



# Commercial Building Reporting Deadline June 1, 2019

The City of



Sustainability Department

FAQs

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## Building Energy Benchmarking Ordinance (BEBO)

The City of San Diego is promoting more energy-efficient buildings by requiring energy benchmarking. As part of its climate action plan, the city has adopted the Building Energy Benchmarking Ordinance (BEBO) covering large commercial, multifamily and mixed-use buildings.

## General Information

### What is AB 802?

Assembly Bill 802 is the statewide data access and benchmarking program legislation passed in 2015. It requires energy benchmarking for commercial, multifamily and mixed-use buildings over 50,000 square feet and provides building owners with access to whole-building energy data. [Learn more.](#)

### How does the city's Building Energy Benchmarking Ordinance (BEBO) compare to AB 802?

Currently, the city's BEBO is directly aligned with AB 802 provisions. By aligning with the state's provisions, the city can focus resources on ensuring the program is operating effectively and with high compliance prior to reducing the square footage threshold.

### Why did the City of San Diego adopt the ordinance?

The City of San Diego Climate Action Plan (CAP) calls for creating more energy-efficient buildings and establishing ordinances to conserve and disclose energy use. In pursuing CAP goals, the city adopted the Building Energy Benchmarking Ordinance to increase transparency and encourage active monitoring of building energy use.

While the city's ordinance is currently aligned with AB 802 provisions, it is anticipated that in future years the square footage threshold will be lowered from 50,000 square feet. By initially aligning with the state's provisions, the city can focus on ensuring the program is operating effectively with high compliance prior to adding additional buildings smaller than 50,000 square feet.

Additionally, a local ordinance provides the city the ability to direct funds toward locally based resources to help building owners comply with benchmarking mandates.



Finally, with a local ordinance, the city can build and foster relationships with its building owners and business community to connect them with available resources, as well as to help inform future rebate and incentive program design using data locally collected.

To learn more about the city's CAP goals, visit [sandiego.gov/sustainability](http://sandiego.gov/sustainability).

### Do I need to report to both the City of San Diego and the state?

With a local ordinance, building owners will be able to report to the City of San Diego instead of the state and will have access to additional local resources. However, multifamily properties must report to the state in 2019 and start reporting to the city in 2020.

## Compliance

### General Information on Benchmarking

#### What is benchmarking?

Benchmarking is the process of measuring your building's energy consumption and comparing it against past performance and to other similar buildings.

#### What is ENERGY STAR Portfolio Manager?

ENERGY STAR® Portfolio Manager® is the industry-leading tool for building benchmarking. [Learn more.](#)

#### What are the benefits of benchmarking?

Benchmarking helps to measure the performance of your building and lets you know how efficient or inefficient it may be. By measuring and tracking the energy efficiency of your building, you can take appropriate action if energy use and costs are above average. Benchmarking helps to prioritize energy efficiency investments, track energy improvements over time and gain recognition from the Environmental Protection Agency.

#### Is there a cost to benchmark my building with ENERGY STAR Portfolio Manager?

Portfolio Manager is a free online tool to benchmark your building and create the reports required for BEBO compliance. There may be fees or costs associated with hiring an outside consultant to help you with benchmarking if you choose to not do it yourself.

### Applicability

#### Which buildings need to comply with BEBO?

Owners and operators of all commercial, multifamily and mixed-use properties larger than 50,000 square feet (and for multifamily and mixed-used properties with more than 17 residential utility accounts) are required to benchmark and publicly disclose building energy usage to the city.

#### Does my building square footage include parking areas?

When calculating your square footage in determining if you're required to comply, covered parking structures should be included while open and uncovered parking lots should be excluded. When entering your gross floor area into Portfolio Manager, there is a separate field for parking, so you can separate the parking area from your self-reported area.



However, if your open and uncovered parking lots use lighting that is on the same meter as the building, include that square footage in your parking area in Portfolio Manager, even though it's not counted toward the 50,000-square-foot threshold. Portfolio Manager provides an assessment of the building, not its parking area. If it is not possible to submeter your open and uncovered parking area energy usage, then Portfolio Manager will estimate the amount of energy parking uses and subtract that out before calculating your metrics by using the parking square footage entered.

### Is a certain ENERGY STAR score or performance target required for compliance?

There is no ENERGY STAR score or performance target required for compliance. The data and information are intended to help you make informed decisions to pursue efficiency measures and equipment upgrades while improving your overall operations.

