



Consumer Federation of America

February 3, 2021

RE: Docket Number 20-FDAS-01 relating to Flexible Demand Appliance Standards

Dear Commissioner McAllister and CEC Staff:

Thank you very much for the opportunity to participate on the Consumer Perspectives and Equity Considerations panel at the December 14, 2020 workshop on the Flexible Demand Appliance Rulemaking. I hope my presentation on consumer considerations and outreach to consumers – especially low income and disadvantaged communities—was helpful.

In addition to the points made at the workshop, I would like to recommend that, in determining that an opt-out approach for the consumer could result in more successful adoption, the CEC take following consumer protection considerations into account:

1. Operation of flexible demand appliances, i.e. water heaters, heat pumps, refrigerators, room or central ACs, should function as expected – without harm or discomfort to the consumer,
2. The consumer must be guaranteed that: privacy is protected and that the data is secure; it will not be exploited or used for any other purposes.
3. Under no circumstances should health and/or safety be compromised through implementation of a flexible demand appliance program or rate design.
4. Rate design needs to be equitable to those who choose not to participate – especially if lower rates are an incentive for those who do participate. For those whom participation is not workable, i.e. medical condition, working swing shifts, night shifts – more typically from low income or communities of color, they should be held harmless.

5. If it is determined that an opt-out approach is feasible, opting out on a permanent or temporary basis should be a simple and straight forward process for the consumer.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Mel Hall-Crawford". The signature is written in a cursive style with a large, stylized initial "M" and a long, sweeping tail that ends in a sharp point.

Mel Hall-Crawford
Director of Energy Programs
Consumer Federation of America