State of California

California Natural Resources Agency

Memorandum

To: Robert B. Weisenmiller, Ph.D, Chair
Karen Douglas, J.D., Commissioner
Andrew McAllister, Commissioner
David Hochschild, Commissioner
Janea A. Scott, Commissioner

Date : July 25, 2013

California Energy Commission
DOCKETED
13-BSTD-02
TN 71829
AUG 13 2013

Cc: Alana Mathews, Public Adviser
Michael Levy, Chief Counsel
George Athans, Athans Enterprises, Inc. (via email)

From: Robert Oglesby, Executive Director
California Energy Commission
1516 Ninth Street
Sacramento CA 95814-5512

Subject: Petition for a Rulemaking on the 2013 Nonresidential Building Energy Efficiency Standards

Mr. George Athans of Athans Enterprises, Inc. submitted a petition for a rulemaking on July 8, 2013. He modified the petition by providing supplemental information on July 18, 2013, to make the petition complete. Mr. Athans provided additional supplemental information on July 22, 2013. Through these documents, Mr. Athans requests that the California Energy Commission initiate a rulemaking proceeding to place a three year moratorium on implementation of the 2013 Nonresidential Building Energy Efficiency Standards as they relate to new buildings only. The three year moratorium would not include the Building Energy Efficiency Standards as they relate to appliances. The proposed three-year moratorium would affect the January 1, 2014 effective date, resulting in an effective date of January 1, 2017.

Mr. Athans, in the alternative, requests a two-year moratorium on the 2013 Nonresidential Building Energy Efficiency Standards.

I have reviewed the petition and the supplemental information and have determined that the documents meet the requirements under California Code of Regulations, title 20, section 1221. Therefore, I certify the petition as complete, and I will instruct staff to schedule the matter for the Commission's consideration at the next Commission business meeting.