

New Jersey's Clean Energy Program: Pay for Performance: Integrating Performance Programs and ENERGY STAR

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ABSTRACT

In March 2009 New Jersey's Office of Clean Energy launched the Pay for Performance Program (P4P), the State's first comprehensive commercial & industrial energy efficiency incentive program. The Program has components for both existing buildings and new construction. This paper explores the strategies used to develop the whole-building performance program and progress through the first year. While using P4P as a case study, this paper provides guidance and recommendations for program sponsors seeking to implement comprehensive energy efficiency programs.

This paper highlights the first-year experiences gained from designing and launching this unique whole-building program, which incorporates a comprehensive energy audit, building energy simulation, and the U.S. Environmental Protection Agency's (EPA) ENERGY STAR tools to achieve a minimum of 15% energy savings in commercial, industrial, and multifamily buildings. To achieve this goal, P4P relies on a Partner network of nearly 100 energy efficiency firms. This paper describes program design strategies, the successful integration of EPA tools, and hurdles that were encountered during the first year of the Program.

P4P requires the utilization of EPA's Portfolio Manager and Target Finder to determine energy performance and verify the required 15% source energy savings. Buildings that successfully complete the Program and achieve a performance rating of 75 or higher are eligible for the "ENERGY STAR Label" or "Designed to earn the ENERGY STAR" certification for existing buildings and new construction, respectively.

P4P uses these tools to provide metrics for each project, with added benefits of increasing energy awareness and use of the EPA's ENERGY STAR tools. An additional goal is to have owners continue to monitor energy use after completion of the Program.

Introduction

In 2007, commercial and industrial (C&I) sector building energy use represented approximately 40% of the total energy consumption in New Jersey (EIA 2010). The Pay for Performance Program (P4P) is aimed at reducing the consumption of this market sector by at least 15% across the State of New Jersey. This paper explores the strategies used to develop the whole-building performance program and progress through the first year. While using P4P as a case study, this paper describes P4P accomplishments and hurdles encountered during the first year and provides guidance and recommendations for program sponsors seeking to implement comprehensive energy efficiency programs.

P4P takes a comprehensive, whole building approach to energy efficiency in large, C&I buildings. Similar to performance contracting programs offered in other states, P4P links incentives directly to energy savings and includes a measurement and verification component to

ensure that the estimated savings levels are achieved. This market-based program relies on a network of Program Partners who provide technical services to program participants, acting as their “energy expert.” Partners are required to develop an Energy Reduction Plan (ERP) for each project. The ERP includes the whole-building technical analysis component of a traditional energy audit, along with a financial plan for funding the energy efficiency improvements, and a construction schedule for installation. A minimum source energy reduction of 15% is required for all projects and is based on a whole-building energy simulation using approved software. The achievement of the energy reduction goal is verified using post-retrofit billing data and EPA’s Portfolio Manager benchmarking software.

Initial Program Design

TRC Energy Services, the C&I Market Manager for New Jersey’s *Clean Energy Program*, proposed the development of P4P to the Office of Clean Energy in August of 2007 to fill the need for a whole building performance program in New Jersey (TRC 2008). There was a desire to move to a comprehensive approach for large C&I customers, and move away from solely offering equipment-based incentives. At the time, New Jersey did not have any incentive program that took a comprehensive, whole building approach to energy efficiency in existing C&I buildings. TRC drew from its experience in assisting in the design and delivery of NYSERDA’s innovative Multifamily Performance Program, which received ACEEE’s “Exemplary Program Award”.

In order to encourage and facilitate participation in federal energy programs, the design of P4P incorporated existing ENERGY STAR tools. Use of EPA’s Portfolio Manager and Target Finder are required components of the Program¹. The Program was also designed to accept models that are completed for the EPAct tax credit and/or LEED certification.

