

ICC Docket No. 13-0495

**Commonwealth Edison Company's Response to
Illinois Commerce Commission ("STAFF") Data Requests
JLH 1.01 – 1.06**

Date Received: September 10, 2013

Date Served: September 23, 2013

REQUEST NO. JLH 1.02:

Please provide all work papers, analyses, data sets, and other documents used or relied upon in the preparation and presentation of the Commonwealth Edison Company's 2014-2016 Energy Efficiency and Demand Response Plan, ComEd Ex. 1.0 ("Plan"). Please provide documents in their native file format with working formulae intact.

RESPONSE:

Please see the attachments contained in the file folders labeled as JLH 1.02_Attach 01 through JLH 1.02_Attach 11. Due to large file sizes the attachments have been provided on a CD-ROM labeled as 2013CEE 0000007 and two (2) DVDs labeled as 2013CEE 0000008 and 2013CEE 0000009. The CD-ROM contains file folders labeled as JLH 1.02_Attach 01 through JLH 1.02_Attach 09. The file folders labeled as JLH 1.02_Attach 10, JLH 1.02_Attach10A and JLH 1.02_Attach 10B are provided on the DVD labeled as 2013CEE 0000008, and the file folders labeled as JLH 1.02_Attach 10C and JLH 1.02_Attach 11 are located on the DVD labeled as 2013CEE 0000009.

The following table sets forth the program that corresponds with each of the attachments:

Attachment	Program
JLH 1.02_Attach 01	Complete System Replacement Program (CSR)
JLH 1.02_Attach 02	Energy Education Kits Program
JLH 1.02_Attach 03	Multi-Family Home Energy Savings Program
JLH 1.02_Attach 04	MidStream Incentives Lighting Program
JLH 1.02_Attach 05	New Construction Program
JLH 1.02_Attach 06	Residential Lighting Program
JLH 1.02_Attach 07	Residential New Construction Program
JLH 1.02_Attach 08	Single Family Home Energy Savings Program
JLH 1.02_Attach 09	Study-Based Programs
JLH 1.02_Attach 10	Incentive Programs
JLH 1.02_Attach 10A	Batch Custom Programs
JLH 1.02_Attach 10B	Batch Incentive Programs
JLH 1.02_Attach 10C	Batch Standard Programs
JLH 1.02_Attach 11	Appliance Recycling Program

**RESPONSE OF REACT
TO COMED DATA REQUEST REACT 2.09**

ICC DOCKET NO. 13-0495

ComEd → REACT 2.09 With respect to Mr. Fults' statement that "[t]he amount of overhead associated with ComEd's administration of the energy efficiency portfolio is staggering ..." (Fults Dir., pages 13-14, lines 283-84):

- (a) Please explain the basis for such statement and provide any supporting studies, analyses or data concerning such statement.
- (b) Please explain Mr. Fults' experience, if any, in designing, implementing or administering a portfolio of energy efficiency programs.
- (c) Please identify and explain what Mr. Fults believes to be an appropriate level of administrative costs related to an energy efficiency portfolio and provide any supporting studies analyses or data to support his position.

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. REACT also objects to the extent that any quotation is incomplete or is presented out of context. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows.

- (a) Please see Mr. Fults' Direct Testimony at 13:280-17:348.
- (b) Please see Mr. Fults' Resume at REACT Ex. 1.01.
- (c) Mr. Fults' has not formed an opinion regarding the specific level of administrative costs for an overall energy efficiency portfolio.

ICC Docket No. 13-0495

**Commonwealth Edison Company's Response to
The Coalition to Request Equitable Allocation of Costs Together
("REACT") Data Requests
REACT 2.01 – 2.16
Date Received: October 3, 2013
Date Served: October 16, 2013**

REQUEST NO. REACT 2.05:

Please refer to Section 8-103 of the Public Utilities Act.

- a. Has ComEd achieved the statutorily mandated incremental annual energy savings standards set forth in Section 8-103(b) of the Public Utilities Act in Energy Efficiency and Demand Response Plan Years 1 through 6? If ComEd did not achieve such standards in any one Plan Year, please explain fully and in detail why not.
- b. Does ComEd expect to meet the statutorily mandated incremental annual energy savings standards set forth in Section 8-103(b) of the Public Utilities Act in Energy Efficiency and Demand Response Plan Years 7 through 9? Please explain fully and in detail why it expects to meet such standards or why it does not expect to meet such standards.

RESPONSE:

ComEd objects to this request to the extent it seeks to impose obligations not otherwise imposed by applicable law or Commission orders. ComEd further objects to this request to the extent it calls for speculation or seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. Without waiving this objection or any of ComEd's General Objections, ComEd states as follows.

