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CEA Qualifications for nonresidential compliance

Please include a mandatory Certified Energy Analyst (CEA) qualification framework for nonresidential compliance in the formal 2028 proposal

Additional submitted attachment is included below.

CEA qualifications for nonresidential compliance

October 26, 2026
California Energy Commission
Docket No. 25-BSTD-03 | 2028 Energy Code Pre-Rulemaking

Subject: Supplemental comments on the October 12 draft regulatory text

Dear Commissioners and Energy Code staff:

Please include a mandatory Certified Energy Analyst (CEA) qualification framework for nonresidential compliance in the formal 2028 proposal. This letter supplements my September 28 comments, TN 272958, and the companion filing in Docket 24-BSTD-05, TN 272959. The immediate request covers responsible nonresidential design-stage compliance authors and designated project-side technical reviewers, including licensed professionals, for both performance and prescriptive documentation. Section 3 carries forward the residential implementation pathways already identified in my filed appendices. [1]

I support the proposed recognition of CABEC Nonresidential Certified Energy Analysts in Section 1001.2.3.1. That is a useful step. It qualifies CEAs for a defined nonresidential design-review role; it does not establish the broader documentation-author requirement requested in my earlier filing. Please address that remaining gap directly. [2]

1 Add an explicit qualification requirement for compliance authors

The draft Certificate of Compliance provisions distinguish the documentation author from the person legally responsible for the building design. Please retain those responsibilities and add current CEA qualification for the individual responsible for preparing and substantively reviewing nonresidential energy compliance documentation. Coordinate the requirement across Section 100.5.1.1, its related Part 1 provisions, definitions, forms, and applicable Joint Appendix JA7 procedures. [2]

The credential should match the building type, assigned task, and applicable code cycle. Licensed architects and engineers should meet the same energy-specific competency requirement when performing these roles. Other staff should be able to assist under a named CEA who actually reviews the work and accepts responsibility for its accuracy. Certification should not confer design licensure or transfer the designer's legal responsibilities.

2 Apply consistent independence rules to the new reviewer pathway

Section 1001.2.3.1.2 identifies independence conditions for engineer and architect reviewers in the larger-building categories, but the CEA alternatives do not state matching conditions. Please specify when a CEA reviewer must have no other project involvement and when a third party is required. Apply the same independence standard to equivalent review assignments, regardless of credential. [2]

3 Advance residential compliance through the filed pathways

The 2028 request above prioritizes nonresidential work. For residential implementation, please act on the pathways already documented in TN 272958, Appendix A, pp. A-1–A-2 and A-5–A-7, and Appendix C, pp. C-1–C-2. [1]

A. Enforce existing requirements now. Use Part 1 Sections 10-103(a)1, 10-103(a)2C, and 10-103(d) to require accurate, coordinated documentation, obtain supporting model inputs, and address compliance before permit issuance and final approval. Use Public Resources Code Section 25402.1(f)–(g) to support local training and authorized plan-review services involving qualified CEAs. This advances residential compliance without changing technical energy standards or asserting an existing statewide CEA mandate.

B. Build on the filed precedents. Appendix C identifies CALGreen Sections 702.2 and 703.1 for task-specific qualifications and documentation, and Palo Alto's residential FlexPath modeled alternative requiring CEA preparation and signature. Coordinate with HCD and CBSC to develop appropriate qualification provisions, while respecting each precedent's scope and inspector independence. These provisions do not establish universal CEA authorship or authorize other cities to copy the requirement automatically.

C. Develop the mandatory adoption route. Prepare the Part 1 author/reviewer proposal identified in Appendix C. For earlier residential implementation, establish an applicable statutory exception, including an emergency health-and-safety route only with the required evidence, findings, and CBSC approval, or seek targeted legislation. Sections 18929.1(c)(7) and 18930(g)(8) also allow consideration of standards effective January 1, 2032 or later. Part 1 or CALGreen placement alone does not avoid AB 130. Advance authorized training and pilots during that process.

