Local Government Energy Reporting: 2020 Updates and Newly Developed Resources

January 12, 2020

North Central Texas Council of Government (NCTCOG) South-central Partnership for Energy Efficiency as a Resource (SPEER) State Energy Conservation Office (SECO)







Who We Are

How do we support energy management efforts for entities across the state?



NCTCOG is a regional planning agency serving North Texas local governments on a variety of topics.

NCTCOG's Regional Energy Manager project is an ongoing effort to identify energy management needs, increase awareness to the local government energy reporting requirements, and provide resources to assist local governments in energy conservation efforts



SECO partners with local governments, public K-12 schools, public institutions of higher education and state agencies, across Texas to reduce utility costs and maximize energy efficiencies.



SPEER's Local Governments Program support city energy management by facilitating sharing of best practices in energy efficiency, while strengthening relationships among local governments through the City Efficiency Leadership Council (CELC).

Agenda

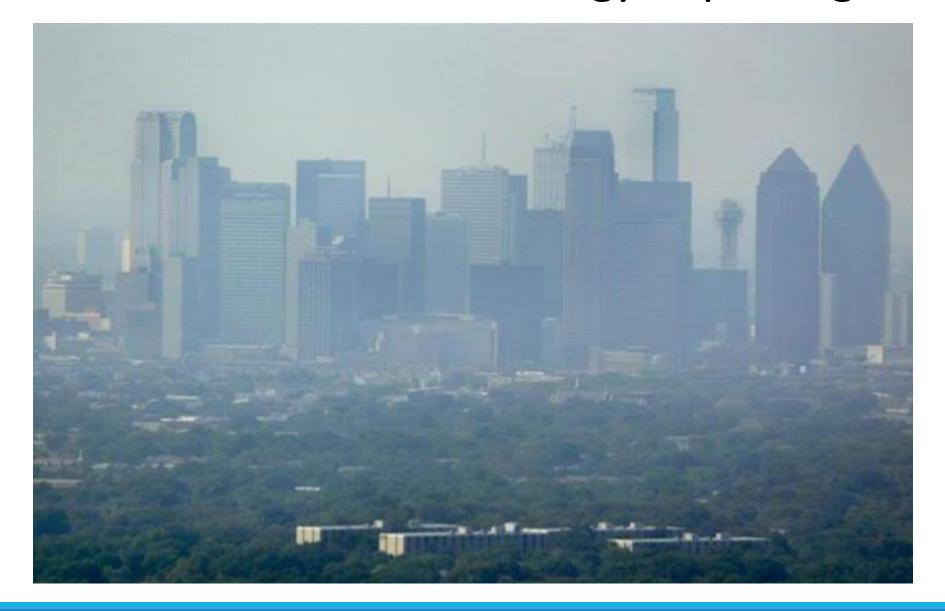
- Who are we?
- Why does the requirement exist?
- What is the requirement?
- History and Impact
- Outreach and Improvements
- 2020 Local Government Energy Reporting (LGER) Form and Reporting
- LGER Frequently Asked Questions
- NCTCOG LGER Resources
- SECO Resources
- Key Dates and Reminders
- Q&A



