

| <b>DOCKETED</b>         |  |
|-------------------------|--|
| <b>Docket Number:</b>   | 19-HERS-01   |
| <b>Project Title:</b>   | 2019 HERS Providers' Application for the 2019 Building Energy Efficiency Standards |
| <b>TN #:</b>            | 232926   |
| <b>Document Title:</b>  | Response to May 5, 2020 Letter re Withdrawal of Name Change Amendment              |
| <b>Description:</b>     | N/A  |
| <b>Filer:</b>           | Sarah Kozal  |
| <b>Organization:</b>    | Buchalter  |
| <b>Submitter Role:</b>  | Applicant Representative   |
| <b>Submission Date:</b> | 5/6/2020 4:16:20 PM  |
| <b>Docketed Date:</b>   | 5/6/2020   |

May 6<sup>th</sup>, 2020

Mr. Drew Bohan  
Executive Director  
California Energy Commission  
1516 Ninth Street, MS-39  
Sacramento, CA 95814

Re: Docket Number: 19-HERS-01

Dear Director Bohan,

We are in receipt of your letter dated May 5<sup>th</sup>, 2020 in response to our withdrawal of our name change amendment. As a primary matter the core of our business is supporting and promoting the mission of the Home Energy Rating System (HERS) program and increasing compliance with California's building energy code. Accordingly, we are notifying you that as requested by the Commission we are immediately taking the following actions:

- 1) Filing with the California Secretary of State a name change from California Energy Registry, Inc. to ConSol Home Energy Efficiency Rating Services, Inc.
- 2) Removal of all references to Cal Energy and California Energy Registry, Inc. on all public facing and HERS materials.

As you are aware, we notified Commission staff of our name change in November 2019. Staff acknowledged the reasoning for the name change and were congratulatory when we announced the change to the industry. On December 23, 2019 we were informed we would need to submit an amendment to our application which we submitted that day. Your letter dated April 6, 2020 recommended denial of the application. We were surprised by this outcome and disagree. A mere name change does not result in non-compliance with the HERS regulations and as a certified HERS Provider we have consistently complied with all the requirements of the HERS regulations. We contacted Commission staff on April 21, 2020 and held a telephone conference with them on April 28, 2020. We heard and understood the concerns on that call and subsequently withdrew our application that day and informed staff that we would be working on a solution to address the concerns.

As the chronology reflects, responsiveness to the Commission's concerns has been our highest priority. Accordingly, we respectfully request that the Commission not suspend our system's access to the report generator, no later than May 8, 2020, given our filing of a name change to CHEERS with the California Secretary of State by close of business tomorrow. We remain committed to advancing the mission and vision of California's HERS program and providing the excellence our company is known for.

What started as a simple name change by us has resulted in what looks like a potential decertification without the associated due process. Although we respectfully disagree with the Commission on the applicable law, we wish to promptly satisfy the Commission's concerns and

are taking the requested actions described in this letter in the interest of the HERS program and the important public interest served by it. Of course, nothing in this letter constitutes a waiver of any rights we have.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim Hodgson", with a long horizontal flourish extending to the right.

Name: Jim Hodgson

Date: May 6, 2020

Title: President, ConSol Home Energy Efficiency Rating Services, Inc.