Previous New Jersey Programs

New Jersey has a suite of energy efficiency programs, including those run by both the NJ Board of Public Utilities and the utilities themselves. The programs cover many sectors, including residential, municipal, and C&I buildings. Existing programs in New Jersey for the C&I sector include the SmartStart Buildings Program, a prescriptive and custom measures program, the Local Government Energy Audit Program, and the Direct Install Program. The SmartStart Program is a measure-level incentive program that provides incentives for single measure retrofits. The Direct Install Program provides incentives for a comprehensive level of prescriptive measures, such as lighting and HVAC upgrades for small C&I customers. Finally, the Local Government Energy Audit Program provides energy audits to municipal and public school buildings, covering 100% of the cost. P4P was designed to incorporate the best of all these programs by including energy auditing and performance-based incentives into a single program that promotes whole-building workscopes.

¹ The US EPA recently launched of a pilot program entitled Building Performance with ENERGY STAR. The pilot program packages EPA’s successful business energy management and whole building upgrade strategies along with the powerful ENERGY STAR brand, in order to drive deeper and longer-term savings for participating customers. New Jersey’s Clean Energy Program (NJCEP) is a participant in the pilot via P4P, which aligns well with the new EPA initiative.

Prior to the development of P4P, there were a few utility-run performance programs in New Jersey, but they were no longer available to the public. The performance program most often compared to P4P was PSE&G's Standard Offer Program (PSEG 2010). The Standard Offer Program was a performance-based program for C&I customers in PSE&G territory that paid for measured energy savings over a contractual term. The benefit of the Standard Offer Program was that it allowed a building owner to implement a number of energy efficiency measures with little or no up-front cost. The downside to this was the length of the ESCO contracts, many of which were 10 to 15 years, and the inherent uncertainty of the forecasted avoided costs. Learning from this program, P4P differs because there are no long term contracts, the incentives are paid directly to the building owner, and the performance incentives are completely paid one year after construction (60% at completion and 40% upon verification of savings).

Partner Network and Growth

P4P relies on a network of approved Partners to provide technical, financial, and construction-related services. One of the goals of P4P is to expand the network of energy efficiency firms that can provide these services. Firms are recruited using the P4P website and other marketing and outreach efforts. This market-based approach is a key component of market transformation by creating "green collar" jobs and helping to develop the workforce necessary to achieve ambitious energy savings targets.

Firms interested in becoming Program Partners are required to submit a Partnership Agreement, which includes case studies and resumes showing experience and expertise in C&I energy efficiency projects. New Partner applications are reviewed quarterly, contributing to the growth of the Partner network and introducing healthy competition into the marketplace. Firms are chosen based on demonstrated experience and expertise in energy efficiency; all firms demonstrating sufficient experience are admitted to the Program. Once approved, Partners are required to attend a one-day orientation and training for the Program. The orientation covers P4P procedures and requirements.

There are currently nearly 100 Partners (companies) approved for the Program. These include engineering firms, architecture firms, Energy Service Companies (ESCOs), as well as HVAC and lighting contractors (Figure 1). Partner offices are also distributed throughout New Jersey and nearby states (Figure 2).

During the initial program design phase, a Partner Network with three distinct areas of expertise was considered. A focus on these areas, financial, construction, and energy engineering, would have resulted in three expert networks. However, this approach was thought to add complexity without additional value because owners often already have financial advisors and many engineering firm have construction management experience.

Another advantage of the P4P Partner network is that it was designed to promote stronger relationships between Partners and building owners. The design of the Partner network recognizes that the key relationship is in the marketplace between Partners and owners. This approach requires that Partners act as the owner's agent for the entire energy project, from the initial meeting to construction completion and beyond. In addition to the energy audit and modeling, Partners must assist owners in developing a construction and financing plan. The Partners produce and submit Program materials to the Market Manager, and act as the owner's representative. Incentives are paid directly to the owner to help cover costs.