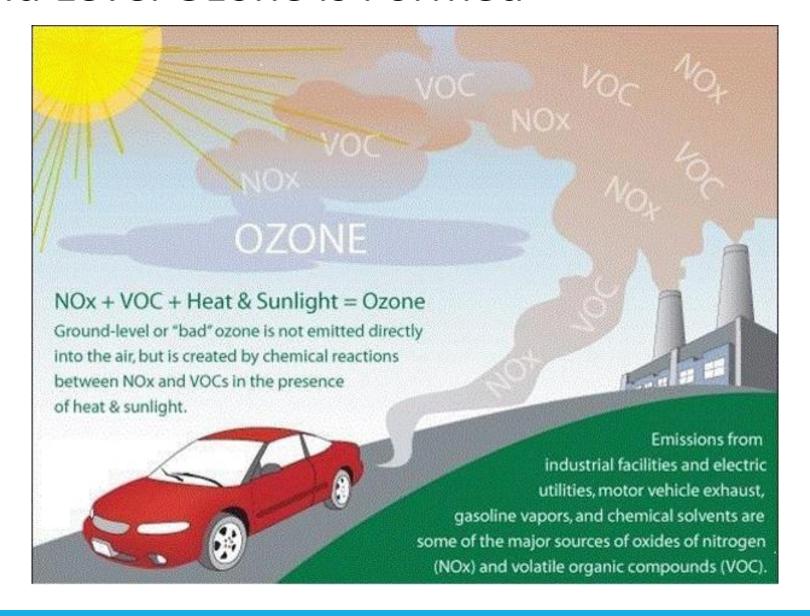




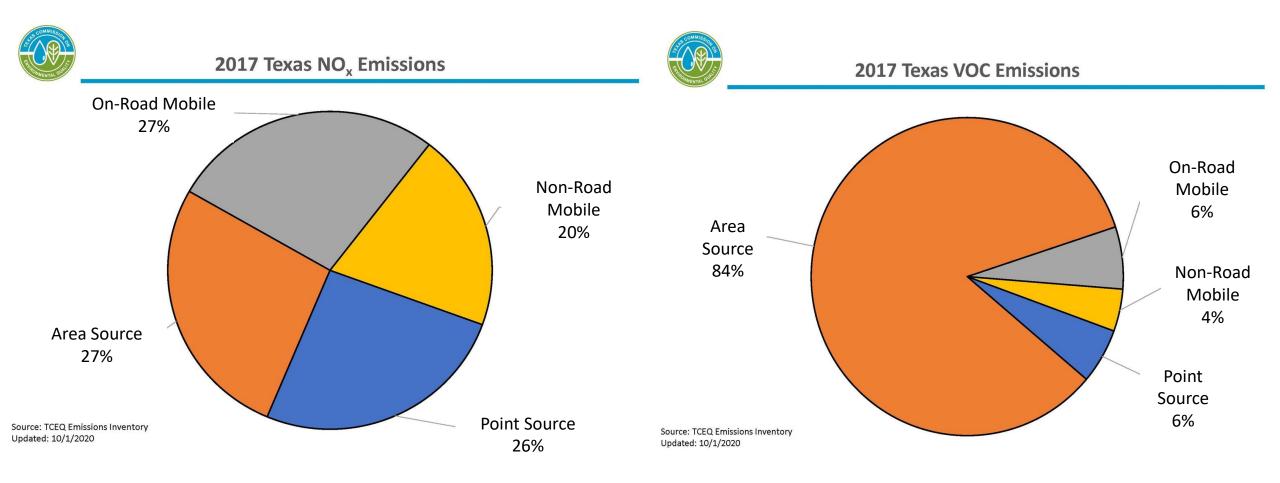
Why Does Local Government Energy Reporting Exist?



How Ground Level Ozone is Formed



Sources of Air Pollutant Emissions in Texas



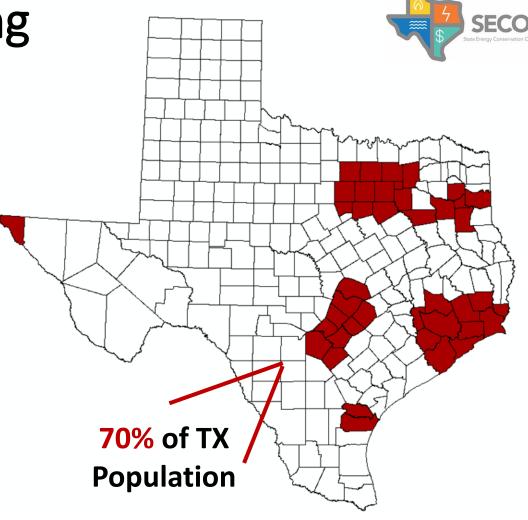
26% of NOx and 6% of VOC emissions are from point sources which includes electricity generation plants

Section 388.005 Texas Health and Safety Code:

Purpose: Aid efforts to attain federal air quality standards by reducing demand for **electricity generation**

Who Reports: Political subdivisions, institutes of higher education or state agencies in 41 "affected counties" in Texas.* Political subdivisions include cities, counties, water districts, and other local government entities.