- a. Consistent with Section 8-103 of the Public Utilities Act, ComEd interprets this request to ask whether ComEd has achieved the statutorily-mandated incremental annual energy savings goals set forth in Section 8-103(b) of the Public Utilities Act, as modified by subsections (d) and (e) of Section 8-103 of the Act, and approved by the Commission for Plan Year ("PY") 1 through PY6. In response, ComEd states that, based on the findings of the independent evaluator for Plan Year 1 through Plan Year 4, it has achieved the energy savings goals approved by the Commission in ICC Docket No. 07-0540 and ICC Docket No. 10-0570. While the evaluation results from PY5 are not yet available, ComEd's own estimate shows that it achieved the PY5 energy savings goal approved by the Commission in ICC Docket No. 10-0570. Plan Year 6 is currently underway.
- b. Please see ComEd's 2014-2016 Energy Efficiency and Demand Response Plan, ComEd Ex. 1.0, at 1-2, 4-5, 7-9, 12-13, 16. Please also see the Direct Testimony of Michael S. Brandt, ComEd Ex. 2.0, 5:100-12:241.

ICC Docket No. 13-0495

**Commonwealth Edison Company's Response to
Environmental Law & Policy Center ("ELPC") Data Requests**

ELPC 1.01 – 1.57

Date Received: October 1, 2013

Date Served: October 14, 2013

REQUEST NO. ELPC 1.52:

According to Mike McMahan's presentation before the Illinois Commerce Commission Joint Electricity and Consumer Affairs Policy Committee Meeting on 8/30/13, ComEd expects to deploy at least 2 million AMI meters during the Plan Years of Plan 3 (2014-2017). What is ComEd's vision for how these AMI meters will enable increased customer energy efficiency?

RESPONSE:

ComEd objects to this request to the extent it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket and calls for speculation. ComEd also objects to this request to the extent it seeks to impose obligations not otherwise imposed by applicable law or Commission orders. Without waiving these foregoing objections or any of ComEd's General Objections, ComEd states as follows.

ComEd's AMI deployment is separately governed by Section 16-108.6 of the Public Utilities Act and the proceedings held and orders entered thereunder. In general, while the deployment of AMI meters is still nascent, ComEd expects that the availability of real-time and interval data facilitated by AMI will eventually lead to development and deployment of additional useful energy management tools for customers. ComEd also anticipates that AMI will facilitate commercialization of appliances and controls that can use such data to programmatically modify energy consumption profiles at the end-use level.

ICC Docket No. 13-0495

**Commonwealth Edison Company's Response to
Environmental Law & Policy Center ("ELPC") Data Requests**

ELPC 1.01 – 1.57

Date Received: October 1, 2013

Date Served: October 14, 2013

REQUEST NO. ELPC 1.53:

In reference to the previous question, please explain how ComEd's residential and commercial energy efficiency programs might be enhanced under Plan 3 to incorporate the AMI meter data and functionality and to increase customer energy savings.

RESPONSE:

ComEd fully incorporates herein by references its objections to ELPC 1.52. Without waiving these foregoing objections or any of ComEd's General Objections, ComEd states as follows.

Please see ComEd's Data Request Response to ELPC 1.52. ComEd will monitor marketplace developments vis-à-vis data management tools, AMI-enabled appliances and controllers as part of its Emerging Technologies function, and will explore opportunities for mid-cycle program enhancements as they present themselves.

**RESPONSE OF REACT
TO COMED DATA REQUEST REACT 2.31**

ICC DOCKET NO. 13-0495

ComEd → REACT 2.31 Please explain whether REACT’s proposed Pilot program will provide any assistance to customers for purposes of conducting a request for proposals process to retain contractors or answering questions regarding the implementation of efficiency programs. If “yes”, how will that assistance be provided and funded? If “no”, will Pilot participants be directed to ComEd for assistance?

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows.

Please see REACT Ex. 3.02, which is the revised Proposed Framework for an Electric Self-Direct Energy Efficiency Pilot Program.

**RESPONSE OF REACT
TO COMED DATA REQUEST REACT 2.32**

ICC DOCKET NO. 13-0495

ComEd → REACT 2.32 Please explain fully and in detail whether participants in REACT’s proposed Pilot program will make any contributions to the low-income programs administered by the Department of Commerce and Economic Opportunity? If “yes”, how and when will those contributions be determined? If “no”, why should pilot participants be exempted from contributing to the Department’s low-income programs?

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows.

Please see REACT Ex. 3.02, which is the revised Proposed Framework for an Electric Self-Direct Energy Efficiency Pilot Program.