Figure 1. Type of P4P Partner Firms

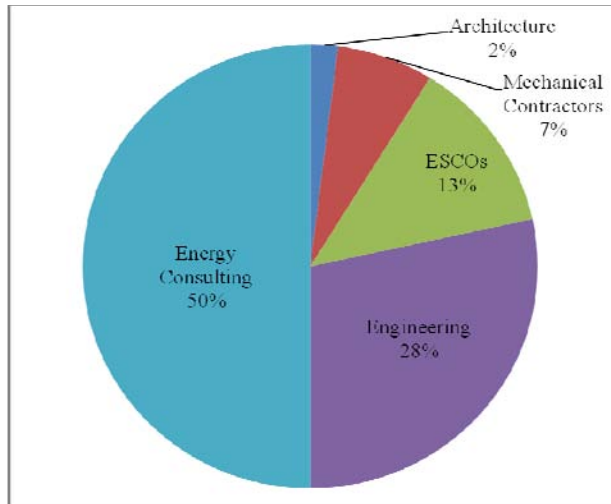
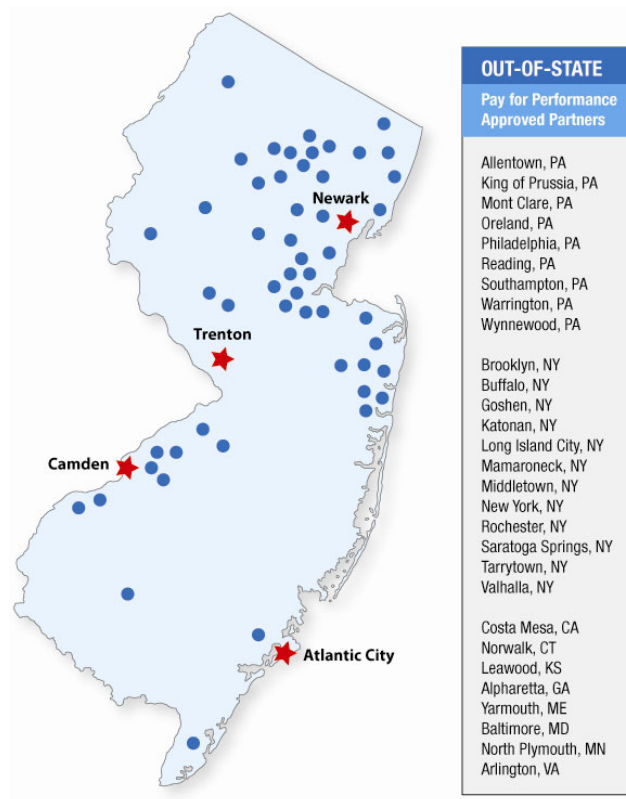


Figure 2. P4P Partner Firm Distribution



Program Overview

P4P is open to commercial, industrial, and institutional facilities in the State of New Jersey with an annual peak electric demand over 200 kW. The facilities that are eligible for this program include hotels and casinos, large office buildings, multifamily buildings, supermarkets, manufacturing facilities, schools, shopping malls, restaurants, etc. Buildings that fall into five

specific customer classes are not required to meet the 200kW demand in order to participate in the Program: hospitals, public colleges and universities, non-profits, affordable multifamily housing, and local governmental entities not receiving direct funding under the Department of Energy's Energy Efficiency and Conservation Block Grants.² In order to participate in the program, facilities must project a minimum 15% reduction in energy use through a comprehensive workscope. The 15% energy reduction requirement was designed to promote a work scope that includes a comprehensive set of measures.

The first step for a customer to participate in the Program is to choose an approved Partner. With the help of the customer, the Partner completes the Program Application and submits the forms and required documentation to the C&I Market Manager (TRC). Program representatives review the Application Package for eligibility and, if approved, send an Approval Letter with a notice to proceed to the development of the Energy Reduction Plan (ERP).