Requirements: Establish a goal of reducing electric consumption by at least 5% each state fiscal year for 7 years beginning September 1, 2019 and submit an annual report to SECO regarding the progress and efforts to meet the reduction goal



*Bastrop, Bexar, Brazoria, Caldwell, Chambers, Collin, Comal, Dallas, Denton, El Paso, Ellis, Fort Bend, Galveston, Gregg, Guadalupe, Hardin, Harris, Harrison, Hays, Henderson, Hood, Hunt, Jefferson, Johnson, Kaufman, Liberty, Montgomery, Nueces, Orange, Parker, Rockwall, Rusk, San Patricio, Smith, Tarrant, Travis, Upshur, Waller, Williamson, Wilson and Wise (Texas Administrative Code, Title 30, §114.629)

History and Background

2001

This requirement, introduced in the 77th
Legislative Session by
Senate Bill 5 (SB5), was established to reduce air emissions associated with electricity consumption in ozone non-attainment or near non-attainment counties

2007

The 80th Legislature passed <u>SB12</u> extended for entities to establish a goal to reduce electric consumption by 5% out to 2011

2011

In the 82nd Legislature, the passage of <u>SB898</u> signified the continuance of establishing an energy reduction goal out to 2021. Allowed for exemption certification requests

2019

SB241 passed in the 86th
Legislature set 2019 as the baseline year for establishing a 5% reduction goal and extended the timeline for local governments to establish a goal to reduce electric consumption out to 2026

For full history, visit SECO's "History of Legislation for Public Sector Energy Reporting" webpage.



Impact of Local Government Energy Reporting

Local Government Energy Reporting Forms Submitted to SECO

Data Processed And Reported to the Texas A&M Energy Systems Laboratory (ESL)

ESL estimates Total NO_X Reductions and Submits to Texas Commission on Environmental Quality (TCEQ)

TCEQ Includes in the Texas Emissions Reduction Plan (TERP) Biennial Report to the Texas Legislature 1.3

Tons per day NO_X Reduced in 2018

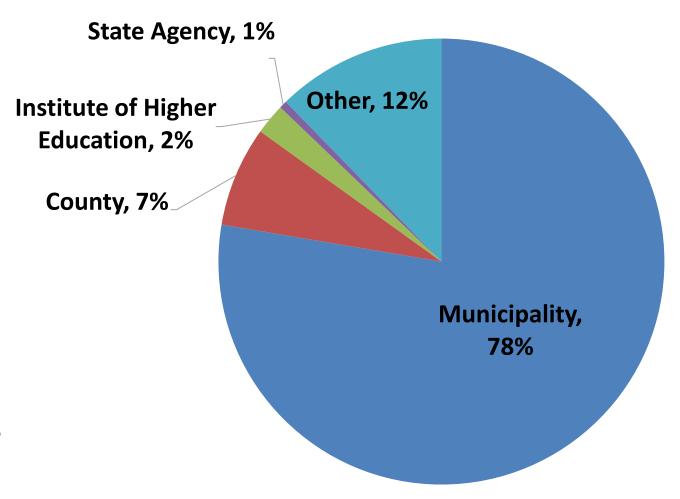
2019 Local Government Energy Report Summary

Who Reported?

The reporting requirements apply to each political subdivision, institution of higher education and state agency facility located in the 41 "affected counties" in Texas.

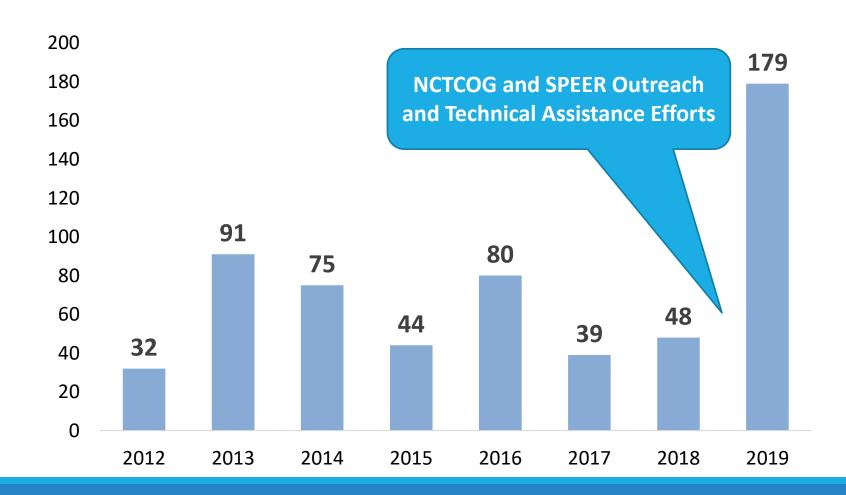
A "political subdivision" is defined as "an affected county; or any political subdivision in a nonattainment area or in an affected county other than:

