

DOCKETED

Docket Number:	22-HERS-01
Project Title:	2022 HERS Provider Applications for the 2022 Building Energy Efficiency Standards
TN #:	272991
Document Title:	Confidentiality_Request_GSR_2025_Annual_HERS_Report_Package
Description:	N/A
Filer:	Jonathan Johnson
Organization:	Golden State Registry
Submitter Role:	Applicant
Submission Date:	9/30/2026 10:54:28 PM
Docketed Date:	10/1/2026



APPLICATION FOR CONFIDENTIAL DESIGNATION

(Title 20, California Code of Regulations, § 2505 et seq.)

CEC-13 (Revised 04/2023)

Application concerning: GSR 2025 Annual HERS Report Package

1. Contact Information (20 CCR § 1208.1)

Applicant Name	Golden State Registry (DBA of National Energy Testing Institute, Inc.)
Phone Number	805-201-9047
E-mail	helpdesk@gsregistry.org
Proceeding Name	2022 HERS Provider Applications for the 2022 Building Energy Efficiency Standards
Docket Number	22-HERS-01

2. Title, date, and description (including number of pages) of the information or data for which confidential designation is requested (20 CCR § 1208.1)

Titles: (1) GSR 2025 Annual HERS Report; (2) Golden State Registry - 2025 Certified Rater Registry; and (3) Golden State Registry - 2025 Annual FV&DT 500-Project Dataset.

Document date: October 1, 2026

Length and format: Three PDF documents totaling 22 pages - the Annual HERS Report is 7 pages, the Certified Rater Registry is 2 pages, and the Annual FV&DT 500-Project Dataset is 13 pages.

Description: The package is GSR's year-end reporting submission for calendar year 2025 under the HERS Provider requirements. It includes the annual provider report; a registry of 59 certified raters with contact, affiliation, location, certification, status, and identifier information; and a 500-project field verification and diagnostic testing dataset containing project registration numbers, climate zones, rater identities, measures, verification outcomes, homeowner-decline information, and sampling information. The Annual HERS Report also includes identifiable complaint information, specific project and complaint addresses, quality-assurance activity, and a specified disciplinary action involving a named rater.

3. Specific part(s) of the information or data for which confidential designation is requested (20 CCR § 2505(a)(1)(B))

GSR requests confidential designation for all three documents in their entirety: all 7 pages of the GSR 2025 Annual HERS Report, all 2 pages of the 2025 Certified Rater Registry, and all 13 pages of the 2025 Annual FV&DT 500-Project Dataset. The request covers complainant and customer names; street and project addresses; telephone numbers and e-mail addresses; rater names, identifiers, affiliations, locations, certification and status information; complaint narratives and outcomes; specified rater disciplinary measures; quality-assurance and compliance activity; project registration numbers; project-to-rater linkages; field-verification outcomes; sampling information; homeowner-decline information; and the compiled operational structure and contents of the reports.

These categories are interwoven throughout the package and, in combination, permit identification, linkage, and profiling even where an isolated field might appear nonsensitive. The project dataset can connect a



specific project and its verification history to a named rater; the registry provides the additional contact and affiliation information needed to identify and contact that rater; and the annual report supplies complaint, quality-assurance, and disciplinary context. Disclosure of the package as a whole would therefore expose personal information and confidential compliance and business records beyond the sensitivity of any single field viewed alone.

4. Length of time the CEC should keep the information or data confidential, and justification (20 CCR § 2505(a)(1)(C))

GSR requests indefinite confidential designation for all three documents in their entirety.

Indefinite treatment is justified because the principal privacy and confidentiality interests do not expire after a fixed number of years. Names, addresses, telephone numbers, e-mail addresses, certification identifiers, project-to-rater and project-to-customer linkages, complaint details, and disciplinary information remain capable of enabling unwanted contact, harassment, identity misuse, reputational harm, profiling, or improper commercial solicitation long after the reporting year. The QA, compliance, project, and operational compilations also retain value as historical records of GSR's methods, provider activity, customer base, rater network, and program administration. Once disclosed, the information cannot be made private again. The Commission's May 14, 2026 decision on CHEERS's 2025 annual report confidentiality application likewise granted indefinite protection to QA sampled and tested logs, specified personal information in the rater list, and compliance files. GSR's package contains those same categories and, additionally, identifiable complainant names, specific addresses, and specified disciplinary information. Indefinite designation is therefore reasonably related to the continuing sensitivity of the records.

5. Legal basis permitting the CEC to keep the information or data confidential (20 CCR § 2505(a)(1)(D))

The requested material includes personal, personnel-like, complaint, disciplinary, compliance, and commercially sensitive information protected from public disclosure under California law. Government Code section 7927.700 exempts personnel, medical, or similar files when disclosure would constitute an unwarranted invasion of personal privacy. The names and direct contact information of customers, complainants, and raters; specific home and project addresses; certification identifiers; complaint details; and named disciplinary measures implicate substantial privacy and safety interests. Government Code section 7927.705 also preserves confidentiality where disclosure is prohibited under state or federal law, including applicable privileges and trade-secret protections. California Evidence Code section 1060 and Civil Code section 3426.1(d) protect trade secrets, including compilations that derive independent economic value from not being generally known and are subject to reasonable efforts to maintain secrecy.