Energy Reduction Plan

The Energy Reduction Plan (ERP) is a comprehensive report that acts as a road map for the project and must define a comprehensive package of energy efficiency measures capable of reducing the existing source energy consumption of the facility by 15% or more. In order to complete the ERP, the Partner must first benchmark the building using EPA's Portfolio Manager to determine the building's source energy use intensity (kBtu/sq ft). This becomes the starting point from which the 15% source energy reduction must be achieved. Next, the Partner must perform an energy audit to determine the existing condition of the building and equipment. Information from the audit is used to develop a baseline energy model of the building using ASHRAE 90.1 Appendix G compliant simulation software. The Partner recommends a number of energy-efficiency measures to the customer. Finally, once the customer and Partner agree on the energy efficiency measures to be installed, the Partner assists the client in formulating a financing plan and a construction schedule. All of this information is compiled into an ERP report using a template created by TRC.

Post-Installation Benchmarking

After installation of the energy efficiency measures, the Partner is required to monitor the building's performance for the twelve months immediately following construction completion. During the monitoring period, the Partner makes sure that the new equipment is functioning properly and collects utility bills as they come in. At the end of the monitoring period the Partner uses the utility bill information that was collected to re-Benchmark the building through EPA Portfolio Manager to see how much energy has actually been saved versus what was projected in the ERP. If there are significant changes in use of the facility (e.g. a work shift is added), then this can be tracked and post-installation energy use is normalized for these changes in Portfolio Manager, which also weather normalizes the building's energy use.

² Energy Efficiency and Conservation Block Grants are funding provided to units of local and state government, Indian tribes, and territories to develop and implement projects to improve energy efficiency and reduce energy use and fossil fuel emissions in their communities. The Program is administered by the Office of Weatherization and Intergovernmental Programs (WIP) in the Office of Energy Efficiency and Renewable Energy (EERE) of the U.S. Department of Energy (DOE).

New Construction

P4P also accommodates new construction projects. Commercial, industrial and institutional buildings with 50,000 square feet or more of planned conditioned space are eligible to participate. Buildings that fall into the following five customer classes can be of any size to participate: hospitals, public colleges and universities, non-profits, affordable multifamily housing, and local governmental entities not receiving direct Energy Efficiency and Conservation Block Grants.

Under the New Construction component, the ERP must define a comprehensive package of measures capable of achieving energy costs 15% below a building built to ASHRAE 90.1-2004 Appendix G Standards. Unlike the existing buildings component, the baseline building energy model is based on ASHRAE 90.1-2004 Appendix G and the proposed building energy model is based on actual building plans.

Program Incentives

A detailed incentive analysis was conducted to view proposed incentive levels from various perspectives, including project cost (soft and hard costs), program incentives from other similar programs in NJ and neighboring states, and overall cost effectiveness. The goal of this analysis was to create an incentive schedule that would motivate participants to improve their buildings.

Program incentives, shown in Table 1, are performance-based and not specifically tied to the project cost or the recommended energy efficiency measures. Disassociating incentives from project cost is a key program design decision as it streamlines program administration by eliminating the collection of bid documents, construction contracts and change orders. This incentive structure also provides the benefit of allowing Partners to estimate and explain incentives to prospective participants as part of the program sales process. Program incentives are capped not to exceed 50% of the total project cost.

There are additional incentives available for combined heat and power projects. The Program was designed this way to promote CHP installations only in buildings that are already relatively efficient. The facility must first project a minimum 15% savings with an approved ERP. They can then access CHP advanced measure incentives, up to \$1M per project.

Program Documentation

TRC designed several Program documents in order to streamline the participation process for both Partners and Participants (building owners). The Program currently includes the following documents:

Program application & participation agreement. A four page document that is completed and signed by Participant with the assistance of selected Partner. This document identifies basic information about the project and organization applying to the Program, including number of buildings, square footage, and utility accounts.

Partnership agreement. This document serves as the application to become a Partner in the Program and describes the role and requirements of the Partner. It is an agreement between New Jersey's Office of Clean Energy and the Partners and is subject to renewal on an annual basis.