- (i) a school district; or
- (ii) a district as defined by Section 36.001 or 49.001, Water Code, that had a total annual electricity expense of less than \$200,000 in the previous fiscal year of the district."



Energy Reporting Statistics Over Time

Number of Local Government Energy Reports Submitted from 2012 to 2019



Reporting Technical Working Group

The Reporting Technical Working Group met April – July 2020 to assess the Local Government Energy Reporting process, share feedback from LGER Working Group and other reporting entities, identify process improvements, and develop 2020 reporting form







- Administrator of reporting for the State
- Develops reporting form and process
- Determines procedures per HSH Sec. 388.005
- Outreach to affected entities about reporting requirements
- Provides technical assistance and develops resources
- Collects feedback about reporting process and challenges
- Liaison between reporting entities and SECO



- Evaluation and quantification of submitted data
- Technical guidance
- Reporting to TCEQ

NCTCOG/SPEER Outreach and Support (2018 - 2020)

2018

Assessment of existing reporting process, and known barriers and opportunities

- Identification of approximately 550 affected municipalities and counties
- Cultivation and consolidation of contact lists

2019

- Coordinated outreach in Q1 to alert affected entities of requirement and resources
- Interviews to assess reporting challenges and needs
- SPEER Performance Contracting White Paper
- NCTCOG Energy Management Best Practices Case Studies
- 2019 online form development and launch
- Direct outreach and support for 2019 report submission

2020

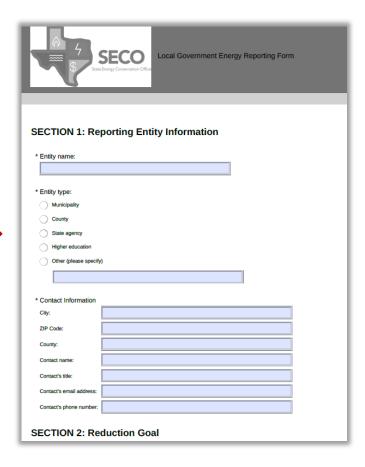
- NCTCOG LGER Working Group
- Reporting Technical Working Group
- Contact cultivation and updating
- SPEER Local Government Energy Reporting FAQ
- NCTCOG Local Government Energy
 Reporting Best Practices White Paper
- 2020 online form development and launch
- Direct outreach and support for 2020 reporting

Evolution of the Local Government Energy Reporting Form

2011 - 2018



2019



2020





Note: All entries below designated with an asterisk (*) are required entries. All other entries are optional and may be left blank or entered "n/a".

How to save your progress on this form:

- The user must resume/complete their survey using the same computer they started preparing the form.
- The user cannot clear their browser cookies while the form is being prepared or the user will lose the prior entered information.
- Progress is saved every time a "Next" button is clicked to go to a new page.
- To retrieve your data after the survey has been submitted, use the same link you used to go to this survey and your data will be available.
- If you would like to change your responses after submitting the survey, return to the survey at any time, edit your responses, and re-submit.

Note: Incomplete forms are saved to a cookie in the user's browser, which remains until the cookies are cleared in the browser. Since cookies are local to a specific device, the user must resume/complete their survey using the same computer. Clearing your cookies will remove saved form data. (It will not remove submitted results).

2020 Local Government Reporting Form

Report Sections

- 1. Reporting Entity Information
- 2. Reduction Goal
- 3. Calendar Year of Report
- 4. Consumption Data
- 5. Renewable Energy Data (Optional)
- 6. Use and Interest in SECO Assistance Resources
- 7. Areas of Improvement & Resources
- 8. Additional Feedback
- 9. Progress Toward Goal

Sections 1, 2, 3, 6, 7, 9 and portions of Section 4 of the Local Government / State Agency Energy Report must be completed by all reporting entities. Section 5: Renewable Energy Data is optional.