ICC Docket No. 13-0495

**Commonwealth Edison Company's Response to
The Coalition to Request Equitable Allocation of Costs Together
("REACT") Data Requests
REACT 1.01 – 1.21
Date Received: October 1, 2013
Date Served: October 16, 2013**

REQUEST NO. REACT 1.17:

Please refer to ComEd Ex. 1.0, ComEd's 2014-2016 Energy Efficiency and Demand Response Plan (the "Plan"), at Pages 82-83, wherein ComEd describes its "Large C&I Pilot." The Plan states that "[a]pproved projects must be completed by May 31, 2017. Please describe fully and in detail the basis for the May 31, 2017 completion date, and provide copies of all documents, analyses, studies, calculations, workpapers, and communications used to develop the May 31, 2017 deadline. Please describe fully and in detail what would happen if the approved project is not completed by May 31, 2017.

RESPONSE:

ComEd objects to this request to the extent that it is overly broad, unduly burdensome or calls for a legal conclusion. Without waiving the foregoing objections, or any of ComEd's General Objections, ComEd states as follows.

As an initial matter, ComEd interprets this request to include a missing quotation mark on the third line after "May 31, 2017." Pursuant to Section 8-103 of the Public Utilities Act, the May 31, 2017 date is the last day of Plan Year 9 and of ComEd's 2014-2016 Energy Efficiency and Demand Response Plan (ComEd Ex. 1.0). As such, the projects proposed under this Plan and the energy savings achieved thereunder must be completed by the close of the three-year Plan period.

**RESPONSE OF REACT
TO COMED DATA REQUEST REACT 2.01**

ICC DOCKET NO. 13-0495

ComEd → REACT 2.01

With regard to each of the following statements in the Direct Testimony of Bradley O. Fults (“Fults Dir.”), please identify each of the “customers”, “customer members”, or “users” to whom Mr. Fults refers:

- (a) “The largest customers have paid millions of dollars into the ComEd program, but have had access to those funds stymied by ComEd’s complex, impractical, bureaucratic program design.” (Fults Dir., page 6, lines 114-16)
- (b) “Yet, rather than embracing common-sense solutions to its program, the plan that ComEd has proposed in this docket is, from the perspective of the largest energy users, just more of the same complexity, bureaucracy, and impracticality.” (Fults Dir., page 6, lines 126-29)
- (c) “Unfortunately, the largest customers have not been treated fairly by ComEd.” (Fults Dir., page 8, lines 161-63)
- (d) “While their costs have increased, REACT customer members have faced barriers to accessing the energy efficiency funds that they have paid.” (Fults Dir., page 8, lines 169-70)
- (e) “ComEd’s Energy Efficiency Program is not working for the largest energy users[.]” (Fults Dir., page 9, lines 192-93)
- (f) “ComEd’s unwillingness to create a straightforward, accessible program for the largest users -- an unwillingness that is perpetuated by the ‘more of the same’ program ComEd is proposing in this proceeding -- is consistent with my suspicions about ComEd misaligned incentives and contrary motives.” (Fults Dir., page 13, lines 275-78)
- (g) “The largest customers in Northern Illinois are frustrated ...” (Fults Dir., page 20, line 420)
- (h) “ComEd has not been innovative or aggressive enough in supporting energy efficiency efforts for its largest customers.” (Fults Dir., page 23, lines 503-04)

- (i) “[T]he Large C&I Pilot Program that ComEd is currently proposing is almost certainly doomed to fail, at least for the largest customers -- it is nothing more than a variation on the failed theme of ComEd command and control, which breeds unnecessary bureaucracy and complexity, resulting in nothing except customer frustration and inaction.” (Fulfs Dir., page 33, lines 722-26)

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. REACT also objects to the extent that any quotation is incomplete or is presented out of context. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows.

(a)-(i) The focus of Mr. Fulfs' testimony is the accessibility of ComEd's energy efficiency program to customers in the Extra Large Load Class (referred to in Mr. Fulfs' testimony as the "ELLC" class) and the High Voltage over 10 MW subclass (referred to in Mr. Fulfs' testimony as the "HV Over 10 MW" class). The relevant customer members of REACT are listed on page 1, footnote 1 of Mr. Fulfs' Direct Testimony.