### Is compliance required for strip malls or open-air shopping centers?

Compliance is required for each individual building that has more than 50,000 square feet of gross floor area. Separate buildings that have the appearance of being a single building due to a continuous façade should be treated as individual buildings. If a single building within a strip mall or open-air shopping center encompasses over 50,000 square feet, then that individual building must comply.

### Are there exemptions?

The following buildings are automatically exempt from reporting requirements and no further action is necessary.

- Condominiums
- Buildings with 1–16 residential utility accounts
- Buildings where more than half the gross floor area is used for scientific experiments requiring controlled environments, manufacturing or industrial purposes.
- Buildings owned by certain government agencies, including the County of San Diego, State of California, United States of America, Metropolitan Transit Service or San Diego Unified School District.

Additionally, building owners may file for an exemption under the following circumstances. These exemptions are not automatic and still require approval from the city and for the building owner to file a basic building characteristic report.

- Building did not have a certificate of occupancy for more than six months of the calendar year being benchmarked.
- Demolition work on the disclosable building has begun and it is no longer possible to obtain a certificate of occupancy.
- City manager determines that disclosure of the building's energy use data would result in the release of proprietary information that can be considered a trade secret.
- Building owner is unable to collect sufficient information to complete a benchmarking submission and submits proof that a request for data from the utility or tenants was denied.

Exemption requests should be sent to [energybenchmarking@sandiego.gov](mailto:energybenchmarking@sandiego.gov). The 2019 deadline for submitting an exemption request is June 1, 2019. Every year thereafter, starting in 2020, the deadline for an exemption request will be March 1.



### What is considered industrial?

Industrial properties, which are exempt from BEBO reporting, include spaces adapted for uses like assemblage, processing and/or manufacturing products from raw materials or fabricated parts. Warehouses and distribution centers are not considered industrial and are required to comply.

### Who is responsible for compliance with the ordinance?

The building owner is responsible for reporting the data to the city.

### How does the ordinance apply to multiple owners of a single building?

Only one report is required per property, and in cases where a building has multiple owners, managers and/or agents, all are encouraged to collaborate to ensure that one annual report is submitted. Options include creating a joint team to comply (e.g., a representative of each owner works together) or appointing a mutually agreed upon staff member or third party to facilitate compliance (e.g., naming a staff member or contracting a third party).

### How does the ordinance apply to multiple buildings with shared energy?

If multiple buildings (at least one of which is covered by the ordinance) share one or more energy consuming systems (e.g., boilers, electricity meters, district chilled water, etc.), then all buildings should benchmark, verify and report as a campus (reporting both parent and child properties from Portfolio Manager). Learn more campus benchmarking at <https://www.energystar.gov/buildings/tools-and-resources/how-benchmark-campus>.

Note: If multiple buildings with the same owner (such as a campus or multibuilding complex) have separate energy consuming systems, any covered buildings (that meet size and use type requirements) should be benchmarked separately.

## Steps for Compliance

### What is the deadline to comply?

Reporting is due annually on June 1 for disclosable buildings with no residential utility accounts beginning in 2019 and by June 1, 2020, for disclosable buildings with 17 or more residential utility accounts. Reporting continues annually after the first report, due June 1 each year.

### What steps do I need to take to comply?

Create your building in ENERGY STAR Portfolio Manager, including any required use details for your property type(s).

1. Add your energy meters and meter data manually or via syncing (recommended) with SDG&E's Benchmarking Data Request Portal. Visit [sdge.com/benchmarking](https://sdge.com/benchmarking) to get started.
2. Once your data is entered, run Portfolio Manager's data validation tool and fix any errors.
3. Submit your benchmarking report using the links found at [sandiego.gov/benchmark](https://sandiego.gov/benchmark).
4. Review the generated report to ensure it is accurate and complete and then submit the report to the city.

Note, the city's ordinance only requires reporting and disclosure of whole-building energy consumption



### What is the cost of complying?

There are no fees associated with reporting your data to the California Energy Commission, and Portfolio Manager is a free online tool to create the reports. However, there may be fees or costs associated with hiring an outside consultant to help you with benchmarking if you choose to not do-it-yourself.

### Is there a procedure to protect proprietary data?

Certain building owners may request that their energy usage be determined a trade secret and thus not subject to disclosure. Such an exemption must be obtained from the executive director of the Energy Commission. If it is granted, the building owner is required to report building characteristic information but not energy use data.

### Does having high energy usage result in penalties?

There aren't any penalties for high usage. The data and information are intended to help you make informed decisions to pursue efficiency measures and equipment upgrades while improving your overall operations.

### What if the building owner does not comply?

The city has the authority to issue fines for noncompliance; however, for the first years of implementation, the city is primarily focused on increasing compliance rates and education building owners and managers rather than levying fines.