Let's Report!

Local Government Energy Reporting Frequently Asked Questions

- Developed by SPEER using feedback and interviews with reporting entities
- Covers general questions and section-bysection guidance
- Specific to 2020 reporting, to be updated for 2021 reporting

Download Here!

Local Government / State Agency Energy Reporting Frequently Asked Questions

November 19, 2020



Prepared for the State Energy Conservation Office by The South-central Partnership for Energy Efficiency as a Resource (SPEER)

Does my political subdivision's electricity consumption reduction goal have to be formally adopted by its governing body?

Formal adoption is recommended

Texas Health and Safety Code §388.005, requires "each political subdivision, institution of higher education, or state agency shall establish a goal to reduce the electric consumption by the entity by at least five percent each state fiscal year for seven years, beginning September 1, 2019." It is recommended that the goal is formally adopted through ordinance by the governing body of the reporting political subdivision. Official adoption helps ensure leadership and decision makers of the political subdivision provide support for electricity consumption reduction goals. However, unofficial or departmental goals are acceptable compliance options to meet the requirements of Texas Health and Safety Code §388.005.

What electricity consumption should be included in the reported consumption data?

Report any and all electricity consumption for which the subdivision pays the utility bill and controls the use of the electricity.

The subdivision controls the use of electricity if it determines when the building is in use and can turn lighting, HVAC, or other systems on and off.

If the political subdivision rents or leases building space and pays the electricity bill, include electricity consumption for that space. If the subdivision leases space out to a tenant and the tenant pays the electricity bill, do not include electricity consumption for that leased out space. If the subdivision pays the bill on behalf of the tenant and charges the tenant back for utility costs, do not include electricity consumption for that leased out space.

Where can I find my electricity consumption data?

The source of electricity consumption data depends your location in Texas and the provider of your utilities. There are many ways to access annual energy consumption information without manually consolidating data from utility bills.

Calling the customer service number on your electricity bill might be your best first step.

Sources for utility data

- Smart Meter Texas
- Retail Energy Providers (REPs)
- Transmission and Distribution Utilities (TDUs)
- Other utilities operating in Texas
- Third Party Service Providers and Energy Services Companies (ESCOs)

What electricity end-uses should I include in each category?

Buildings (mandatory)

- All electricity consumption associated with the operation and supporting functions of buildings or portions of buildings.
- Sport, park, site and parking lot lighting associated with a building meter
- Electric vehicle charging stations that cannot be isolated from building meter

Traffic Lights and Street Lights

- Electricity consumption for traffic lights and streetlight owned only by the political subdivision
- o If streetlights are utility-owned, do not include in report.

• Potable Water Facilities and Wastewater Treatment Plants

- Electricity consumption associated with pumping and treating water for potable water supplies or wastewater that is owned and/or controlled by the reporting political subdivision.
- Electricity consumed in office or support buildings at potable water facilities or wastewater treatment plants should be included in the building's consumption total.

• Electric Vehicles (EVs) and EV Charging Stations

- The form does not require reporting of electricity consumed by battery-electric and plug-in hybrid electric vehicles, only numbers of vehicles owned by the political subdivision.
- Report electricity consumed by electric vehicle charging stations that is paid for by the political subdivision and is sub-metered or on a separate meter from a building meter.
- Other: Consumption that does not fit into other categories, provide explanation in Section 8

What if I can't break out consumption by category?

• Focus on determining the total electricity consumption as well as isolating electricity consumption and square footage of buildings.

My political subdivision is very small and consumes very little electricity. Do we have to report?

My political subdivision has filed for an exemption in the past, do I have to report?

Short Answer - Yes

- There is no minimum size requirement in Texas Health and Safety Code §388.005
- Small organizations may have "completed all cost-effective measures to reduce electricity consumption" and may qualify to apply for an exemption for future reports.
- But, Local Government Energy Reporting requirements were reauthorized by the 86th Legislature and 2019 electricity consumption is the new baseline for reporting. Therefore, prior exemptions are no longer active and must be reestablished

To claim an exemption, your organization must:

- 1. Have submitted the local government energy report the previous calendar year; and
- 2. Have fallen short of the 5% reduction in electricity consumption relative to the previous calendar year; and
- 3. Completed an assessment within the last 12 months that all cost-effective measures to reduce electricity consumption have already been implemented. Cost-effectiveness should be determined according to the parameters of Local Government Code 302.004(b).

