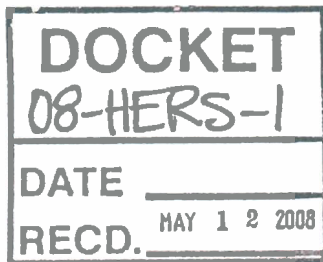


**Comments
On
The California Energy Commission's
HERS II Project – Docket # 08-HERS-1
May 2, 2008 Workshop**

1. I believe this is an important project and the work done to date by the Commission and Architectural Energy Corp. (Commission Contractor) is significant and, for the most part, exemplary.
2. I believe that solutions, to several problematic areas of the work done to date, must be found.
3. Following is a summary of my *some* of my comments regarding the HERS II project:

a. "2008-05-02_HERS_workshop_presentation_.PDF"



- i. **Page 13** - The proposed Rating Scale should be revised to show that "high" numbers are "good" and "low" numbers are "bad." Americans are used to "more is better" and will have difficulty understanding the proposed scale. Realtors could easily take advantage of a "zero-is-best" scale to tell potential homebuyers that they would be getting a "94" house when new houses sometimes rate in "20's." I can hear a Realtor saying, "...they sure don't build'em like they used to!"
- ii. **Page 13** - "Sample Rating Certificate" could be similar to that shown, but should ALSO have a **CLEAR & SIMPLE** way for the buyer/homeowner to determine "potential" energy efficiency of the building. This might be done by using

LARGE "stars" or other icon/symbol (i.e., 

Is a very good energy efficiency rating, whereas  is a poor rating.

- iii. **Pages 34 to 44** – "Recognized Entities"

1. This entire section is "complicated." I suggest that a flow chart or other simple graphic be used to depict the "relationships" of these entities.
2. I am concerned that the proposed "certification" and titles of the entities described in this section will totally confuse the buyer/homeowner and that, if adopted as shown or as modified during the HERS II process, that a plastic coated card that, in simple layman's terms describes the "role" of EACH entity, be developed, produced and BE REQUIRED to distributed to ALL potential homebuyers, sellers, realtors, and others.

- iv. **Pages 46 through 48** – The role of the “Building Performance Contractor” is confusing. Please describe the requirements in a clear and complete way. (note that the transcript of the Workshop, when posted online, may clarify this issue for me).
 - v. **Pages 46 through 48** – the “Building Performance Contractor” should NOT have to have an independent 3rd party verify work...EVEN IF CURRENTLY REQUIRED BY THE TITLE 24 STANDARDS and Title 20 HERS regulations.
 - vi. **Pages 46 through 48** - A solution to the CURRENT 3rd party INDEPENDENT field verification “procedures” which are complicated, cumbersome and “real-world-doesn’t-work” situation MUST be found. The Commission should work closely with stakeholders to solve the problems of how the current “independent” 3rd party field verification system works...or why it doesn’t work in most cases.
 - vii. **Page 47, second bullet** – what is meant by, “...rater and provider...” Does that mean that if a house is remodeled by a building performance contractor who is certified by, say, CHEERS, the homeowner cannot hire an independent HERS rater that is also certified by CHEERS and must hire a rater that is certified by a DIFFERENT HERS Provider? If so, this should be modified to allow the hiring of a different rater who is certified by the same Provider.
 - viii. **Page 57**. I think that there should be calculations and written text that ASSURES that larger homes do NOT benefit from the 2,500 s.f. “limit” or “constant” used for determining energy use and the “reference house” method of calculating.
 - ix. **Page 124** – Costs of products, appliances, building materials, and other construction associated costs are in constant, and recently, “radical” flux. I do not agree with how this project intends to “analyze” appropriate “costs” of items. I believe a more flexible and less “accounting-like” system should be used.
- b. **General Comments on the HERS II Project**
- i. I believe that the project “product” to date is way too complicated and will cause confusion and difficulty in its implementation. I think that “Simple and Elegant” should be the “watchwords” for the final HERS II “product.”
 - ii. I believe that the program, as presented on May 2, 2008 at the Commission Workshop, will add significant expense to: HERS Providers, HERS Raters, all “entities” described, HOMEOWNERS, HVAC contractors and other trades. During this national and world difficult economic time (RECESSION/DEPRESSION), the added cost to comply

with HERS II (as currently proposed) is likely to drive consumers, contractors, building departments and others “underground” and away from compliance. I believe that business opportunities will occur for unlicensed contractors and those who provide poor service to the consumer, if the HERS II program is adopted as presented on May 2, 2008 by the Commission.

- iii. Much work is needed to modify the current proposed HERS II program and make the program “workable” in the “real world.” I suggest that consideration be given to adoption at a later date than is currently planned. I suggest that legislation required this program to be adopted in 1995 and that, having waited 13 years past the legally required date, care should be taken to provide a program that actually achieves the desired effect...less energy used and energy used more efficiently. The current Title 24 Energy Standards and adopted 2008 version are not consistently complied with nor enforced. Currently, the marketplace seems to do a better job of achieving reduction of energy use than regulation provides.

Thank you for your consideration of my comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Eash', with a stylized, cursive script.

John Eash, Architect/Energy Consultant