

DOCKETED

Docket Number:	22-HERS-01
Project Title:	2022 HERS Provider Applications for the 2022 Building Energy Efficiency Standards
TN #:	257709
Document Title:	CHEERS Order - 2022 Energy Code
Description:	ORDER TO (1) RE-CERTIFY CHEERS AS A HOME ENERGY RATING SYSTEM PROVIDER AND (2) APPROVE MODIFICATION OF THE CHEERS 2022 ENERGY CODE RESIDENTIAL DATA REGISTRY TO INCLUDE LOW-RISE MULTIFAMILY BUILDING TYPES
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STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**CHEERS Application for Modification
of its Residential Data Registry under
the 2022 Energy Code**

Docket No.: 22-HERS-01

**ORDER TO (1) RE-CERTIFY CHEERS
AS A HOME ENERGY RATING
SYSTEM PROVIDER AND (2)
APPROVE MODIFICATION OF THE
CHEERS 2022 ENERGY CODE
RESIDENTIAL DATA REGISTRY TO
INCLUDE LOW-RISE MULTIFAMILY
BUILDING TYPES**

I. BACKGROUND

The Warren-Alquist Act directs the California Energy Commission (CEC) to establish criteria for a statewide Home Energy Rating System (HERS) program. The CEC's California HERS program regulations establish requirements for home energy rating services offered by providers (including the providers' training and certification of raters) and for the CEC's certification of providers. The regulations define a provider as an organization that administers a California HERS program.¹

The 2022 Building Energy Efficiency Standards (Energy Code) requires field verification and diagnostic testing (FV&DT) of specified residential energy efficiency measures to demonstrate compliance with the Energy Code.² This testing must be performed by raters who are certified by a CEC-approved HERS provider. Additionally, the 2022 Energy Code describes the approval process as well as functional and technical requirements for a residential data registry. Finally, "[f]or residential compliance document registration, the Registration Provider shall be approved in accordance with the requirements in Section JA7.8, and shall also be a HERS Provider approved by the Energy Commission."³

¹ California Code of Regulations, title 20, section 1671.

² California Code of Regulations, title 24, part 1, section 10-103(a).

³ 2022 Reference Appendices, Joint Appendix section JA7.4.1 Registration Provider

California Home Energy Efficiency Ratings Services (CHEERS), an approved HERS provider, has applied to modify its 2022 Energy Code residential data registry to incorporate low-rise multifamily projects and compliance documents.

II. EXECUTIVE DIRECTOR'S RECOMMENDATION

On January 15, 2024, CHEERS submitted an application to the CEC requesting modification of a residential data registry under section 10-109(g) of the 2022 Energy Code. CHEERS submitted subsequent application materials, with the final filing, including revisions, received on May 13, 2024.

Staff determined the application to be complete, pursuant to Title 20 of the California Code of Regulations (CCR) section 1674(c)2, and Title 24 section 10-110(b), a public notice was posted to docket number [22-HERS-01](#).⁴ The notice provided an opportunity for public comment and any comments received were considered as of May 8, 2024.

As specified in 20 CCR section 1674(f), staff reviewed and validated all information received and determined that CHEERS meets the criteria to administer a California HERS Program and oversee raters conducting FV&DT under the 2022 Energy Code.

Staff concluded that CHEERS has met the requirements specified in the 2022 Energy Code. Staff has also concluded that CHEERS has met the requirements of 20 CCR section 1674 for re-certification as a HERS provider.

On June 11, 2024, the executive director concurred with these conclusions and signed a recommendation to approve the CHEERS application and to recertify CHEERS as a HERS provider. A copy of the recommendation was sent to CHEERS on June 17, 2024, which was at least fifteen business days before the next scheduled business meeting as required by 20 CCR section 1674(c)(5). Staff also posted the recommendation to docket log 22-HERS-01.

III. ENERGY COMMISSION FINDINGS

1. 24 CCR section 10-109(g) requires a previously submitted data registry application to undergo resubmittal and approval to the Commission if it has undergone changes. CHEERS has submitted modifications to the CHEERS residential data registry to register low-rise multifamily compliance documents for the 2022 Energy Code.
2. 20 CCR section 1674(f) requires where this changed information could affect the provider's compliance with these regulations, the Energy Commission may require that the provider be recertified. The Energy Commission found that the changes could affect the Provider's compliance with these regulations and, therefore, required the Provider to undergo recertification.

⁴ Available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01>

3. Pursuant to 24 CCR section 10-110(a), within 75 days of receipt of an application the executive director shall determine if the application is complete. The application was determined complete on April 22, 2024.
4. 24 CCR section 10-110(b) allows the public the opportunity to comment on the proposed modifications once an application is determined complete. A public notice was posted to docket number 22-HERS-01. The notice provided an opportunity for public comment, and any comments received were considered as of May 8, 2024. No adverse comments were received.
5. 20 CCR section 1674(c) requires the executive director to provide a copy of their evaluation to all interested persons and provide the applicant and the Energy Commission a written recommendation that approves or denies the application. Meanwhile, 24 CCR section 10-110(f) requires the complete application package, any additional information considered by the executive director, and the executive director's recommendation to be considered at the next business meeting after submission of the recommendation. On June 11, 2024, the executive director recommended CHEERS data registry modification be approved and to recertify CHEERS as a HERS provider. On June 17, 2024, a copy of the recommendation was sent to the applicant as required by 20 CCR 1674(c)(5).
6. The Energy Commission confirms the executive director's recommendation and finds that the requirements of 20 CCR 1674 and 24 CCR 10-110 have been met. Therefore, CHEERS has met the requirements to be recertified as a HERS Provider and to register low-rise multifamily compliance documents.

IV. CONCLUSION AND ORDER

The CEC hereby recertifies CHEERS as a HERS provider and approves the modifications to the CHEERS residential data registry to register low-rise multifamily compliance documents for the 2022 Energy Code.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the CEC held on July 10, 2024.

AYE: Monahan, Gallardo, Gunda

NAY: NONE

ABSENT: Hochschild, McAllister

ABSTAIN: NONE

Dated: July 11, 2024

SIGNED BY:

Kristine Banaag
Secretariat