

DOCKETED	
Docket Number:	26-BSTD-02
Project Title:	ECC-Provider Reporting
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Document Title:	CHEERS Application For Confidentiality 2026 Q1-QA-Report
Description:	N/A
Filer:	Jimmy Wheeler
Organization:	CHEERS
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Application for Confidential Designation

Applicant: CHEERS, Inc.
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Proceeding or Project Name: ECC Provider QA Quarterly Reporting
Docket Number: 26-BSTD-02

The following documents are submitted for confidential designation pursuant to Title 20 CCR Section 2505 and are requested to be kept confidential indefinitely. This is consistent with the CEC's prior grant of indefinite confidentiality for substantially similar CHEERS Quality Assurance logs submitted under docket 22-HERS-01 (TN 264127, June 6, 2025).

Title	Date	Description	Pages
CHEERS 2026-Q1 Quarterly Report.xlsx	05/29/26	CHEERS Q1 2026 QA Quarterly Report, submitted via docket upload or CEC-directed transmission method (Section 10-103.3(d)11E)	n/a

3. Confidential Designation Requested For: The entire contents of CHEERS 2026-Q1 Quarterly Report.xlsx are requested to be kept confidential. The report connects residential project addresses, homeowner information, ECC-Rater names, Rater Company names, installing contractors, the specific field verification and diagnostic tests that produced a significant discrepancy, and the remedy status for each finding. No portion of the file can be disclosed without exposing one or more of these categories of protected information.

4. Duration:

Indefinite confidentiality is requested. The CEC previously granted indefinite confidentiality for substantially similar CHEERS Quality Assurance Sampled and Tested Logs under docket 22-HERS-01 (TN 264127, June 6, 2025), on the basis that those logs contained home addresses and Rater identities that could constitute confidential personnel information under Government Code Section 7927.700. The document submitted here is the ECC Program equivalent of those logs, containing the same categories of protected information. The basis for indefinite designation, the presence of residential addresses linked to audit outcomes and Rater identities, does not diminish over time. The homeowner privacy interest persists regardless of the passage of time.

5. Legal Basis for Confidentiality: California Government Code Section 7927.700 exempts from disclosure personnel, medical, or similar files the disclosure of which would constitute an unwarranted invasion of personal privacy. The QA Quarterly Report contains residential project addresses linked to QA audit findings. Public disclosure would associate private homeowners with discrepancies identified at their properties. Those homeowners are not parties to any regulatory proceeding and did not consent to public identification. This is the same basis on which the CEC granted indefinite confidentiality for the CHEERS Quality Assurance Sampled and Tested Logs (TN 264127), where the CEC found that home addresses and Rater identities in QA logs constitute confidential personnel information under Section 7927.700. California Government Code Section 7922.000 independently supports confidentiality. The QA Quarterly Report documents both discrepancies and

their remediation. In the majority of cases, the identified discrepancy was corrected through the CHEERS QA program operating as designed. Publishing remediated findings without the full context of the corrective process creates a misleading public record that could expose installers, Rater Companies, and ECC-Raters to reputational harm and potential legal liability for issues that have already been addressed through the established corrective process. The public interest in non-disclosure, protecting homeowners from unwanted public association with QA findings at their properties and protecting installers and Raters from misleading public exposure for remediated discrepancies, clearly outweighs any interest in disclosure.

6. Aggregation or Masking: The report cannot be meaningfully aggregated. Section 10-103.3(d)11E requires CHEERS to report only audits that produced a significant discrepancy. The majority of audits conducted during the quarter produced no discrepancy and are not included. An aggregated summary derived from this document alone would therefore present a misleading picture of the program by omitting the larger body of audits that passed, causing harm to the public credibility of the ECC program and to the parties identified in the report.

7. Confidentiality Maintenance: The report has been kept confidential and has not been disclosed to any person other than CHEERS staff except as required by the California Building Energy Efficiency Standards, Title 24, Part 1, Section 10-103.3. Upon a failed QA audit, the affected ECC-Rater and any ECC-Rater Company for which the Rater performs FV&DT services are notified of the specific findings pertaining to them, as required by Section 10-103.3(d)5. Failed audit results are reported to the Commission quarterly pursuant to Section 10-103.3(d)11E. No disclosure beyond these regulatory requirements has occurred.

"I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge."

Thank You,



Jimmy Wheeler
CHEERS, Inc.
QA Manager

Jimmy Wheeler is authorized to make the application and certification on behalf of CHEERS (20 CCR 2505(a)(1)(G.)).

For any questions regarding this submission, please contact Jimmy Wheeler at jwheeler@cheers.org and David Choo at dchoo@cheers.org.