**RESPONSE OF REACT
TO COMED DATA REQUEST REACT 2.02**

ICC DOCKET NO. 13-0495

ComEd → REACT 2.02

With regard to each of the following statements in the Direct Testimony of Bradley O. Fults, please provide all documents, including but not limited to correspondence, that provide support for, or in any way form the basis of, such statement:

- (a) “The largest customers have paid millions of dollars into the ComEd program, but have had access to those funds stymied by ComEd’s complex, impractical, bureaucratic program design.” (Fults Dir., page 6, lines 114-16)
- (b) “Yet, rather than embracing common-sense solutions to its program, the plan that ComEd has proposed in this docket is, from the perspective of the largest energy users, just more of the same complexity, bureaucracy, and impracticality.” (Fults Dir., page 6, lines 126-29)
- (c) “Unfortunately, the largest customers have not been treated fairly by ComEd.” (Fults Dir., page 8, lines 161-63)
- (d) “While their costs have increased, REACT customer members have faced barriers to accessing the energy efficiency funds that they have paid.” (Fults Dir., page 8, lines 169-70)
- (e) “ComEd’s Energy Efficiency Program is not working for the largest energy users[.]” (Fults Dir., page 9, lines 192-93)
- (f) “There is a serious question whether ComEd has appropriate motivations and incentives relating to energy efficiency.” (Fults Dir., page 12, lines 239-40)
- (g) “ComEd’s unwillingness to create a straightforward, accessible program for the largest users -- an unwillingness that is perpetuated by ‘more of the same’ program ComEd is proposing in this proceeding -- is consistent with my suspicions about ComEd misaligned incentives and contrary motives.” (Fults Dir., page 13, lines 275-78)

- (h) “ComEd’s interests similarly are not aligned with those of consumers in the area of energy efficiency.” (Fults Dir., page 19, lines 398-99)
- (i) “The largest customers in Northern Illinois are frustrated ...” (Fults Dir., page 20, line 420)
- (j) “ComEd has not been innovative or aggressive enough in supporting energy efficiency efforts for its largest customers.” (Fults Dir., page 23, lines 503-04)
- (k) “[T]he Large C&I Pilot Program that ComEd is currently proposing is almost certainly doomed to fail, at least for the largest customers -- it is nothing more than a variation on the failed theme of ComEd command and control, which breeds unnecessary bureaucracy and complexity, resulting in nothing except customer frustration and inaction.” (Fults Dir., page 33, lines 722-26)

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. REACT also objects to the extent that any quotation is incomplete or is presented out of context. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows.

(a)-(k) The quoted statements are based on Mr. Fults' regular interactions with multiple representatives of customers in the ELLC and HV Over 10 MW classes in ComEd's service territory since the inception of the ComEd energy efficiency program. In addition to those interactions, documents supporting the statement include documents generated in the course of this proceeding (*see, e.g.*, Direct and Rebuttal Testimony of REACT witness Rick Flowers; Data Request Responses attached to Mr. Fults' Direct and Rebuttal Testimony). Please also see the article cited at REACT Ex. 1.0 at 13:261-62.

**RESPONSE OF REACT
TO COMED DATA REQUEST REACT 2.03**

ICC DOCKET NO. 13-0495

ComEd → REACT 2.03

With regard to each of the following statements in the Direct Testimony of Bradley O. Fults, please describe the substance of any discussions between Mr. Fults and any other person, including but not limited to the “largest customers”, the “largest energy users”, and “REACT customer members” referenced in such statements, that provide support for, or in any way form the basis of, such statement. Please also identify the date of and each party to such discussions.

- (a) “The largest customers have paid millions of dollars into the ComEd program, but have had access to those funds stymied by ComEd’s complex, impractical, bureaucratic program design.” (Fults Dir., page 6, lines 114-16)
- (b) “Yet, rather than embracing common-sense solutions to its program, the plan that ComEd has proposed in this docket is, from the perspective of the largest energy users, just more of the same complexity, bureaucracy, and impracticality.” (Fults Dir., page 6, lines 126-29)
- (c) “Unfortunately, the largest customers have not been treated fairly by ComEd.” (Fults Dir., page 8, lines 161-63)
- (d) “While their costs have increased, REACT customer members have faced barriers to accessing the energy efficiency funds that they have paid.” (Fults Dir., page 8, lines 169-70)
- (e) “ComEd’s Energy Efficiency Program is not working for the largest energy users[.]” (Fults Dir., page 9, lines 192-93)
- (f) “There is a serious question whether ComEd has appropriate motivations and incentives relating to energy efficiency.” (Fults Dir., page 12, lines 239-40)
- (g) “ComEd’s unwillingness to create a straightforward, accessible program for the largest users -- an unwillingness that is perpetuated by ‘more of the same’ program ComEd is proposing in this proceeding -- is consistent with my

suspicious about ComEd misaligned incentives and contrary motives.” (Fulfs Dir., page 13, lines 275-78)

