



November 3, 2021

Phillip Perry
Chief Building Official
City of South San Francisco
P.O. Box 711
South San Francisco, California 94083-0711

**City of South San Francisco Application - Ordinance 1623-2021
(File No. 21-459)**

Dear Phillip Perry:

On July 14, 2021, the California Energy Commission (CEC) received an application from the City pursuant to the California Code of Regulations, Title 24, Part 1, section 10-106 to enforce Ordinance 1623-2021, concerning certain modifications and additions to the California Energy Code and the Green Building Standards. For the reasons below, we are returning your application without action, as this ordinance falls outside the scope of Public Resources Code (PRC) section 25402.1(h)(2).

During the review, CEC staff observed provisions related to an all-electric requirement (section 100.1(b)) adopted based on the City's findings that the requirement is reasonably necessary because of local climate, geologic, and topographic conditions pursuant to Health and Safety Code sections 17958.5 and 17958.7(a). **Staff concluded that the all-electric requirement does not constitute an energy efficiency or conservation standard and is outside the scope of PRC section 25402.1(h)(2).**

In addition, the ordinance's electric vehicle-ready requirements (sections 2 and 4) do not constitute energy efficiency or conservation standards and are outside the scope of PRC section 25402.1(h)(2).

The CEC appreciates the City's efforts to decarbonize buildings within its jurisdiction, and further appreciates and encourages efforts to increase energy efficiency and conservation in buildings. Should energy efficiency or conservation standards be adopted, the City may apply pursuant to Title 24, Part 1, section 10-106 and PRC section 25402.1(h)(2).

Phillip Perry
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For further questions, please contact Danuta Drozodowicz at Danuta.drozodowicz@energy.ca.gov or at (916) 805-7436.

Sincerely,

William A. Vicent

William Vicent, Manager
Building Standards Office

cc. Danuta Drozodowicz, Building Standards Office