Table 1. Incentives for P4P

<u>Incentive #1: Energy Reduction Plan</u>		
Incentive Amount:	\$0.10	per sq ft
Minimum Incentive:	\$5,000	
Maximum Incentive:	\$50,000	or 50% of facility annual energy cost
This incentive will be developed to offset the cost of services associated with the development of the Energy Reduction Plan. Projects must identify efficiency improvements that meet the minimum performance level in order to become eligible for Incentive #1. Incentive amount will be based on the square footage of the building.		
<u>Incentive #2: Installation of Recommended Measures</u>		
Minimum Performance Target:		15%
Electric Incentives	Base Incentive based on 15% savings:	\$0.11
	For each % over 15% add:	\$0.005
	Maximum Incentive:	\$0.13
Gas Incentives	Base Incentive based on 15 % savings:	\$1.10
	For each % over 15% add:	\$0.05
	Maximum Incentive:	\$1.45
Incentive Cap:		30%
of total project cost		
This incentive will be based on projected energy savings and designed to pay approximately 60% of the total performance-based incentive. Savings projections will be calculated using calibrated energy simulation and rounded to the nearest percent. Incentive #2 may not exceed 30% of the total project cost.		
<u>Incentive #3: Post-Construction Benchmarking Report</u>		
Minimum Performance Target:		15%
Electric Incentives	Base Incentive based on 15% savings:	\$0.07
	For each % over 15% add:	\$0.005
	Maximum Incentive:	\$0.09
Gas Incentives	Base Incentive based on 15% savings:	\$0.70
	For each % over 15% add:	\$0.05
	Maximum Incentive:	\$1.05
Incentive Cap:		20%
of total project cost		
This incentive will be released upon submittal of a Post-Construction Benchmarking Report that verifies that the level of savings actually achieved by the installed measures meets or exceeds the minimum performance threshold. To validate the savings and achievement of the Energy Target, the EPA Portfolio Manager shall be used. Savings should be rounded to the nearest percent. Total value of Incentive #2 and Incentive #3 may not exceed 50% of the total project cost. This incentive will "true up" proposed savings and the related payment for Incentive #2 so that the total incentive is based on actual savings. For buildings not covered by EPA, the process used by LEED EB shall be followed.		

Program guidelines. The Program Guidelines is a comprehensive document that includes the Program rules and requirements, as well as guidance on how to develop the ERP. The Program Guidelines also contain modeling guidelines, guidelines on post-construction activities, and information on Combined Heat and Power. The Guidelines utilize existing standards and tools wherever possible, such ASHRAE 90.1 Appendix G and EPA’s online tools.

Energy reduction plan template & excel tables. The ERP Template is a Word document that streamlines the Partner’s development of the ERP. The Excel Tables (sample in Figure 3) allow the Partner to input project information and receive results on savings and incentives. The tables are used in the ERP to provide consistency among Partners and projects.

Request for incentives. One page documents filled out by the building owner, with the assistance of the Partner, formally “requesting” each of the three incentives upon successful completion of a Program milestone.

Figure 3. Sample Table from the Energy Reduction Plan

	Annual Consumption*	Projected Savings	% Savings
Electricity (kBtu)	10,475,248	1,938,698	19%
Natural Gas (kBtu)	11,365,678	4,127,500	36%
Source Energy Use Intensity (kBtu/ft ²)	126.1	31.50	
Source Energy Use Reduction			25%

Total Investment (\$)	\$621,554
Annual Savings (\$)	\$140,795
Internal Rate of Return (IRR)	22%
Simple Payback (yrs)	4.41
Initial Benchmark Score*	53

*Consumption values and initial benchmark score from *Portfolio Manager* Statement of Energy Performance Report

Installation agreement. One page document submitted upon approval of the ERP by the building owner, with the assistance of the Partner. This document acknowledges that the building owner is agreeing to install all measures outlined in the ERP.