- (h) “ComEd’s interests similarly are not aligned with those of consumers in the area of energy efficiency.” (Fulfs Dir., page 19, lines 398-99)
- (i) “The largest customers in Northern Illinois are frustrated ...” (Fulfs Dir., page 20, line 420)
- (j) “ComEd has not been innovative or aggressive enough in supporting energy efficiency efforts for its largest customers.” (Fulfs Dir., page 23, lines 503-04)
- (k) “[T]he Large C&I Pilot Program that ComEd is currently proposing is almost certainly doomed to fail, at least for the largest customers -- it is nothing more than a variation on the failed theme of ComEd command and control, which breeds unnecessary bureaucracy and complexity, resulting in nothing except customer frustration and inaction.” (Fulfs Dir., page 33, lines 722-26)

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. REACT also objects to the extent that any quotation is incomplete or is presented out of context. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows.

(a)-(k) To the extent that the quoted statements are based upon or supported by any "discussions," they are based on Mr. Fulfs' regular interactions with multiple representatives of customers in the ELLC and HV Over 10 MW classes in ComEd's service territory since the inception of the ComEd energy efficiency program. Mr. Fulfs does not have records of the particular dates or parties to such discussions.

**RESPONSE OF REACT
TO COMED DATA REQUEST REACT 2.04**

ICC DOCKET NO. 13-0495

ComEd → REACT 2.04 Please explain fully and in detail how “ComEd effectively has sidelined the largest customers from participating in its Energy Efficiency Program.” (Fults Dir., page 6, lines 113-14) In addition, please:

- (a) Identify each such “sidelined” customer; and
- (b) Explain how each such customer was “sidelined.”

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. REACT also objects to the extent that any quotation is incomplete or is presented out of context. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows.

- (a) Please see REACT's Response to ComEd REACT 2.01(a).
- (b) Please see the Direct and Rebuttal Testimony of Mr. Fults and the Direct and Rebuttal Testimony of REACT witness Rick Flowers.

**RESPONSE OF REACT
TO ELPC DATA REQUEST REACT 1.6**

ICC DOCKET NO. 13-0495

ELPC → REACT 1.6 In regards to the previous question please specify which REACT member has found which rule confusing and specifically what efforts have been made to obtain clarification from ComEd Key Account Managers or trade allies?

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. REACT also objects to the extent that any quotation is incomplete or is presented out of context. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows:

The Data Request is unclear. The reference to "In regards to the previous question" is presumably to Data Request ELPC REACT 1.5, which asks a question about Mr. Fults' personal understanding of ComEd rules. However, this Data Request then appears to ask about the experience of REACT members.

Further answering, the focus of Mr. Fults' testimony is the accessibility of ComEd's energy efficiency program to customers in the Extra Large Load Class (referred to in Mr. Fults' testimony as the "ELLC" class) and the High Voltage over 10 MW subclass (referred to in Mr. Fults' testimony as the "HV Over 10 MW" class). The relevant customer members of REACT are listed on page 1, footnote 1 of Mr. Fults' Direct Testimony.

Further, the quoted statement in ELPC REACT 1.5 is based upon Mr. Fults' regular interactions with multiple representatives of customers in the ELLC and HV Over 10 MW classes in ComEd's service territory since the inception of the ComEd energy efficiency program. Mr. Fults does not have records of the particular dates or parties to such discussions. Please also see REACT witness Mr. Flowers' testimony (REACT Exs. 2.0 and 4.0).

**RESPONSE OF REACT
TO ELPC DATA REQUEST REACT 1.7**

ICC DOCKET NO. 13-0495

ELPC → REACT 1.7 At p. 21 line 460 of Mr. Fults's direct testimony, he states, "All it takes is a single bad experience for management of an organization to decide that it is not worth even making the initial expenditure to attempt to participate in a program." Please list and describe each bad experience REACT members have had with ComEd's program, including the names of the parties involved, the date of the experience and a description of the experience.

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT also objects to this request to the extent that it seeks information that is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. REACT also objects to the extent that any quotation is incomplete or is presented out of context. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows:

The quoted statement is based upon Mr. Fults' regular interactions with multiple representatives of customers in the ELLC and HV Over 10 MW classes in ComEd's service territory since the inception of the ComEd energy efficiency program. Mr. Fults has not compiled a complete list of bad customer experiences with the ComEd energy efficiency program and does not have records of the particular dates or parties to such discussions, but has no recollection of any customer relating that the experience with ComEd's program was positive. Please also see Mr. Flowers' testimony -- REACT Exs. 2.0 and 4.0.

**RESPONSE OF REACT
TO ELPC DATA REQUEST REACT 1.20**

ICC DOCKET NO. 13-0495

- ELPC → REACT 1.20 Please state each REACT company that Mr. Fults has spoken to, and provide the name of the person he has contacted and that person's job description (if not provided above).
- a) Please provide a summary of each conversation.
 - b) Please provide all notes and e-mails related to these discussions.

