

# EXISTING BUILDING COMMISSIONING PROGRAM

## PROGRAM REQUIREMENTS

### 1 PROGRAM DESCRIPTION

The Save on Energy – Existing Building Commissioning ("EBCx") Program (the "Program") provides incentives to Participants to hire a Commissioning Provider to commission an existing Facility.

EBCx refers to an intensive quality assurance process that ensures an existing Facility is optimized to operate as intended and that building staff are prepared to operate and maintain its systems and equipment. EBCx is carried out through a combination of site visits, system inspections, measurement and testing of equipment, and the analysis of all collected data. Based on this, the Commissioning Provider identifies recommended Energy Conservation Measures ("ECMs"), and works with the Participant to implement such ECMs, which may include a combination of operational, maintenance and behavioural changes.

This Program does not provide incentives for Lighting Projects or Process Load ECMs, Behind the Meter Generation Projects, Fuel Switching and Measures Funded Under Other Incentive Programs.

Prospective Participants in the Program must retain a Commissioning Provider to make an Application to the Program. If the Application is approved by the IESO, the prospective Participant must then enter into a Participant Agreement to participate in the Program. The Program has 3 phases:

- Investigation Phase
- Implementation Phase
- Persistence Phase

Each phase will require the Commissioning Provider to develop a report (which the Participant will submit) documenting the activities and results achieved during that phase. The Commissioning Provider's report for each phase will be approved by the IESO in accordance with the EBCx Minimum Phase Report Requirements.

**BOMA Enspire Program Participants:** A participant that has successfully completed the 'Audits and Analysis' offering under the BOMA Enspire Program (a "**BOMA Enspire Participant**") may be eligible

to apply for the EBCx Program. To be eligible to apply to the EBCx Program, a BOMA Enspire Participant must submit an application through a Commissioning Provider, meet all EBCx Program eligibility criteria and submit a copy of their approved BOMA Enspire Audit Report from the BOMA Enspire Program. A BOMA Enspire Participant is only eligible for the Implementation Incentive and Persistence Incentive and is not eligible for an Investigation Incentive under the EBCx Program. Except as may otherwise be set out in the EBCx Program Requirements, the Program Requirements apply to a BOMA Enspire Participant.

## **2 PARTICIPANT INCENTIVES**

The Participant Incentive is comprised of three components – an Investigation Incentive, an Implementation Incentive, and a Persistence Incentive. All incentives are calculated through templates described in the EBCx Minimum Phase Report Requirements.

The Investigation Incentive is based on a per square foot rate, to support hiring the Commissioning Provider to investigate and recommend ECMs at the existing Facility.

The Implementation Incentive is based on the achievement of Confirmed Energy Savings through the implementation of ECMs based on the recommendations made by the Commissioning Provider, calculated after the completion of the Implementation Phase.

The Persistence Incentive is based on the achievement of Confirmed Persisting Energy Savings through the implementation of ECMs based on the recommendations of the Commissioning Provider, calculated 12-months after the completion of the Implementation Phase.

A Participant that was a BOMA Enspire Participant is only eligible for the Implementation Incentive and the Persistence Incentive.

### **2.1 INVESTIGATION INCENTIVE**

The Investigation Incentive is up to \$0.06 per square foot of the Building Area, to a maximum of \$50,000 per Facility. The Investigation Incentive amount shall not exceed 75% of the costs paid by the Participant to the Commissioning Provider (or other third party service provider).

### **2.2 IMPLEMENTATION INCENTIVE**

The Implementation Incentive is \$0.03 per kWh of Confirmed Energy Savings, to a maximum of 30% of Facility kWh calculated per the Baseline Model or \$50,000, whichever is less.

### **2.3 PERSISTENCE INCENTIVE**

The Persistence Incentive is \$0.03 per kWh of Confirmed Persisting Energy Savings, to a maximum of 30% of Facility kWh calculated per the Baseline Model or \$50,000, whichever is less.

## **3 PROGRAM ELIGIBILITY CRITERIA**

### **3.1 PARTICIPANT ELIGIBILITY**

The Participant must meet the following eligibility criteria:

- a) be an electricity customer with one or more Facilities connected to (or behind the meter of an electricity customer connected to) the IESO-Controlled Grid or a Distribution System;
- b) not be insolvent; and
- c) execute a Participant Agreement with the IESO.

In addition to satisfying the eligibility criteria in section 3.1(a) to (c), a Participant that was a BOMA Enspire Participant must have completed the 'Audits and Analysis' offering under the BOMA Enspire Program and received and submitted to the EBCx Program their approved BOMA Enspire Audit Report for the same existing Facility that is the subject of an Application under the EBCx Program.