4 Fund program capacity and test readiness before launch

Brian Selby's white paper, TN 272927, outlines expansion of the CEA program for performance-documentation authors. Please develop it into an authorized, funded work plan, adding appropriate competencies for the prescriptive and technical-review duties requested here. [3]

Identify the staff lead, eligible funding and procurement route, deliverables, and decision dates. Address mentorship, examination capacity, continuing education, practical assessments, remediation, and appeals. Publish fees and wait times, and provide an attainable transition without indefinite exemptions from demonstrated competence.

Test credential checks with software providers and applicable registries before launch. Final documents should identify the responsible CEA, credential scope and status, signed review, and document revision. Preserve historical records and procedures for outages and disputed status. Retain CEC oversight through published qualification and quality-assurance criteria.

5 Measure project accuracy and begin useful work during the study

Energy Solutions' October 20 filing, TN 273157, recommends action alongside compliance evaluation, CEA training partnerships, and greater professional accountability. These recommendations support implementation work now, although that filing does not endorse the mandatory CEA framework requested here. [4]

Compare similar projects for material plan/model errors, correction rounds, late equipment changes, unresolved verification issues, applicant cost, and review time. Separate documentation errors from installation defects before attributing benefits to certification. Verify training access and substantive review of actual projects alongside credential status.

Proposed starting language for staff development

I offer the following as a policy drafting instruction for the administrative documentation provisions. Staff should develop the final regulatory text, applicability, definitions, transition provisions, and conforming changes through the public process:

> For each covered nonresidential Certificate of Compliance, the individual responsible for preparing the energy compliance documentation and each designated project-side reviewer responsible for its substantive technical review shall hold current CABEC Certified Energy Analyst certification appropriate to the assigned task, building type, and applicable code cycle. Architectural or engineering licensure shall not create an automatic exemption. Other personnel may assist under the substantive review and responsibility of the identified CEA. The documents shall identify that individual, the applicable credential, and the reviewed revision. These requirements do not authorize unlicensed design practice or diminish the responsibilities of the lawful designer, enforcement agency, independent field verifier, or acceptance test technician. Any independently required review shall remain independent.

The substantive review should reconcile the compliance documents with the plans, equipment schedules, and supporting calculations; identify required field verification and acceptance tests; and resolve material conflicts before equipment procurement or construction. Later changes should trigger review of the affected documentation. Please define the treatment of minor revisions so the rule is proportionate to the work.

Before the formal proposal is released, please publish a response identifying the provisions staff will advance, any scope it will defer, and the reason for each decision. I renew my request for a work plan within 60 days, with named staff, funding steps, and a public review point. This is a requested action schedule. It should run alongside the compliance study and provide a practical route to a mandatory qualification program.

Respectfully submitted,
Travis Wade
Wade Energy



Docket references

[1] TN 272958. Travis Wade, September 28, 2026. Main letter PDF pp. 3–6; Appendix A, A-1–A-2 and A-5–A-7 (PDF pp. 7–8, 11–13); Appendix C, C-1–C-2 (PDF pp. 23–24). Companion filing: TN 272959, Docket 24-BSTD-05. View docket document

[2] TN 273088. Pre-Rulemaking Draft Regulatory Text for the 2028 Energy Code, October 12, 2026. Section 100.5.1.1, printed pp. 1-12–1-13 (PDF pp. 138–139); Sections 1001.1 and 1001.2.3.1, printed pp. 10-2–10-4 (PDF pp. 933–935). View docket document

[3] TN 272927. Brian Selby, Expanding the CEA Program to Support Requirement for Performance Compliance Documentation Authors, September 24, 2026, PDF pp. 2–8. Discussion proposal, not an adopted requirement or approved budget. View docket document

[4] TN 273157. Energy Solutions Comments on Compliance Initiative Workshop, Docket 24-BSTD-05, filed October 20, 2026; letter dated October 19. Recommendations 1, 5, and 6, PDF pp. 3–4 and 7–8. View docket document