RESPONSE:

REACT objects to this request on the grounds that it is vague, overly broad, repetitious, and unduly burdensome. REACT objects to this request on the grounds that it seeks highly confidential, competitively sensitive information that is not relevant and that is not likely to lead to the discovery of relevant, admissible evidence. REACT also objects to this request to the extent it seeks information subject to the attorney-client privilege. Without waiving the foregoing objections and subject to all General Objections, REACT states as follows:

Mr. Fults does not have records of the particular dates or parties to such discussions.

ICC Docket No. 13-0495

**Commonwealth Edison Company's Response to
Environmental Law & Policy Center ("ELPC") Data Requests
ELPC 1.01 – 1.57**

Date Received: October 1, 2013

Date Served: October 11, 2013

REQUEST NO. ELPC 1.23:

At p. 11 of the Plan, ComEd explains that changes to the definition of "Energy Efficiency" in PA 98-0090 allow for inclusion of combined heat and power (CHP) projects in an energy efficiency portfolio. Please explain the extent to which ComEd evaluated CHP for inclusion in their Plan 3 portfolio, the conclusions from the evaluation, and provide all relevant documents.

RESPONSE:

ComEd objects to this request to the extent it is overbroad, unduly burdensome, vague and ambiguous. Without waiving these foregoing objections or any of ComEd's General Objections, ComEd states as follows.

ComEd did not evaluate CHP for inclusion in this Plan. Indeed, PA 98-0090 did not become law until July 15, 2013. Prior to the effective date, ComEd attended a DCEO-sponsored workshop on June 5, 2013 whose topics included CHP. See the attachment labeled as ELPC 1.23_Attach 1 for that workshop agenda.. During this workshop, it became clear that despite the then-proposed legislative change to the definition of "Energy Efficiency", critical policy issues still needed to be addressed. These include:

- 1) Joint delivery of program with natural gas utilities
 - a. Assignment of savings to electric versus natural gas
 - b. Load building benefits to natural gas utilities
- 2) Mitigation of performance and evaluation risk
 - a. High potential free ridership
 - b. Long project implementation lifecycle

Agenda
Illinois Workshop on Combined Heat and Power (CHP)

Sponsored by:
The Illinois Team
National Governors Association Policy Academy on
Enhancing Industry through Energy Efficiency & Combined Heat and Power

June 5th, 2013
8:00 am – 3:00 pm
Crowne Plaza Chicago Metro
733 W Madison Street
Chicago, Illinois 60661

8:00am Registration and
Continental Breakfast

8:45am Welcome Agnes Mrozowski, Illinois DCEO
Eric Heineman, Governor's Office

Key Note and Welcome Dan Seals, Assistant Director, Illinois Department of
Commerce and Economic Opportunity

9:10am Attendee Introductions

9:30am **Session 1: Setting the Stage**
Moderator

Sue Gander, National Governors Assoc.

Industrial EE - The Opportunity Ethan Rogers, ACEEE

CHP/WHP Market Overview and
EEPS Opportunity Bruce Hedman, Institute for Industrial Productivity

Open Discussion

10:30am Break

10:45am **Session 2: Program Design, Implementation and Evaluation (Guided Discussion)**
Moderator

Sue Gander, National Governors Assoc.

Opening Remarks Richard Sedano, Regulatory Assistance Project

Topic 1: Program Design (What are the key needs and questions)

- Electric, Gas, Shared Electric & Gas Funded

- Program Placement: Custom, Advanced Technologies, Separate CHP
- Fitting into 1 Year Budgets and Goals
- Performance Based Incentives
- Controlling Program Costs

Noon: Lunch Key Note Governor Pat Quinn (invited)

1:00pm **Session 2 Continued:**

Topic 2: EM&V

- Gross versus Net
- Free Ridership
- Metering Needs

2:00pm Key Note Anthony Star, Illinois Power Agency

2:25pm **Session 2 Continued:**

Topic 3: Program Implementation

- Calculating Allowable Savings
- Cost Effectiveness (TRC)

3:15pm Summary and Next Steps Sue Gander, National Governors Association
Agnes Mrozowski, Illinois DCEO

3:30pm Adjourn

ICC Docket No. 13-0495

**Commonwealth Edison Company's Response to
Natural Resources Defense Council ("NRDC") Data Requests
NRDC 2.01 – 2.20**

Date Received: September 20, 2013

Date Served: October 3, 2013

REQUEST NO. NRDC 2.16:

On p. 65, starting at line 1405, Mr. Brandt explains that the company is requesting the approval of a "realization rate framework" analogous to the NTG framework in which past evaluation-based realization rates would be deemed until new values were developed and that new values would only applied prospectively.