### **3.2 FACILITY ELIGIBILITY**

To be an eligible Facility, the proposed Facility must:

- a) have a minimum of 12 months of consecutive energy data in a form acceptable to the IESO;
- b) have consumed a minimum of 750,000 kWh per annum, which is not attributable to Process Loads;
- c) have a Baseline Model that meets the minimum standards set out in the M&V Guide;
- d) not have undertaken a recommissioning exercise in the last 2 years; and
- e) not be participating in a Building Certification Program that requires existing building commissioning as a pre-requisite.

### **3.3 MEASURES ELIGIBILITY**

ECMs that are recommended by the Commissioning Provider and agreed to by the Participant through the Investigation Report are subject to Technical Review by the IESO. ECMs that qualify for incentives under this Program include, but are not limited to:

- Occupant behavioral measures
- Set point and scheduling optimization
- Air and water balancing

- Other operational and maintenance changes
- Equipment repair

The Participants may identify and implement additional ECMs not identified in the Investigation Report or BOMA Enspire Audit Report, as the case may be, during the Implementation Phase. The Commissioning Provider and Participant will document any ECMs that are undertaken while the Facility is enrolled in the Program in the Implementation Report, as required in the EBCx Minimum Phase Report Requirements and M&V Guide. For certainty, any ECMs are subject to the more detailed requirements set out in the M&V Guide. Any additional ECMs identified and implemented during the Persistence Phase will not qualify for an incentive and will trigger a Baseline Adjustment.

Ineligible ECMs do not qualify for incentives and will trigger a Baseline Adjustment. The following ECMs are ineligible for incentives under this Program:

- Lighting Projects;
- Process Load ECMs;
- Behind the Meter Generation Projects;
- Fuel Switching; and
- Measures Funded Under Other Incentive Programs

### **3.4 ELIGIBLE COSTS**

The actual costs claimed in respect of the services provided by a Commissioning Provider (or other third party service provider) must be evidenced by an invoice issued to the Participant by the Commissioning Provider (or other third party service provider), and any other supporting documentation that may be requested by the IESO.

The actual costs claimed in respect of the Investigation Phase must:

- (a) be reasonably incurred and payable by the Participant to a Commissioning Provider (or other third party service provider) who is retained to inspect the Facility's systems that consume energy, including functional testing, air and water flow measurements, building automation system (BAS) inspections and metering and analytics;
- (b) be evidenced by invoices or receipts;
- (c) be comprised of the following:
  - (i) costs of inspections and testing required;
  - (ii) costs of analysis and ECM design as applicable; or

- (iii) costs of project management; and

(d) not include any of the following:

- (i) the Participant's internal costs;
- (ii) financing costs;
- (iii) insurance costs;
- (iv) costs for equipment or appliances permanently affixed to the Facility;
- (v) costs of the purchase or lease of hand or power tools;
- (vi) HST; or
- (vii) third party contributions.

## **4 PARTICIPANT AGREEMENTS**

### **4.1 REQUIREMENT FOR PARTICIPANT AGREEMENT**

Each Participant will be required to enter into a Participant Agreement with the IESO. To the extent of any conflict between these Program Requirements and an executed Participant Agreement, the terms of the executed Participant Agreement will prevail.

### **4.2 COMMISSIONING PROVIDER PARTICIPATION AGREEMENT**

Only Commissioning Providers who are listed on the Qualified Commissioning Providers List and who have signed, and remain in compliance with, the Commissioning Provider Participation Agreement, are eligible to deliver the commissioning services under this Program.

Participants may check the Qualified Commissioning Providers List at any time on the Save On Energy website at [SaveONenergy.ca/EBCx](https://SaveONenergy.ca/EBCx).

## **5 PROGRAM SPECIFIC DEFINITIONS**

The following terms have the meaning stated below when used in these EBCx Program Requirements:

**Application** means a complete application (including all supporting documentation) for funding under the EBCx Program, which is in the form specified by the IESO on the Save on Energy website and executed by the Participant.

**Baseline Adjustment** means a change to the Baseline Model necessitated by an adjustment made pursuant to Section 3.3 above, or per the M&V Guide.

**Baseline Model** means the Facility-specific model with inputs of at least 12 months of energy use and weather data. It is used to predict the electricity consumption and peak demand of a Facility over a set period of time in the absence of the implementation of ECMs.

**Baseline Period** means a minimum consecutive period of at least 12 months that is used to establish a Baseline Model that is representative of the Facility's energy use prior to implementation of any ECMs.

**Behind the Meter Generation Projects** means any electricity generating equipment installed or operating at the Facility following the commencement of the Baseline Period, in which case a Baseline Adjustment is required.

