Legal Authorities for UESC
General UESC Authority

• 42 U.S.C. § 8256(c) – Incentives for Agencies
  Agencies may accept any financial incentive, goods, or services generally available from any utility
• GSA recognizes financing as an authorized incentive
• Guarantee: Savings v. Performance
Department of Defense Authority

• DoD has independent authority for UESC, found at 10 USC §2913

• Key features
  – DoD facilities may enter into agreements with gas or electric utilities to design and implement cost-effective demand and conservation incentive programs
    • Includes energy management services, facilities alterations and installation/maintenance of energy saving devices and technologies
  – Title to energy-savings devices must vest in US
    • Vesting may occur during/at end of agreement