The public-interest balancing provision of the California Public Records Act independently supports withholding. Gov. Code, section 7922.000. Public disclosure would create concrete risks of identity misuse, harassment, unwanted solicitation, reputational injury, reidentification, and competitive exploitation, while adding little to the public's understanding of whether GSR submitted the year-end reports required by title 20, California Code of Regulations, sections 1673(d), 1673(h)(4)(C), and 1673(i)(5). The Commission's CHEERS precedent is consistent with indefinite protection for detailed QA records, personal information in rater registries, and compliance files. Unlike the generalized CHEERS complaint summary that the Commission found did not identify complainants, GSR's report includes identifiable complainant names, specific addresses, and detailed disciplinary and compliance information.

6. Trade secrets and loss of competitive advantage (20 CCR § 2505(a)(1)(D))

(a) Specific nature of the advantage

GSR has invested substantial resources in developing and maintaining its rater network, registry administration, quality-assurance processes, complaint handling, project tracking, sampling practices, and compliance systems. The combined package reveals a nonpublic compilation of GSR's customer and project activity, rater relationships, operational scale, geographic distribution, QA results, compliance decisions, and



disciplinary practices. Its advantage lies not merely in individual data fields, but in the selection, organization, linkage, and historical record of those fields.

(b) How the advantage would be lost

Disclosure would permit competitors, marketers, and other third parties to identify and target GSR's raters and customers, map GSR's project activity and service footprint, analyze its QA and complaint patterns, infer internal compliance priorities, and exploit project and contact linkages without incurring GSR's costs of building and maintaining the underlying network and systems. It would also impair candid complaint reporting and cooperation with quality-assurance activities if customers and raters reasonably feared that detailed records would be made public.

(c) Value of the information to the applicant

The package has substantial operational, regulatory, and commercial value. It documents GSR's compliance with annual HERS Provider reporting duties, supports Commission oversight, preserves the history of QA and disciplinary activity, and provides a structured record of projects, raters, measures, outcomes, and sampling activity. The linked compilation assists GSR in administering certifications, investigating complaints, monitoring performance, planning QA activity, and managing its relationships with customers and certified raters.

(d) Ease or difficulty of legitimate acquisition or duplication by others

Individual public facts about a project location, company, or credential do not reproduce this package. Legitimately assembling an equivalent linked dataset would require access to GSR's nonpublic registry, project records, QA systems, complaint files, communications, and compliance determinations, together with substantial effort to verify, organize, and maintain the information. The complaint details, homeowner decisions, QA outcomes, disciplinary measures, and project-to-rater linkages are not readily ascertainable from public sources.

7. Whether the information or data can be disclosed if aggregated or masked (20 CCR § 2505(a)(1)(E))

The package cannot be meaningfully disclosed through aggregation or masking while preserving the context for which it was submitted. The privacy and commercial sensitivity arise from combinations of fields across the three documents, and masking only one direct identifier would not prevent reidentification through project registration numbers, addresses, rater identifiers, company affiliations, dates, locations, complaint facts, or disciplinary details. Aggregating the records would remove the project-level, rater-level, and event-level detail required for the Commission's regulatory review.

Because the three documents operate as a linked annual compliance package, partial disclosure would also allow information in one document to be used to decode or reidentify information in another. Effective protection therefore requires confidential treatment of the package in full.

8. How the information or data is kept confidential and whether it has been disclosed outside the applicant (20 CCR § 2505(a)(1)(F))

GSR keeps the information confidential through restricted access, role-based business use, secure electronic systems, and disclosure only to employees, contractors, professional advisers, service providers, and regulators who require access for program administration, quality assurance, complaint handling, legal review, or oversight. Personal contact information, project records, QA records, complaints, disciplinary matters, and compliance files are not made generally available to the public.

Any disclosure outside GSR has been limited to affected participants, authorized service providers, professional advisers, or the Commission as reasonably necessary for administration, investigation, compliance, or oversight, and under applicable contractual, professional, programmatic, or legal duties. Submission to the Commission is made solely for official review and with this express application for confidential designation.



9. Certification (20 CCR § 2505(a)(1)(G))

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.

10. Business entity and authority to apply and certify (20 CCR § 2505(a)(1)(G))

National Energy Testing Institute, Inc. is a corporation doing business as Golden State Registry. I am the Chief Executive Officer of the corporation and am authorized to prepare and submit this application and to make the foregoing certification on behalf of National Energy Testing Institute, Inc. DBA Golden State Registry.

Signature	
Name	Jonathan Johnson
Title	Chief Executive Officer
Date	