**BOMA Enspire Audit Report** means the completed investigation report that is approved through the BOMA Enspire Program and subsequently submitted by the Participant as part of an Application to the EBCx Program, provided that it satisfies the EBCx Minimum Phase Report Requirements. For the avoidance of doubt, in respect of a BOMA Enspire Participant that applies to participate in the EBCx Program, the submitted BOMA Enspire Audit Report will stand in place of the Investigation Report, and a separate Investigation Report is not required to be submitted.

**BOMA Enspire Program** means the program offered by Building Owners and Managers Association Canada Inc. (BOMA) and supported by Natural Resources Canada (NRCan), designed to advance energy efficiency and promote low-carbon building operations within the commercial real estate sector.

**BOMA Enspire Participant** is defined in Section 1 above.

**Building Area** means the gross floor area of a Facility that is heated and cooled, and excludes above grade or below grade parking garage areas.

**Building Certification Program** means a rating or benchmarking system which provides a combination of tools, methods, and metrics that are used to assess a building's performance from an energy, sustainability, and environmental perspective.

**Claimed Energy Savings** means the Energy Savings reported by the Commissioning Provider in the Implementation Report, in accordance with the M&V Guide.

**Claimed Peak Demand Savings** means the Peak Demand Savings reported by the Commissioning Provider in the Implementation Report, in accordance with the M&V Guide.

**Claimed Persisting Energy Savings** means the Energy Savings reported by the Commissioning Provider in the Persistence Report, in accordance with the M&V Guide.

**Claimed Persisting Peak Demand Savings** means the Peak Demand Savings reported by the Commissioning Provider in the Persistence Report, in accordance with the M&V Guide.

**Commissioning Provider** means the third-party corporation, partnership or sole proprietorship that is listed on the Qualified Commissioning Providers List to deliver services in the EBCx Program. The IESO verifies the Commissioning Provider meets minimal technical competencies, and ensures they are trained on the operation of the EBCx Program, but the IESO does not specifically endorse or recommend any Commissioning Provider. The Participant must enter into a contract with the Commissioning Provider and IESO is not party to that contract or liable for any non performance or damages which may occur.

**Commissioning Provider Participation Agreement** is an agreement between the IESO and each Commissioning Provider outlining roles and responsibilities in connection with the delivery of the commissioning services under this Program. The current version of this agreement may be found at [saveONenergy.ca/ebcx](http://saveONenergy.ca/ebcx).

**Confirmed Energy Savings** means the Energy Savings reported by the Commissioning Provider and confirmed by the IESO at the end of the Implementation Phase, in accordance with the M&V Guide.

**Confirmed Persisting Energy Savings** means the Energy Savings reported by the Commissioning Provider and confirmed by the IESO at the end of the Persistence Phase, in accordance with the M&V Guide.

**Distribution System** means a system connected to the IESO-Controlled Grid for distributing electricity at voltages of 50 kV or less, and includes any structures, equipment or other thing used for that purpose.

**Energy Conservation Measure or ECM** means an action taken which is intended to reduce electricity consumption at a Facility.

**Energy Savings** means the reduction in modeled annualized electrical energy consumption (in kWh) resulting from the implementation of ECMs at a Facility, calculated in accordance with the M&V Guide.

**EBCx Minimum Phase Report Requirements** means the set of minimum requirements to be met in the preparation and content of the Investigation Report, the Implementation Report, and the Persistence Report, in the form made available by the IESO, as updated from time to time.

**Facility or Facilities** means the buildings, premises or lands, or part thereof, owned or occupied by a Participant and in respect of which such Participant is participating in the Program.

**Fuel Switching** means any electricity load or end use which is converted to use some other fuel or source following the commencement of the Baseline Period, in which case a Baseline Adjustment is required.

**Implementation Phase** means the second phase of the Program, during which ECMs are implemented at the Facility, which phase is not to exceed eighteen (18) months from the date of the IESO's approval of the Investigation Report, or the date of the IESO's acceptance of BOMA Enspire Audit Report, as the case may be.

**Implementation Report** means the report prepared by the Commissioning Provider, in accordance with the EBCx Minimum Phase Report Requirements or the Participant's approved BOMA Enspire Audit Report, submitted by the Participant to the IESO for Technical Review and approval, which: (a) describes the ECMs that have been implemented at the Facility; (b) includes an updated version of the M&V Plan included with the Investigation Report or the BOMA Enspire Audit Report, as the case may be, if any; (c) sets out the Claimed Energy Savings and Claimed Peak Demand Savings; and (d) includes confirmation from the Commissioning Provider that the Participant has been trained on the proper use of the implemented ECMs and provided with a copy of the Implementation Report and any other documentation necessary to maintain the ECMs during the Persistence Phase.

