

<b>DOCKETED</b>	
<b>Docket Number:</b>	23-HERS-01
<b>Project Title:</b>	2023 Repeal of the Field Verification and Diagnostic Testing requirements in Title 20
<b>TN #:</b>	252591
<b>Document Title:</b>	Final Statement of Reasons
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**CALIFORNIA ENERGY COMMISSION**

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CEC-057 (Revised 1/21)

**FINAL STATEMENT OF REASONS****Amendment of the Home Energy Rating System (HERS) Regulations  
OAL Z 2023-0130-01****UPDATE OF THE INITIAL STATEMENT OF REASONS**

**In response to comments received during the 45-day public comment period, the following changes were made to the proposed regulatory language and provided for 15-day public comment from June 1 through June 16, 2023.**

**Modifications to all sections:**

The CEC amended the effective date language in all sections to specify the current regulations for the field verification and diagnostic testing program that are being removed from Title 20 will remain in effect until new regulations for the field verification and diagnostic testing program are established in Section 10-103.3 in Part 1 of Title 24 of the California Code of Regulations and become effective. This change was made to alleviate public concerns that the home energy rating system (HERS) program or the field verification and diagnostic testing program could be eliminated if the Title 24 changes do not become effective by January 1, 2026.

The California Energy Commission organizes and approves Title 24's Building Energy Efficiency Standards, Part 1 and Part 6 inclusive. Specifically, we control and approve the numbering and content of Part 1, Article 1, including 10-103, 10-103.1, 10-103.2, and proposed 10-103.3. The Commission confirms that it will preserve 10-103.3 for the Field Verification and Diagnostic Testing program, and expects to have proposed regulatory language for this section imminently.

**LOCAL MANDATE DETERMINATION**

The California Energy Commission has determined that this action will not result in a local mandate on local agencies or school districts.

**CONSIDERATION OF ALTERNATIVE PROPOSALS**

The Energy Commission determined pursuant to Government Code Section 11346.9(a)(4) that no alternative before it would be more effective in carrying out the purpose for which this action is proposed; no alternative would be as effective as and less burdensome to affected persons than the adopted regulation; and no alternative would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The adopted regulations will not have a significant adverse economic impact on businesses, including small business and no alternatives were proposed that would lessen any adverse economic impact on businesses, including small business.

Except as discussed in the summary and response to comment, no alternatives were recommended.

#### **INCORPORATION BY REFERENCE**

The Energy Commission did not incorporate any documents by reference.

#### **SUMMARY OF RESPONSES TO PUBLIC COMMENTS RECEIVED**

All responses to public comments, including acceptance of recommendations and justification when recommendations were not accepted, are hereby incorporated by reference to this Final Statement of Reasons, and included in the final record.

The comments in tab 17 of the record are listed from most recent to oldest and the matrix summary and response lists the comments from oldest to most recent.

The comments in tab 18 of the record are written comments submitted on the day of the public hearing and are summarized and responded to in the matrix in accordance with the comment's placement within tab 17 and there are no new comments that were only found in tab 18 and not tab 17.