

August 25, 2008

Commissioner Pfannenstiel  
Commissioner Rosenfeld  
California Energy Commission  
1516 9<sup>th</sup> Street  
Sacramento, CA 95814

**Re: California HERS Program Phase II Regulations Development**

Dear Commissioners Pfannenstiel and Rosenfeld:

We applaud and support the Commission's efforts to develop a rigorous and uniform California Home Energy Rating System (HERS) program for existing homes. All of us are aware of the enormous potential for improving energy efficiency and reducing greenhouse gases by upgrading the performance of existing buildings. We look forward to working with the Commission to make the Phase II HERS program a success.

In reviewing the presentation and supporting documents for the August 14<sup>th</sup> workshop, we have noticed a major flaw in the draft regulations and proposed procedures in Section 8.1 of the *Draft HERS Technical Manual* that will undermine the stated goals of the program. That flaw is the lack of a single state-wide quality control for demonstrating competence of those seeking certification in the three categories being created for the Phase II system (i.e., Whole-House Home Energy Rater, Home Energy Inspector and Home Energy Analyst). As currently proposed, each HERS Provider develops their own separate test for each certification category without the Commission necessarily overseeing consistency or a specific level of difficulty.

For the state to ensure that all certified individuals have demonstrated functional competence to the designated level regardless of which HERS provider they have chosen, the Commission must directly oversee (e.g., contract for and manage) the development of examinations which all HERS providers use. In all other respects, we can support the HERS providers performing all other duties as specified. However, given both the real and perceived importance of quality control for the new HERS program, it is crucial that the Commission accept this responsibility to help build and maintain credibility and confidence in the program.

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We recommend that the following changes to the *Draft HERS Regulations in Section 1673, Requirements for Providers, (a) Training and Certification Procedures for Raters* with new proposed text in ***bold italics*** as follows:

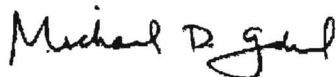
*Each provider shall conduct the following rater training and certification procedures. The Energy Commission may require providers to provide additional training to their raters to ensure an appropriate level of rating quality. **The Energy Commission shall be responsible for and directly oversee the development of a uniform test required to be administered by all providers to all applicants seeking certification as a Whole House Home Energy Rater, Home Energy Inspector or a Home Energy Analyst***

Similar but important changes in the *HER Technical Manual* would also be made in Section 8.1 to implement this policy modification.

The state necessarily regulates many different areas of work on behalf of consumers. Consumers will need and will demand that anyone certified as part the HERS Phase II program has gone through a truly uniform testing procedure, and the state has a serious interest in ensuring this. We strongly urge the Commission to adopt this proposed change.

Please have Staff or Commission contractor call us if they would like to discuss the issue further. Although the Public Comments deadline is today for this round, we will likely provide further comments on the HERS Phase II documents as the project moves forward.

Sincerely,



Michael Gabel  
CABEC Standards Committee Chair

Cc: Bill Pennington, CEC

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