What is the definition of "cost-effective measures to reduce electricity consumption"?

Texas Health and Safety Code §388.005(b) states "Each political subdivision, institution of higher education, or state agency shall implement all energy efficiency measures that meet the standards established for a contract for energy conservation measures under Section 302.004(b), Local Government Code, in order to reduce electricity consumption by the existing facilities of the entity."

Local Government Code §302.004 is understood to stipulate that energy conservation measures shall result in energy and water cost savings, achieved during the lesser of 20 years from the final date of installation or the average useful life of the energy conservation measures, that are equal to or greater than the cost of the energy conservation measure plus any financing costs.

In other words, the energy conservation measure should pay for itself within its useful life or 20 years.

Can I access my Local Government / State Agency Energy Reports from previous years?

YES!

2019 Local Government / State Agency Energy Reports were be emailed to the point of contact identified on the 2019 report in December 2020.

If you did not receive this email, or would like to access reports from years before 2019, please contact the following contacts (depending on your geographic region):

- Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise
 counties: North Central Texas Council of Governments, energy@nctcog.org
- All other counties: SPEER, Cassidy Ellis, cities@eepartnership.org, 512-279-0765
- All reporting political subdivisions statewide: Fred Yebra, seco.reporting@cpa.texas.gov, 512-475-0753

NCTCOG Local Government Energy Reporting



Whitepaper

Resources

Texas' Mandated Local
Government Energy
Reduction Goal - Challenges
and Best Practices

Case Study

<u>Development of an Energy</u> <u>Management Plan for Tarrant</u> Regional Water District **Case Study**

The City of Lewisville's
Energy Consumption
Reduction



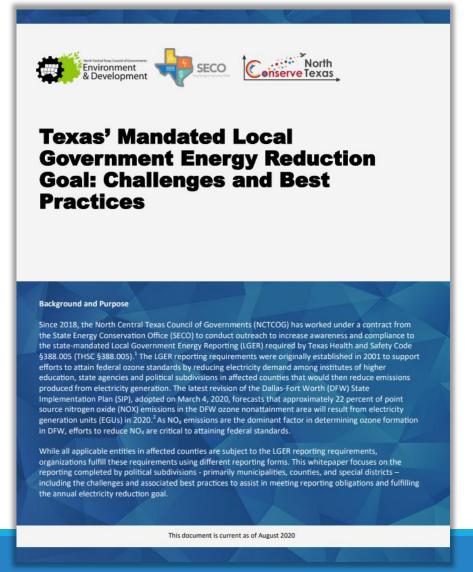
All Resources can be Accessed via www.conservenorthtexas.org

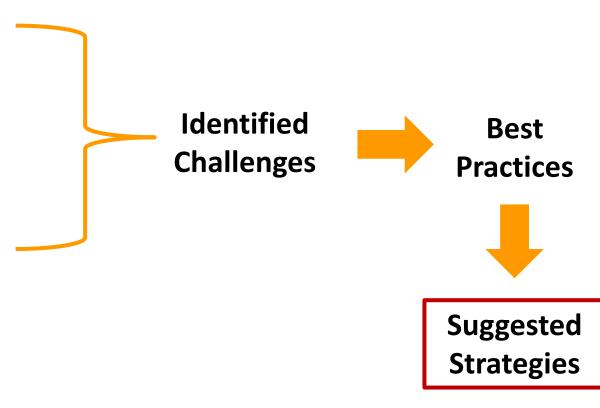


Local Government Energy Reporting Toolkit

Texas' Mandated Local Government Energy Reduction Goal - Challenges and Best Practices







Download Whitepaper: http://conservenorthtexas.org/case-studies/nctcog-whitepaper-texas%E2%80%99-mandated-local-government-energy-reduction-goal-challenges-and

NCTCOG Local Government Energy Reporting Working Group



The Local Government Energy Reporting Working Group met March – June 2020 to "identify any barriers preventing local government compliance to the state mandated energy reporting requirements and potential opportunities to improve the effectiveness of the requirement."