ENERGY STAR Integration

During the design of P4P, efforts were made to integrate existing tools and protocols into Program requirements where possible. For P4P Existing Buildings, EPA Portfolio Manager is a key component of the program, and is used to determine actual source energy savings. For New Construction projects, data from the model is entered into EPA Target Finder to determine an initial benchmark for the building.

EPA Portfolio Manager

EPA's Portfolio Manager is a simple and efficient means to monitor the energy use of one or many facilities over a period of time (EPA 2010a). In P4P, Portfolio Manager is used for the first and last milestones in the Existing Buildings component. Partners are required to collect at least 12 months of utility data, which is then entered into Portfolio Manager along with building data. Portfolio Manager then produces the baseline *source energy use intensity* for the facility, which becomes the initial benchmark for the building from which to achieve the 15% (or more) source energy reduction required by the Program. Partners are required to submit the "Statement of Energy Performance" report from Portfolio Manager with the ERP.

In order to receive the third performance incentive for P4P, the Partner must collect 12 months of post-construction data and enter it into Portfolio Manager. This will allow the Partner to compare the pre and post-construction energy use intensity per square foot of the building and determine the actual percent source energy reduction.

The advantage of using Portfolio Manager in the Program is that it provides a standard reference point from which to measure energy savings. It is important for owners and Partners to know where a building stands, in terms of energy use, before embarking on costly energy improvements. Additionally, the use of Portfolio Manager during the Program facilitates

continued monitoring of energy use by the building operators after participation in the Program has ended. If a facility receives a performance rating of 75 or above in Portfolio Manager, they can apply for the EPA's ENERGY STAR label. Portfolio Manager provides a performance rating for many different facility types.

EPA Target Finder

EPA's Target Finder is used primarily during the design phase of new construction projects and is required in the New Construction component of P4P (EPA 2010b). The purpose of the EPA Target Finder is to provide the Partner and building owner with the projected energy use of the facility and provide a performance energy rating and comparison to an average building. To use this tool, the user must enter facility parameters, then select their desired energy target and estimated energy use from the building energy simulation. The advantage of this tool is to ensure that the project stays on track for its energy use projections during the design of the facility.

Although no incentives are tied to the results, this is a required component of P4P and provides a good indication of the building's projected performance compared to similar buildings. Additionally, if the proposed facility obtains a score of 75 or better, it is eligible for the "Designed to Earn the Energy Star" certification.

First Year Accomplishments

March 2010 closed out the first year of P4P's Existing Buildings component, which resulted in a large turnout by both Partners and building owners. In the first year, the program received over 100 project applications (Figure 4). Seventeen projects are well into their design and analysis phase, and eight more projects are nearing the end of their construction phase. The new construction component was launched in November 2009, and therefore only has three project applications as of May 2010. The Program also appealed to a variety of buildings in the State of New Jersey. Figure 5 demonstrates the amount of applications broken out by building type. To date, the Program has committed over \$3.5 million in incentives towards these projects.

P4P was also recognized as an "example of an innovative program model" in a 2010 report by the National Action Plan for Energy Efficiency, which is facilitated by the U.S. Environmental Protection Agency and the U.S. Department of Energy (NAPEE 2010).

First Year Hurdles

Although P4P experienced much success in its first year, it also had a few hurdles, which are summarized in Table 2. Some of the challenges involved responding to the market's impression of this new program. Although many contractors and building owners found the Program exciting, some found it cumbersome or confusing. P4P requires more technical knowledge than any other incentive program in New Jersey. Some Partners found these tasks harder to accomplish than they originally expected. As a result, TRC invested time in holding monthly Partner calls to walk through these tasks with Partners and alleviate their concerns. Building owners also had concerns of their own and were afraid to commit to the Program due to the large work scope involved and the possibility of not reaching the 15% savings. Since TRC is a customer-oriented organization, we were able to address all of these concerns through phone conversations, emails, and in person meetings. Building owners were informed that they were

free to structure a contract with the Partner any way they wish, as long as the Program requirements were met. Additional marketing efforts on TRC’s part through the Clean Energy website, conferences, and presentations clarified the Program process to building owners and helped them feel less overwhelmed.