## Reporting

### Who can prepare the report or send the data?

Anyone can open a Portfolio Manager account and create the report. The EPA offers training videos and guides, and there are additional resources (see Additional Resources). Some building owners or managers may choose to have internal staff manage the account and submit reports, while others may hire an external service provider.

### Can someone benchmark my building for me?

If you prefer not to manage it yourself, you can hire an ENERGY STAR partner who offers energy benchmarking services.

### How do I know if I've successfully submitted the report and have complied?

After submitting the compliance report through ENERGY STAR Portfolio Manager, you'll receive an email confirming your entry.

### When is my building's report due?

Reporting is due annually on June 1 for disclosable buildings with no residential utility accounts beginning in 2019 and by June 1, 2020, for disclosable buildings with 17 or more residential utility accounts. Reporting continues annually after the first report, due June 1 each year.

### How often must I report to the city?

Reporting is annual and due June 1 every year. Since buildings generally don't change a lot, most owners



will not have to input much new data after the first year. The only new information to report is how much energy you used last year. To make it easy, there are ways to automatically have your energy bills go into ENERGY STAR, so you might just have to only click a button to submit data the second year. Learn more about automated data uploads at [sdge.com/benchmarking](https://sdge.com/benchmarking).

### What happens to the information provided to the city?

Information reported each year will be sent to the California Energy Commission, as well as publicly disclosed to allow current and prospective building owners and tenants to better understand the buildings in which they live and work.

### What information will be publicly disclosed?

The City of San Diego may make the following information available.

- Building address, including county, latitude and longitude
- Year built
- Gross floor area and property floor area (buildings and parking)
- Property or building name (if any)
- Open “comments” field for the building owner or owner’s agent to provide additional information about the building
- ENERGY STAR Portfolio Manager property ID
- Percentage of space occupied (occupancy) and number of occupants
- Number of buildings (if served by one common energy meter without submetering)
- ENERGY STAR score for eligible buildings
- Monthly and/or annual site and/or source energy used by energy type
- Monthly and/or annual weather-normalized site and/or source energy use intensity
- Monthly and/or annual peak electricity demand
- Total greenhouse gas emissions

### Is the public reporting intended to shame property owners for high energy use?

No. The city shares this information to help current and prospective building owners and occupants make better-informed decisions regarding purchasing, leasing, maintenance and upgrades.

## Benchmarking

### Data Requirements

#### What type of information or data do I need?

Benchmarking requires building characteristic information, occupancy information and energy use data.

#### What information is required for submission and compliance?

Basic building and ownership information is needed, such as name of the owner, address and contact information. Further, the Portfolio Manager instructions list the specific required information for varying building types. Each building type has different requirements—for example, a fast food restaurant and a



hospital use energy very differently and have different information that is required to collect.

To streamline the process of collecting data, you can visit the ENERGY STAR website to download a data collection worksheet of all the information you'll need to fill out for your specific property type. Generate a data collection worksheet specific to your property type(s) at [portfoliomanager.energystar.gov/pm/dataCollectionWorksheet](https://portfoliomanager.energystar.gov/pm/dataCollectionWorksheet).

### How do I benchmark if my building was only occupied recently and doesn't have 12 months of data?

Your building is exempt from reporting if it did not have a permanent or temporary certificate of occupancy for more than half of the calendar year being reported. You must submit an exemption request to the city at [energybenchmarking@sandiego.gov](mailto:energybenchmarking@sandiego.gov). Otherwise, reporting is required, and you should include as much energy use data as you have.

### Does the city have any recommendations to make the ongoing data tracking process easier for owners and landlords?

Industry best practices for ongoing data tracking include automating the data flow from your utility to Portfolio Manager on an ongoing basis to minimize data gaps and increase data quality. Engaging a utility automation provider, sustainability or energy consultant can help make the ongoing data management process easier.

## Creating an Account & Adding/Deleting a Property

### Can more than one person have access to the Portfolio Manager account?

When setting up your organization's account, you can use your own contact information or general contact information for your organization. Whether you use individual or organizational information, we recommend that only one person be responsible for uploading data each month to prevent inconsistencies or duplicate data entry. However, it is advisable to have at least two or more people within your organization capable of accessing the account (i.e., know the login credentials) in case the person in charge of reporting utility data leaves your organization.

### Can I add properties to an existing account?

Portfolio Manager is designed so that your account can have multiple properties in your account.

### What property types can I input into Portfolio Manager?

Portfolio Manager is a powerful tool and contains more than 80 property types to choose from when setting up your property. Download the list of Portfolio Manager property types, definitions and use details ([PDF](#)). Choose a property type that best describes how most of your building functions.