Identified Challenges	Best Practices
Adequate Resources to	Create and Foster Interdepartmental Collaboration/Communication
Complete Required Reporting	Leverage Other Institutional Priorities to Gain Management Buy-In
Falling Short of 5% Reduction	Complete the Full LGER Annual Report, Including Optional Data, Notes and Comments, to Provide a Holistic Picture of Entity's Energy Use
Goal	Adoption and Enforcement of Latest and Greatest Building Codes
	Use the Required Square Footage Data to Assess An Energy Use Index (EUI)
	26

Energy Efficiency Reporting Requirements in Texas



Matrix serves as a guide for entities on the various state mandated energy reporting requirements

Government Code §2265

*Applies to all governmental entities in Texas

Entities must post <u>utility</u>
consumption data to an
accessible internet website

Energy Efficience	y Reporting Requirements in Texas		
Entity	Applicable Program/Statute	Required Deliverable(s)	Reporting Exemption?
All Governmental Entities	Statewide Transparency - Recording and Reporting Electricity, Water, and Natural Gas Consumption Government Code §2265 Effective: 09/01/2007 Texas Administrative Code Rule §19.1	Each shall post consumption and spending information for the metered amount of electricity, water, or natural gas consumed for which it is responsible to pay on a publicly accessible Internet website. Each state agency or institute of higher education shall also submit utility consumption data to SECO. Due: October 31 (annually)	N/A
Political subdivision, institution of higher education, or state agency	In Affected Counties as defined by Texas Health and Safety Code §386.001 Local Government Energy Reporting Health and Safety Code §388.005 Established by Senate Bill (SB) 5 (77R) in 2001 and amended by SB241 (86R) in 2019 Effective: 09/01/2019	Each shall implement all cost-effective energy efficiency measures. Definition of cost-effective is defined in Local Government Code \$302.004(b). According to SB898 (82R) each shall establish a goal to reduce electric consumption by 5 percent per year beginning in 2011. SB898 (82R) was amended in 2019 by SB241 (86R) requiring each entity to reduce electric consumption by 5 percent per year for seven years beginning in 2019. Each entity shall report to SECO annual electricity consumption and progress toward meet the 5 percent energy reduction goal in the previous calendar year, using an online standard reporting form. DUE: February 1 (annually) to reflect electricity consumption during the preceding calendar year (January to December) Report Linked on SECO Local Government Energy Reporting Page	Entities are required to submit a report to SECO every year but are exempt from demonstrating the 5 percent annual reduction requirement if they submit evidence that no additional energy reduction measures were cost effective to implement.

Source: "Energy Efficiency Reporting Requirements in Texas", http://conservenorthtexas.org/item/local-government-energy-reporting-toolkit

SECO Resources

No-cost resources offered by SECO to aid entities in achieving their energy management or efficiency goals





City Efficiency Leadership Council

- Peer-to-Peer networking
- Information about new resources



Technical Assistance

- Preliminary Energy Assessment (PEAs)
- Analysis of current systems, O&M programs
- Energy Management Policy development
- Funding options
- Prioritized project planning



WattWatchers of Texas

- Behavioral program for schools and families
- TEKS aligned STEM material



Local Government Energy Reporting

 Technical assistance for Statemandated energy efficiency and reporting



LoanSTAR

- 2% (1% for ARRA funds)
- 10 year payback (15% for >50 HVAC)
- Open enrollment deadline –
 8/31/21

Preliminary Energy Assessments (PEAs)



Preliminary Energy Assessments (PEAs) are provided by the State Energy Conservation Office (SECO) and offer cost effective resource efficiency measures entities can implement to decrease energy consumption at no cost to you!