- a. What is the Company's rationale for such a framework? While there is certainly a risk that realization rates will not be as forecast, isn't that a risk that the Company itself controls since realization rates are often a function of the care taken by Company staff and/or contractors in estimating savings?
- b. Please provide a history of realization rates by program from PY1 through PY5 (or the most recent year for which such rates are available).

RESPONSE:

- a. ComEd objects to this request to the extent it is based upon incorrect assumptions of law or fact or is based on facts that are not in evidence. Without waiving these foregoing objections or any of ComEd's General Objections, ComEd states as follows. In addition to the explanation provided on page 110 of ComEd's 2014-2016 Energy Efficiency and Demand Response Plan (ComEd Ex. 1.0), ComEd notes that its proposal merely seeks a continuation of the realization rate framework approved by the Commission in ICC Docket No. 10-0570, which has been applied during the last three (3) Plan years (Plan Year 4 through Plan Year 6).

Prior to approval of this realization rate framework, the independent evaluator would calculate the realization rate for each program element and apply that rate retrospectively to the program results. Under this approach, the risk associated with the realization rate was unmanageable because ComEd would not find out how the calculated realization rates would impact the program elements until the evaluation report was received 6-12 months after the Plan year had ended. As a result, there was no opportunity for ComEd to respond to the effect of the realization rate because the Plan year was already over.

To address these risks, ComEd proposed in ICC Docket No. 10-0570 a framework under which the realization rate would only apply prospectively. In other words, the newly calculated realization rates would not apply until the start of the next Plan year. This would provide ComEd with time to modify the program, or possibly the entire portfolio, if a dramatic shift in the realization rate occurs. For new program elements, the planning realization rate would be assumed until a realization rate is calculated, which would again

be applied prospectively at the start of the next Plan year (i.e., the next June 1st). The Commission approved this framework “with the following exception—Components of realization rates that are within the control of ComEd (E.g., data entry errors or custom engineering calculations) will not be deemed. Components of realization rates over which ComEd has no control shall be deemed as part of the deemed measure savings (e.g., in-service rates for CFLs).” *Commonwealth Edison Co.*, ICC Docket No. 10-0570, at 48-49 (Dec. 22, 2010). It is this framework, previously approved by the Commission, that ComEd requests again be approved in this docket for the same reasons.

- b. ComEd objects to this request because Plan Year 1 through Plan Year 5 are outside the scope of ComEd’s 2014-2016 Energy Efficiency and Demand Response Plan (“Plan 3”) at issue in this proceeding, and the information requested for these Plan Years is neither relevant nor likely to lead to the discovery of admissible evidence in this docket. Please see the attachment labeled as NRDC 2.16_Attach 1. The attachment file provides three (3) worksheets – the first worksheet, “RR Summary” contains PY1-PY4 realization rates, the second worksheet, “PY4 Deemed RR”, contains the PY4 filed realization rates, and the final worksheet, PY5 Deemed RR”, contains the PY5 filed realization rates.

Realization Rate (Ratio of Research Findings Gross to Ex-Ante Gross Savings)

Program	PY1	PY2	PY3	PY4
ES Lighting	70%	74%	71%	68%
Fridge Recycling	75%	73%	75%	85%
Freezer Recycling	59%	73%	65%	75%
Multi-Family	90%	77%	128%	91%
Single Family		107%	83%	107%
CACES		33%	103%	104%
Home Energy Report			NA	NA
Clothes Washer Rebates				149%
Joint Elementary Education				100%
Complete System Replacement				60%
Standard	133%	121%	101%	104%
Custom	79%	85%	85%	80%
Mid-Stream Incentives (BILD)			110%	139%
Retro Commissioning	90%	91%	95%	91%
Small C&I Intro Kit	20%			
New Construction		85%	100%	88%
Industrial Systems/Compressed Air				75%
Small Business				86%
Data Centers				80%