Figure 4. Applications for P4P Existing Buildings Program

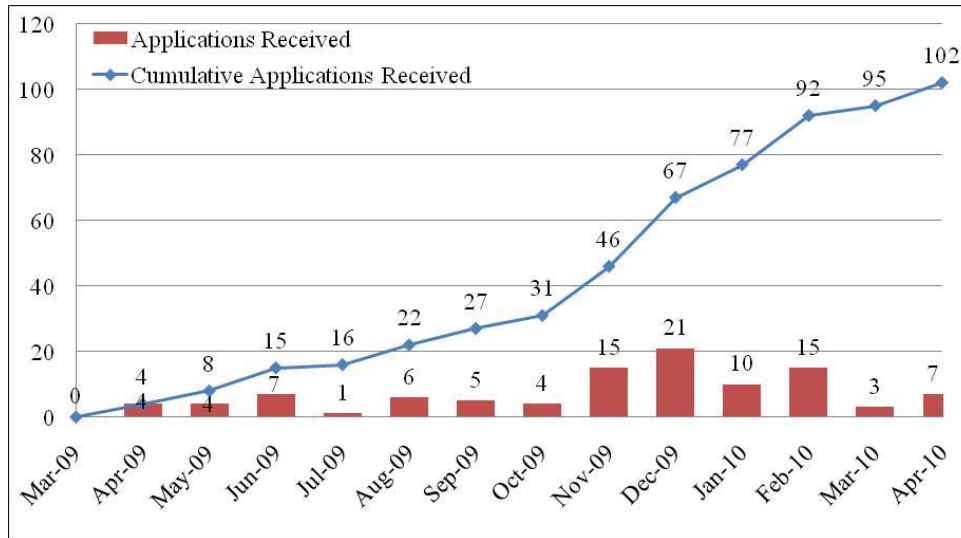
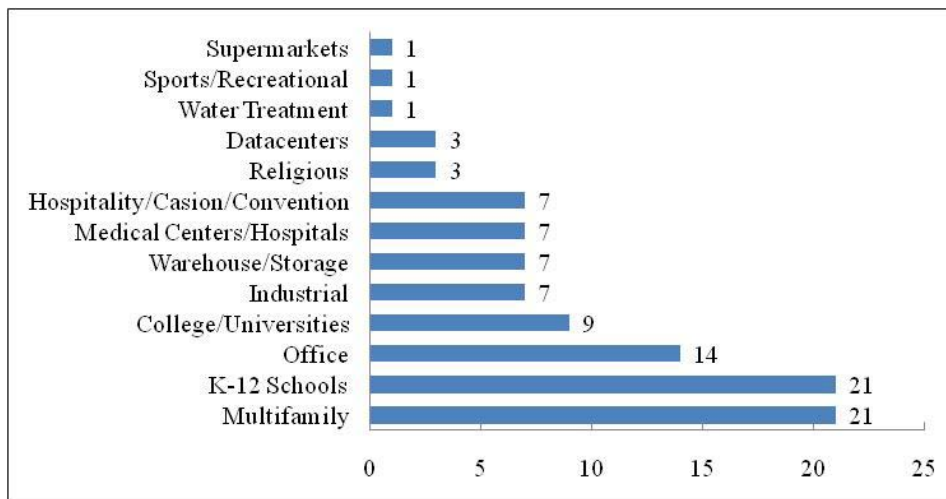


Figure 5. Types of Facilities in P4P Existing Buildings Program



Another hurdle was adapting the Program to the many types of unexpected, or non-conforming, projects that applied to the Program. The Program was designed to serve one building at a time, but many contained multiple buildings on master-meters, or were served by a central plant. Other projects involved high energy use process equipment or waste-water equipment. There were buildings that were very large energy users, such as Atlantic City’s hotels and casinos, which needed extra help participating in the Program. Over the first few months, TRC responded to the market demand by adopting additional guidelines that were able to instruct Partners on how to handle these types of facilities within the Program. One specific project was Trump Taj Mahal Resort & Casino in Atlantic City, NJ. The entire complex was over 5 million

square feet and had an annual peak demand of 18,000 kW. TRC worked with the Partner on the project to divide the complex into three viable projects.