- Help guide the development of an energy management policy
- Provides facility benchmarking using ENERGY STAR Portfolio Manager
- Recommended maintenance procedures
- Develop efficiency level guidelines for equipment purchases

Preliminary Energy Assessment Service Request Form Form# 50-852		6	SECO State Energy Conservation Office
Public Entity Name		Telephone	
Contact Person		Title	
Email Address		County	
Street Address	City	State	ZIP Code
Mailing Address	City	State	ZIP Code
Preliminary Energy Assessment Service Eligibility			
The State Energy Conservation Office (SECO) provides free prelimin ture. Eligible entities include municipal and county governments, publ water authorities and municipally owned utilities. Leased or rented fac	ic school districts, county hos	pitals, port authorities	s, major airports, public
Principles of Agreement			
By submitting this request form, the entity listed above must agree to:			
 select a contact person to work with SECO and its designated energy efficiency goals; 	contractor to establish an ener	rgy policy and set reali	stic
 allow SECO's designated contractor to provide walk-through as 	sessments of selected facilities	es;	
 schedule a time for SECO's designated contractor to make a pr 	esentation on the assessment	findings to key decision	on-makers;
 consider implementing the PEA's energy savings recommendation 	ons; and		
 allow SECO to post portions of this report on its website 			
Additional Questions			
Has this organization used SECO's technical assistance or PEA service	es in the past?	Yes No	
Is the primary contact for this PEA familiar with SECO's LoanSTAR	•	Yes No	
Has this organization used SECO's LoanSTAR revolving loan program		Yes No	
Simustone			
Signature			
This agreement must be signed by your organization's chief executive	officer or other signing author	ority.	
Signature		Date	
Print Name		Title	
TT NO. PRINTER		nde	
Submit completed forms to SECO at Margaret. Garcia@cpa.texas.gov			
or by mail to: State Energy Conservation Office Attn: Margaret Garcia 111 E. 17th Street Austin, TX 78711-1440			

SECO No-Cost Technical Assistance

Through this program SECO contracts with engineering firms to provide customized, onsite, energy-related services ranging from basic consultation to feasibility studies.



Eligible entities may request assistance with either **energy** or **water**-related technical matters.

Upon determination that the requested services are reasonable and within the contractors' scope of work, SECO will assign an engineer to contact the entity officials to determine the level of service necessary to provide assistance.

For more information, visit SECO's Technical Assistance <u>webpage</u>.

Form# 50-855		SECO State Energy Conservation Of
Public Entity Name		Telephone
Contact Person		Title
Email Address		County
Street Address	City	State ZIP Code
Mailing Address	City	State ZIP Code
Technical Assistance Eligibility The State Energy Conservation Office (SECO) provides free technclude municipal and county governments, public school districts		
municipally owned utilities. Leased or rented facilities and infrast	ructure are not eligible for	
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municipally owned utilities. Leased or rented facilities and infrast	e to:	his service.
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LoanSTAR Revolving Loan

Finances Projects that Reduce Energy/Water/Utility Costs

- Simple Payback Period of 15 Years or Less
- 2% Loan Interest Rate; 1% if Choose ARRA Funds with More Reporting



- Maximum \$8 Million Loan Per Application
- Maximum 3 Loans per Entity

For more information visit <u>SECOs webpage</u>





https://www.youtube.com/watch?v=4IFuj_5ZeGI

Key Dates and Reminders



Local Government Energy Reporting Deadline





Revised from Fiscal Year to Calendar Year Reporting



Minimum Required Data Points Include

- ✓ Reporting Timeframe (e.g., Calendar Year 2020)
- ✓ Annual Electricity Consumption in Kilowatt Hours (kWh)
- ✓ Gross Square Footage of All Entity Owned Buildings/Facilities

Appendix

SECO Local Government Energy Reporting webpage:

https://comptroller.texas.gov/programs/seco/reporting/local-gov.php

Full Statute Language - Texas Health and Safety Code §388.005:

• https://statutes.capitol.texas.gov/Docs/HS/htm/HS.388.htm#388.005

SPEER Local Government / State Agency Energy Reporting FAQ

• https://eepartnership.org/wp-content/uploads/2020/12/Local-Government-Energy-Reporting-Frequently-Asked-Questions FINAL.pdf

Rule Establishing "affected counties" - Texas Administrative Code, Title 30, §114.629:

• https://texreg.sos.state.tx.us/public/readtac\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_ploc=&pg=1&p_tac=&ti=30&pt=1&ch=114&rl=629

Definition of "cost effective" - Local Government Code §302.004 -

https://statutes.capitol.texas.gov/Docs/LG/htm/LG.302.htm#302.004



FOR MORE INFORMATION

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