



U.S. Department of Energy

Energy Efficiency and Renewable Energy

Bringing you a prosperous future where energy is clean, abundant, reliable, and affordable

FUPWVG: Breaking down the barriers

TOPIC:

Agency Retention of Utility Rebates

A few slides to stimulate discussion



10 USC 2913

- Energy savings contracts and activities
 - Encourages participation in gas or electric utility programs for the management of energy demand or for energy conservation
 - Accept financial incentives, goods and services generally available from the utility



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Energy Efficiency Funds & Demand Response Programs

Energy Efficiency Programs:

- 1) Public purpose programs:
 - Administered by utilities, state agencies or other third parties
 - Paid for by utility ratepayers (System Benefits Charge)
- 2) Utility programs administered by the local utility and paid for by utility ratepayers through their burdened rates

Demand Response Programs/Load Management: Programs which provide incentives to curtail demand and reduce load during peak periods in response to system reliability or market conditions



DOE Legal Opinion on Rebates

- In the case of utility rebates, the rebates are essentially discounted prices for utility services and constitute refunds to the Federal Government . . . Rebates can be issued directly to DOE.



42 USCA s 8256

- **Retention of energy and water savings**

An agency may retain any funds appropriated to that agency for energy expenditures, water expenditures, or wastewater treatment expenditures, at buildings subject to the requirements of section 8253(a) and (b) of this title, that are not made because of energy savings or water savings. Except as otherwise provided by law, such funds may be used only for energy efficiency, water conservation, or unconventional and renewable energy resources projects. (added by EPACT 2005)



42 USCA s 8256

- 2007 Amendment struck out this former language:

An amount equal to fifty percent of the energy and water cost savings realized by an agency (other than DOD) with respect to funds appropriated for any fiscal year beginning after fiscal year 1992 (including financial benefits resulting from energy savings performance contracts under subchapter VII of this chapter and utility energy efficiency rebates) shall, subject to appropriation, remain available for expenditure by such agency for additional energy efficiency measures which may include related employee incentive programs, particularly at those facilities at which energy savings were achieved.



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Lots of Handouts

Including:

- Draft guidance: “Use of Private Sector Financing, Rebates and incentives in achieving federal energy and water efficiency goals”
- Draft guidance: “Calculating and validating funds available for retention in accordance with section 102(f) of EPACK 2005”
- DOD Financial Management Regulation (Feb. 1999)



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Questions for you:

- What barriers to retention of utility rebates and incentives have you encountered?



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Questions for you:

- What solutions can you suggest?