

DOCKETED

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Filer:	Meagan McFadden
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May 6, 2024

Via CEC Docket 24-BSTD-01

Commissioner Andrew McAllister
California Energy Commission
1516 Ninth Street, MS-39
Sacramento, CA 95814

RE: CalCERTS Third Set of Comments on 45-Day Language for 2025 BEES

The CalCERTS Team appreciates the work of CEC Staff over the past eighteen months on the Field Verification and Diagnostic Testing Program (FVDT). The initial proposed regulations in the Draft Staff Report have been significantly revised to better address the issues with, and application of, Energy Code Compliance.

To support the objectives within the Final Staff Report and in the Initial Statement of Reasons, CalCERTS makes the following suggestions/edits for the proposed regulatory language. This recommendation to improve oversight of the quality assurance program has been reiterated throughout this rulemaking. Numerous comments on this issue have been docketed. The following language should be included.

[Redline language addition to **Data Recording**: 10-103.3(d)(9)(B)(iii)(c)]

B. Data Recording for Quality Assurance Actions.

- i. An ECC-Provider shall record all Quality Assurance and disciplinary actions taken against each ECC-Rater and ECC-Rater Company.
- ii. The ECC-Provider shall maintain a database tracking system indicating the certificate status of all certified ECC-Raters and ECC-Rater Companies and all Quality Assurance or disciplinary actions taken against each ECC-Rater and ECC-Rater Company.
- iii. Quality Assurance Data regarding ECC-Raters and ECC-Rater Companies shall include all of the

following

- a. Name, business address, and contact information for each certified ECC-Rater, ECC-Rater Company, or applicant.
- b. Current status of certification, limited to one of the following: Application-in-Review, In-training, Certified, Under Notice of Violation, on Probation, on Suspension, Decertified, Certification Dormant (no data registration activity in one year).
- c. Current ECC Provider pricing assigned to the ECC-Rater or ECC Rater Company for the costs and services for Field Verification and Diagnostic Testing registration including any Quality Assurance fees.

[Redline language addition **Data Reporting:** 10-103.3(d)(11)(G)(iii)(e)]

G. Annual Reporting Requirements Regarding ECC-Rater Companies.

- i. Beginning in 2027, an ECC-Provider shall submit an ECC-Rater Company Annual Report to the Commission by June first of each year.
- ii. The data used as the basis for the ECC-Rater Company Annual Report shall include submitted reports from all ECC-Rater Companies (Section 10-103.3(f)2H) and all ECC-Raters filing as an independent (Section 10-103.3(e)2G).
- iii. The ECC-Provider shall ensure that the ECC-Rater Company Annual Report includes all of the following:
 - a. The compliance status of the principal licensure requirements (Section 10-103.3(f)1B) are met for each ECC-Rater Company and the certification status of ECC- Rater filing as independent (Section 10-103.3(e)1A).
 - b. The number of all types of certificate status (Section 10- 103.3(e)1A) for all ECC-Raters employed by each ECC-Rater Company.
 - c. Whether the total number of field verifications and

diagnostic tests registered by each ECC-Rater Company and ECC-Rater filing as an independent is accurate as compared to the ECC-Provider data registry.

- d. An aggregation of the total and average costs of services for each type of field verifications and diagnostic tests reported by all ECC-Rater Companies and ECC-Rater filing as an independent without any associated identification. The ECC-Provider shall summarize the cost of services data by local jurisdiction and climate zone independently. All aggregations shall consist of at least three reports of either ECC-Rater Company (Section 10-103.3(f)2H) or ECC-Rater (Section 10-103.3(e)2G) filing as independent. All unaggregated results shall be included in a “other” category if consisting of at least three ECC-Rater Companies or ECC-Rater filing as independent. The ECC-Provider shall include the total number of reports for ECC-Rater Companies and ECC-Raters filing as an independent that were not possible to aggregate or are otherwise not included in the report.
- e. ECC Provider pricing assigned to the ECC-Rater Company for the costs and services for Field Verification and Diagnostic Testing registration.

Thank you for your consideration,

That CalCERTS Team



(916) 985-3400



www.calcerts.com



support@calcerts.com



31 Natoma, Suite 120
Folsom, CA 95630

