study will be treated as if it were a program evaluation thereafter.

## **2. Communication Restrictions for Non-Program Evaluation Studies**

There are no restrictions on communications between the Evaluation Committee, EEB Evaluation Administrator, members of the Board, the Board Technical Consultants and Program Administrators at any time during any study. Communication may not be conducted with the Evaluation Contractors (Research Area or individual study), unless approved by the Evaluation Administrator, and may not be conducted without involvement of the Evaluation Administrator.

### **iii. Communications Prior to Program Evaluation Study Inception**

- 1.** When an Evaluation Contractor has not yet been selected for a given program evaluation, there are no restrictions on communications between the Evaluation Administrator, and Program Administrators, EEB Technical Consultants and EEB members. As provided in the Evaluation Roadmap, anyone in these organizations may offer suggestions, information and opinions concerning the focus of studies, issues and methods that might be included in a Request for Proposal or Request for Qualifications, and on the quality of Contractor submissions in response to RFPs. These persons may provide recommendations on which Contractor will be selected, although they have no vote in the final Contractor selection.

During the development of the Annual Evaluation Plan, these Persons may suggest studies to be included in the Plan, provide rankings of study priority, and outline important issues to consider.



Communications prior to study inception will generally be in written form and will be retained. Should meetings or conference calls be needed that include the Evaluation Contractor and any party beyond the Evaluation Administrator, the Evaluation Administrator will take minutes, or the call will be recorded and notes retained.

2. After the Contractor has been selected, the Program Administrators and EEB Technical Consultants may attend the Kick-off meetings (if selected) to better understand the methods that will be employed, ask questions, make suggestions, and provide information on data availability and procedures to access that data.

**iv. Communications During the Program Evaluation Study**

There shall be no informal communications regarding the design or outcomes of an active program evaluation between the Program Administrator staff, Energy Efficiency Board members and the Evaluation Administrator and Contractor. The EEB Evaluation Administrator may continue to consult with the EEB Evaluation Committee or Companies or others for administrative purposes, including issues regarding data requests. EEB Board members, including members of the evaluation committee, shall not communicate directly with an Evaluation Contractor conducting an active evaluation without the Evaluation Administrator being present. Records of all communications during the evaluation, written reviews of the draft report and written comments on the final report shall be kept on file and maintained after the evaluation has been completed. These records, with the exception of documents or emails containing confidential information, shall be made available to members of the public upon request.

To meet these requirements:

- The EEB Evaluation Administrator will initiate requests for technical assistance, data and administrative action to the specific person (Program administrator or their vendor, or EEB Technical Consultant) that holds the data or information to respond to that request whenever needed. The requests will most frequently be made in writing; however, some telephone communication is likely to be needed in order to clarify needs and reduce delays.
- When these requests are made, the entity can respond with the

materials, data, and/or other action required. The entity may also respond with any clarifying questions. Clarifying questions may not include questions regarding the need for the materials, data, and/or action, except to suggest that there may be a superior solution, which the EEB Evaluation Administrator will consider.

- Program Persons will not initiate these discussions.

## **V. Communications with Evaluation Contractors During a Program Evaluation Study**

Determining appropriate Communications protocols between the EEB Evaluation Administrator and the Contractor that performs the program evaluation study versus Program Persons can be difficult. While the Act makes clear that Program Persons generally should not be in direct communication with Contractors, there are times when such communications are important and solutions involving intermediaries inefficient. A careful balance follows:

1. Vendors and other members of the public may never communicate with an Evaluation Contractor
2. Under nearly all circumstances, persons who are not part of the Evaluation Team may not communicate directly with the Contractor, either by phone, in writing, or in person. DEEP, Board members, (including the EEB Evaluation Committee) and Program Administrators' representatives or their vendors, may not communicate with an evaluation contractor about an ongoing evaluation except with the express permission and in the presence of the EEB Evaluation Administrator, which may only be granted if the EEB Evaluation Administrator believes the communication will not compromise the independence of the evaluation.
3. Any allowed communications that can be conducted in writing will be conducted in writing. Those written communications will be sent to the EEB Evaluation Administrator for transmission to the Contractor. Responses will also be transmitted through the EEB Evaluation Administrator.

Exceptions include:

1. As described in Section 1.4.1, the Kick-off meeting is an exception to the written comment requirement, as input comments from attendees are verbal.
2. Communications concerning data collection. When discussions must be made by phone, most often concerning secure data transfer, the EEB Evaluation

Administrator will also be on the phone. In cases where time is of the essence and the EEB Evaluation Administrator cannot be available, if the Evaluation Administrator pre-approves, the Contractor will provide a record of the call, either in writing or by oral recording (with attendee permission) and provide that record to the EEB Evaluation Administrator.

3. Collection of data. Direct data collection on the Program Administrator premises should be avoided or completed through administrative assistants or 3<sup>rd</sup> party vendors (e.g. copying services), whenever possible. However, if the Contractor must copy data in person, Program Administrator administrative staff may assist the Contractor as needed. No personnel that manage or staff the program may be present.
4. Direct communications concerning electronic data transfer to be held between Program Administrator IT personnel and their IT counterparts for the Contractor may be held so long as no other Program Administrator staff that manage or staff the program is participating in the meeting in any way, including as an inactive participant.
5. Contract issues that extend beyond the study start date. Utility purchasing agents may communicate with the Contractor for the purpose of resolving contract issues *that do not in any way affect the study or outcomes*.

Contractors will be fully apprised of these requirements and must agree to adhere to them.

#### **vi. Site Reports in Program Evaluation Studies**

Site Reports may become available (depending on the nature of study) prior to completion of the Draft report. Site Reports provide detailed information on what the Contractor's team found at each of the customer premises inspected during the study. Findings may include things such as differences between tracking system equipment and that found in the facility, logger locations, conditions of operations and more. The site reports reflect the Contractors' collection of data. Because the site reports may contain information that would help the Program Administrators better serve their participants or prevent ongoing problems, it is important that the site reports be provided to the Program Administrators as soon as they are generated. Provision of site reports and response to questions concerning information in a site report will be completed using the protocols described in the "Communications with Evaluation Contractors" section. These reports will contain confidential data and will be treated as such.

1. The EEB Evaluation Administrator will provide site reports to the Program Administrators (each Program Administrator receiving only the reports for its own customers) when all site reports are completed.
2. If the Program Administrators have questions concerning a site report, they will submit those questions in writing to the EEB Evaluation Administrator. The EEB Evaluation Administrator will review the questions submitted and, if appropriate, provide the questions to the Contractor.

**vii. Communications Concerning Program Evaluation Study Results/Review of Draft Materials**

The Companies and Energy Efficiency Board will not be permitted to comment on internal draft evaluation reports. When the report is ready, the Evaluation Committee will issue the report to the Companies, EEB members and the Program Technical Consultants for written comment that shall become part of EEB's public record. At that time, the Companies and the Energy Efficiency Board may make public written comments. The Evaluation Administrator will then make modifications at their discretion then issue either a final report or another draft report."

Records of all written/email communications during the evaluation and regarding the draft report (herein called the "Review Draft") and written comments on the planning and draft reports are kept on electronic file and maintained after the evaluation has been completed. This information is available to the public upon request.