ComEd Deemed Parameters - PY4

Program	Measure Description	Gross Savings Parameter		
		Type	Value	Source
Res Lighting	Standard bulbs	RR	0.73	Category level; Table 3-14
	Specialty bulbs	RR	0.80	Category level; Table 3-14
	Fixtures	RR	0.89	Category level; Table 3-14
	All bulbs; fixtures	Delta Watts	varies by bulb	Calculate with Lumen Equivalence methodology; Table 3-14
	All bulbs- residential use	HOU	2.74	Average HOU PY3 Logger study
	Fixtures	HOU	2.57	PY3 lighting logger indoor HOU
Appliance Recycling	Refrigerators	RR	0.87	PY2 AR report; Table E-3
	Freezers	RR	0.89	PY2 AR report; Table E-3
	Window AC Units	RR	1.0	PY2 AR report; Table E-3 - no part use adjustment
Multi-Family	CFLs	RR	0.96	CFL RR; Table E-2
	CFLs	HOU	2.57	PY3 lighting logger indoor HOU
	Water measures (electric DHW)	RR	0.67	Other Measure RR; Table E-2
Single Family	CFLs	RR	0.97	CFL RR; Table E-0-3
	CFLs	HOU	2.57	PY3 lighting logger indoor HOU
	Water measures (electric DHW)	RR	0.84	Other Measure RR; Table E-0-3
CACES	Tune-up Measures	RR	NA	Savings based on formula
	Quality Installation Measures	RR	NA	Savings based on billing analysis
Prescriptive	Standard Measure Savings	RR	1.00	Individual measures updated to reflect PY2 evaluation -resulting RR's set to 1.0
Custom	All Measures	RR	NA	Custom realization rates not eligible for deeming at this time
Retro-Commissioning	Project Level	RR	NA	Retro-Commissioning RR not eligible for deeming at this time
C&I New Construction	Systems Track Projects	RR	0.85	Only Systems Track projects evaluated in PY2
	Comprehensive & Small Bus Track	RR	NA	
Compressed Air	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Midstream Incentives	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Small Business DI	Prescriptive based measures	RR	1.00	Some measures deemed per Prescriptive Program ⁽²⁾
	All Other Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Energy Efficiency RFI	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Home Energy Report	All Savings	RR	NA	New Program - realization rates not eligible for deeming at this time
Appliance Rebate	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Res. New Construction	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time

(1) Table References are to Program Year 2 ("PY2") Individual Program Evaluation Reports

ComEd Deemed Parameters - PY5

Program	Measure Description	Gross Savings Parameter		
		Type	Value	Source
Res Lighting	Standard bulbs	ISR		TRM Based ISR
	Specialty bulbs	ISR		TRM Based ISR
	Fixtures	RR	0.87	Category level; Lighting Table 3-23
	Fixtures	HOU/day	2.57	PY3 Logger study; & PY3 Table 3-17
Appliance Recycling	Refrigerators	RR	0.90	PY3 AR report; Table E-3
	Freezers	RR	0.75	PY3 AR report; Table E-3
	Window AC Units	RR	1.00	PY3 AR report; Table E-3 - no part use adjustment
Multi-Family	CFLs	ISR		TRM Based ISR
	Water measures (electric DHW)	RR	NA	RR not consistent w/ model changes
Single Family	CFLs	ISR		TRM Based ISR
	Hot water Heater Turndown	kWh/home	188	SF Rpt. Table ES-9
	Weatherization Measures	RR	NA	New Models in use -not evaluated
	Water measures (electric DHW)	RR	0.73	Wtd Avg. Measure RR; SF Table ES-3
CACES	Tune-up Measures	RR	NA	Program being sunset - no parameters to be deemed
	Quality Installation Measures	RR	NA	
Home Energy Report	All Savings	RR	NA	New Program - realization rates not eligible for deeming at this time
Clothes Washer/ Appliance	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Joint Elementary Energy	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Joint Complete System	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Residential New Construction	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Prescriptive	Standard Measure Savings	RR	NA	RR's set to 1.0 ⁽³⁾
Custom	All Measures	RR	NA	Custom realization rates not eligible for deeming at this time
Retro-Commissioning	Project Level	RR	NA	Retro-Commissioning RR not eligible for deeming at this time
C&I New Construction	Systems Track Projects	RR	0.997	System Track NTG; Table E-3
	Comprehensive & Small Bus Track	RR	NA	ComEd will not deem PY3 value as not being representative
Industrial Systems	Compressed Air	RR	NA	New Program - realization rates not eligible for deeming at this time
	Process Heating	RR	NA	
	Refrigeration	RR	NA	
Midstream Incentives	CFLs	RR	NA	ComEd will not deem PY3 value as not being representative
	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Small Business DI	Prescriptive based measures	RR	NA	Some measures deemed per Prescriptive Program ⁽³⁾
	All Other Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Energy Efficiency RFI	All Measures	RR	NA	Program being sunset - no parameters to be deemed
Data Centers	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Commercial Real Estate	All Measures	RR	NA	New Program - realization rates not eligible for deeming at this time
Third Party Administration	All Programs	RR	NA	New Program - realization rates not eligible for deeming at this time

(1) Table References are to Program Year 3 ("PY3") Individual Program Evaluation Reports