### How should I benchmark garden style apartments?

If your multifamily property consists of multiple properties, such as a garden-style community, you should benchmark as a campus of the entire property. Multifamily properties are one of the few property types that certify as a campus. You can enter all the data as a single property, or if each building is separately metered, you may want to enter each building as a "child property." [Learn more](#).



## Utility Data Requests

### How can I request my energy data from SDG&E?

Both aggregated and nonaggregated data requests require customers to complete the following steps.

1. Connect and share your property(ies) in Portfolio Manager with SDG&E Benchmarking
2. Request building metrics through SDG&E's benchmarking data request portal

Read the [Benchmarking Data Request Portal User Guide](#) to learn more about the process. Detailed information and a link to the portal is available on [SDG&E's Benchmarking](#) webpage.

### Does SDG&E update the info every month if I give them full access?

Yes. If you request recurring data uploads during the request process, SDG&E will update data monthly.

SDG&E's portal uploads data by calendar month, not by billing period, so you may need to adjust any historical entries in your account to resolve data overlaps and gaps.

### What if the utility customers refuse to release their energy use data to building owners?

AB 802 requires that energy utilities in California provide building-level energy use data to a building owner, owner's agent or building operator upon request for buildings with no residential utility accounts and for buildings with five or more utility accounts, one of which is residential. These are referred to as "covered" buildings.

For covered buildings with fewer than three utility accounts of each energy type a utility provides, the utility customers of record for the accounts serving the building must provide their permission before the utility will provide energy use data. When a building owner is unable to obtain energy use data because customers did not provide permission, the building owner will comply by reporting building characteristic information but not energy use data.

### What do owners need to provide to show proof of ownership to get access to the whole-building data from the utility?

A person requesting whole-building energy use data will need to provide an attestation that he or she is the building owner or is authorized to act on behalf of the building owner. Proof of ownership is not required.

### What happens if I've requested data from the utility, but they have not yet completed my request in time for the deadline?

Please complete your submission as soon as you have received energy use data from the utility, even if the compliance deadline has passed.

## ENERGY STAR Score

### What is an ENERGY STAR score?

The ENERGY STAR score is a metric from 1 to 100 that demonstrates a building's energy efficiency compared to similar buildings. A score of 50 indicates the national average energy performance. Not all building types are eligible for an ENERGY STAR score, and an ENERGY STAR score is not required for compliance with the state's benchmarking program.





## What properties are eligible for an ENERGY STAR score?

In the United States, the following property types are eligible for an ENERGY STAR score.

- Bank branch
- Barracks\*
- Courthouse
- Data center
- Distribution center
- Financial office
- Office
- Hospital (general medical & surgical)
- Hotel
- K-12 school
- Medical office\*
- Multifamily housing
- Nonrefrigerated warehouse
- Office
- Refrigerated warehouse
- Residence hall/dormitory\*
- Retail store
- Senior care community
- Supermarket/grocery store
- Wastewater treatment plant\*
- Wholesale club/supercenter
- Worship facility

\*Not eligible for ENERGY STAR certification but can still receive a 1-100 score

## What if my building is not an eligible property type and doesn't generate a score?

If your property type is ineligible for an ENERGY STAR score, you can still receive the weather-normalized energy use intensity (EUI) of your property, measured in kBtu/square foot. You can compare this weather-normalized EUI to national averages for your property type [using an ENERGY STAR reference table](#).

## How can I improve my building's score?

Scores improve with increased energy efficiencies within the building. There may be initiatives you can pursue, including programs and rebates provided by your utility company.

## Additional Resources

### What resources are available to help me comply?

To access additional training resources for compliance, visit [sandiego.gov/benchmark](https://sandiego.gov/benchmark).

No-cost benchmarking coach technical support is available to San Diego Regional Green Business Network Members at [greenbizsd.org/benchmarking](https://greenbizsd.org/benchmarking). Not a member? There is no-cost to join. Sign up your business at [greenbizsd.org/join](https://greenbizsd.org/join).

If you have any questions regarding the ordinance, email city staff at [energybenchmarking@sandiego.gov](mailto:energybenchmarking@sandiego.gov).

### Are rebates or incentives available to improve my energy efficiency and/or ENERGY STAR score?

Scores improve with increased energy efficiencies within the building. There may be initiatives you can pursue, including programs and rebates provided by San Diego Gas & Electric. To learn more, visit [www.sdge.com/businesses/savings-center](https://www.sdge.com/businesses/savings-center).