Multifamily buildings, underserved by New Jersey incentive programs, also showed an interest in participating in the Program. The residential programs primarily serviced single and double-family homes, while the commercial and industrial programs served non-residential buildings. As a result, TRC hosted multiple meetings with the Residential Market Manager for the Clean Energy Program to ensure that multifamily buildings were not “falling through the cracks.” It was decided that any multifamily building over four stories could apply to P4P, resulting in a large influx of eligible multifamily properties.

TRC continues to receive inquiries about projects that require investigation and Program adaptation on TRC’s part. The goal of the Program is to be as inclusive as possible without losing the integrity of the Program, which requires a continuous and dedicated response to market demands.

Table 2. Market Barriers and Solutions to P4P

Barrier	Program Element	Result
Significant technical knowledge required	Partner orientations, conference calls, training	More training required than anticipated, but successful in building technical knowledge.
Owners hesitant to commit if incentives not guaranteed	Freedom in contract design between Partner and Owner	Risk of not receiving Incentive #1 is still a barrier but exposure is limited
Unique facilities	Additional guidelines adopted specific to these types	Allowed buildings into the program and established a precedent for future projects.

Conclusions

There are three key points to consider when developing and running a new incentive program: learn from the past, integrate existing resources, and adapt to the market.

- Learn from the past.** When developing the Program, it was important to assess previous and existing incentive programs and acknowledge the strengths and weaknesses of each. There was an obvious need in the New Jersey commercial, industrial, and multifamily market for a comprehensive, energy-efficiency program. TRC’s diverse personnel, consisting of engineers, economists, environmental scientists, business administrators, marketing and IT specialists, took the best aspects of previous and current programs and created P4P to fill this gap.

Many participants and contractors are familiar with existing and previous incentive programs in New Jersey and have participated in some or all of these programs in the past. By translating some programmatic aspects of these programs into P4P, TRC immediately created a market of willing participants. Such aspects included a performance incentive structure similar to PSE&G’s Standard Offer Program, and applications and documents that looked like those used under the Prescriptive, Custom, and Direct Install Programs.

- Integrate existing resources.** It is important to leverage existing standards, technologies, and service providers to minimize duplication of efforts. P4P created a large Partner Network utilizing a talented pool of New Jersey energy companies to market and deliver the Program. Since most of the Partners are based in New Jersey, the Program also serves

to stimulate the State's economy. Existing EPA tools, such as Portfolio Manager and Target Finder, and building simulation software, such as eQUEST and Trane Trace, were also integrated into the Program to tie in Federal resources and expand the use of these tools. The use of national standards, such as LEED and ASHRAE 90.1 was another effective way to integrate existing resources.

The use of existing resources created a comfortable atmosphere for many participants and Partners. Seeing federal programs and standards being used in P4P allowed Partners to participate in the Program more easily, especially if they participated in past performance programs or those in neighboring states. For Partners that were unfamiliar with some of the resources, such as Portfolio Manager, LEED, or eQUEST, they were pleased to be able to learn more about these resources and incorporate them into their business practices.

- **Adapt to the market.** Like any new program, P4P had its share of speculation and obstacles in its first year. Although the 15% energy reduction requirement seemed ambitious to some at first, it is proving to be a realistically attainable goal. In some cases, Partners quickly realized that they could obtain 15% savings in a building by just improving on two measures. In one particular project, an industrial laundromat was able to project a 15% savings from improvements on lighting and installing a boiler economizer.

It is important to remain dynamic when dealing with programs such as P4P. There is no end to market needs and changes and it is critical to respond to those needs as much as possible, and as efficiently as possible, without losing sight of the original goals of the Program.

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