**IESO** means the Independent Electricity System Operator in the province of Ontario, or its authorized agent. For clarity, the Commissioning Provider is not the IESO's authorized agent.

**IESO-Controlled Grid** has the meaning given to it in the IESO Market Rules.

**IESO Market Rules** means the rules made under section 32 of the *Electricity Act, 1998* (Ontario), together with all market manuals, policies and guidelines issued by the IESO or its successor.

**Investigation Phase** means the first phase of the Program, during which the Commissioning Provider and Participant conduct energy baseline exercises, inspect the Facility, identify potential ECMs, and plan for the Implementation Phase.

**Investigation Report** means the report prepared by the Commissioning Provider, in accordance with the EBCx Minimum Phase Report Requirements, and submitted by the Participant, to the IESO for Technical Review and approval, which: (a) documents the existing conditions of the Facility; and (b) includes a list of ECM opportunities and energy savings estimates for each such opportunity, an implementation plan and the initial M&V Plan, if required by the M&V Guide. Following approval of this report, IESO will pay the eligible Investigation Incentive in accordance with Section 2 above.

**Lighting Projects** means the addition or replacement of any lamps or lighting fixtures, which measures are not eligible for incentives under this Program. For certainty, measures that consist of adding, modifying or replacing any lighting controls devices are not considered to be Lighting Projects for the purposes of this Program and are eligible ECMs under this Program.

**Measurement & Verification or M&V** means the process of planning, measuring, collecting and analyzing data for the purpose of verifying and reporting Energy Savings within a Facility resulting from the implementation of ECMs.

**Measures Funded Under Other Incentive Programs** means any activities or measures funded through a different program or initiative designed to incentivize electricity savings and/or Peak Demand Savings undertaken by the Government of Ontario or the IESO.

**M&V Plan** means the document prepared by the Commissioning Provider and agreed to by the

Participant that specifies the approach to Measurement & Verification. For this Program, M&V Plan requirements are contained in the M&V Guide.

**M& V Guide** means the document containing the procedures for Measurement & Verification applicable to this Program and made available at [SaveOnEnergy.ca/EBCx](https://SaveOnEnergy.ca/EBCx).

**Participant** means, in respect of the Program, a person who meets the eligibility requirements in Section 3.1, whose Application has been accepted by the IESO, and who has entered into a Participant Agreement to be eligible to receive a Participant Incentive.

**Participant Agreement** means, in respect of the Program, any one or more agreements or terms and conditions that an eligible person entitled to receive a Participant Incentive must enter into or agree to be bound by in order to participate in the Program or to receive such Participant Incentive.

**Participant Incentive** means, in respect of the Program, one or more financial incentives paid or payable to the Participant pursuant to these Program Requirements and includes the Investigation Incentive, the Implementation Incentive and the Persistence Incentive, as described in Section 2 above.

**Peak Demand Savings** means the average load reduction in electricity demand between the business case and the energy efficient case occurring between 3 p.m. to 9 p.m. on Business Days, June 1 through September 30 at the Participant's Facility.

**Persistence Phase** means the third and final phase of the Program, comprising of the 12-month period following the Implementation Phase, during which the Participant will maintain the ECMs, and apply the training and instructions provided by the Commissioning Provider.

**Persistence Report** means the report prepared by the Commissioning Provider, in accordance with the EBCx Minimum Phase Report Requirements, and submitted by the Participant, to the IESO for Technical Review and approval, which: (a) documents the results of the Program activities of the Participant and the Commissioning Provider during the Persistence Phase (including maintenance of the ECMs); and (b) sets out the Claimed Persisting Energy Savings and Claimed Persisting Peak Demand Savings. Following approval of this report, IESO will pay the eligible Persistence Incentive in accordance with Section 2 above.

**Process Loads** means any systems, equipment and components used in the manufacturing of goods, conveyance or transportation.

**Program Requirements** means the terms and conditions contained herein governing the Program and any other terms and conditions governing the Program published on the Program Website, as may be amended from time to time.

**Program Website** means the IESO's Save On Energy website at <https://SaveONenergy.ca/ebcx>.

**Qualified Commissioning Providers List** means the list maintained by the IESO of the names of

Commissioning Providers that are qualified to deliver the commissioning services under this Program. Organizations seeking to be on this list must apply to the IESO and enter into and comply with the terms in the Commissioning Provider Participation Agreement. Participants must work with an organization on this list to qualify for Participant Incentives.

**Technical Review** means the process undertaken by the IESO to review and confirm the reports submitted to the Program. Through this process, the IESO may request further information to confirm eligibility and technical accuracy, and/or to verify the reporting of Energy Savings and Peak Demand Savings, and the accuracy of incentive calculations.