

State of New Jersey  
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Lt. Governor Sheila Y. Oliver



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Board of Public Utilities



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Mary-Anna Holden  
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Bob Gordon  
Commissioners

## NOTICE<sup>1</sup>

### STAKEHOLDER MEETING

#### IN THE MATTER OF THE IMPLEMENTATION OF P.L. 2018, c.17 ENERGY AND WATER BENCHMARKING OF COMMERCIAL BUILDINGS

Docket No. [QO21071023](#)

Pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., the New Jersey Board of Public Utilities (“NJBP” or “Board”) hereby gives notice and invites all interested parties and members of the public to participate in a Stakeholder Meeting to discuss the New Jersey 2021 Building Energy and Water Benchmarking [Straw Proposal](#).

#### STAKEHOLDER MEETING

**DATE:** January 6, 2022  
**TIME:** 10:00 a.m.  
**LOCATION:** Zoom Virtual Webinar  
[https://us06web.zoom.us/webinar/register/WN\\_gCseYR9IRIKV9A\\_HqplREw](https://us06web.zoom.us/webinar/register/WN_gCseYR9IRIKV9A_HqplREw)

**Please note that the meeting will be conducted via Zoom. You must register for the meeting before attending via the link provided above.** After registering, you will receive a confirmation email containing information on how to join the webinar as well as system requirements. We encourage stakeholders to check their systems ahead of the meeting.

Any interested party who would like to speak at the Stakeholder Meeting should indicate so on the Zoom registration page. This meeting will be recorded and the recording will be made publicly available on the Board’s [website](#).

#### **Background**

On May 23, 2018, Governor Phil Murphy signed the Clean Energy Act into law as L. 2018, c. 17 (“Clean Energy Act of 2018”). The Clean Energy Act of 2018 mandates the following:

No later than five years after the date of enactment of P.L.2018, c.17 (C.48:3-87.8 et al.), the Board shall require the owner or operator of each commercial building over 25,000 square feet in the State to benchmark energy and water use for the prior calendar year using the United States Environmental Protection Agency’s (EPA) Portfolio Manager tool.

The 2019 New Jersey Energy Master Plan (“EMP”) includes Goal 3.3.2, to “Establish transparent benchmarking and energy labeling,” which lists building energy use benchmarking as a critical component in promoting market-driven increases in energy efficiency. Benchmarking allows commercial

<sup>1</sup> Not a paid legal advertisement.

building owners and operators to measure and analyze their respective facilities' energy and water use and compare their performance to similar buildings. Owners and operators can then assess opportunities for performance improvements that reduce their respective building's energy use and costs.

### **Questions for Stakeholders**

Board Staff ("Staff") invites interested parties and members of the public to provide comments on this [Straw Proposal](#), which will inform Staff's recommendations to the Board for developing an effective benchmarking program. Some key issues addressed in the Straw Proposal are:

1. Staff requests stakeholder comment on the proposed definition of "commercial buildings."
2. Staff seeks stakeholder feedback on which buildings should be excluded from the covered buildings list, how campuses should be treated, and why.
3. Staff recommends an appeal process to have buildings removed from the covered buildings list and seeks stakeholder feedback on criteria for granting appeals.
4. Staff requests stakeholder feedback about the proposed data access approach, privacy and cybersecurity concerns about building owners and building operators accessing tenant data, and eligibility requirements for opt-outs based on privacy and cybersecurity concerns
5. Staff requests stakeholder comment on the utility implementation of data access and web services and other available options that would be secure and efficient and would streamline data upload for building owners/operators.
6. Staff seeks stakeholder feedback on best strategies and recommended approaches for outreach to ensure that all commercial building owners and operators are aware of the benchmarking requirement and its benefits.
7. Staff seeks stakeholder feedback about what training content, media, and platforms would be useful to provide building owners and operators, as well as for any other entities.
8. Staff recommends developing a Portfolio Manager certification program with the assistance of New Jersey Institute of Technology's ("NJIT's") Center for Building Knowledge and seeks feedback on how it might be implemented.
9. Staff seeks stakeholder feedback on a public reporting approach that takes into account public awareness and transparency goals, privacy considerations, and minimization of cybersecurity risk.
10. Staff seeks feedback on how to optimize reporting compliance.
11. Staff seeks suggestions about how to design the benchmarking program so as to potentially be able to expand in future years (e.g., by accommodating additional buildings, etc.) and form the foundation for future efforts in increasing energy efficiency in buildings.
12. Staff seeks comments on additional elements of the benchmarking program that would maximize its benefits.

### **Comments**

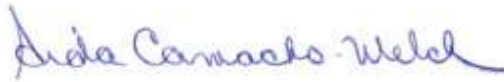
**The deadline for comments on the Straw Proposal has been extended from January 13, 2022 at 5 p.m. to January 20, 2022 at 5 p.m.** Please submit comments directly to the specific docket listed above (Docket No. QO21071023) using the "Post Comments" button on the Board's [Public Document Search](#) tool. Comments are considered "public documents" for purposes of the State's Open Public Records Act

and any confidential information should be submitted in accordance with the procedures set forth in N.J.A.C. 14:1-12.3.

Written comments may also be submitted to:

**Aida Camacho-Welch**  
Secretary of the Board  
44 South Clinton Avenue, 1<sup>st</sup> Floor  
Post Office Box 350  
Trenton, NJ 08625-0350  
Email: [board.secretary@bpu.nj.gov](mailto:board.secretary@bpu.nj.gov)

**Please submit any questions regarding this matter to [energyefficiency@bpu.nj.gov](mailto:energyefficiency@bpu.nj.gov) and include the subject line "Building Energy Benchmarking" as applicable.**



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Aida Camacho-Welch  
Secretary of the Board

Dated: January 7, 2022