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<b>DOCKET</b>	
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Helen,

I have read the California Building Performance Contractors Association, Program Director's November 13, 2008 California Energy Commission letter.

The Program Director asserts on page 2, under rater-contractor relationship, "We continue to be skeptical about the practicality of the certified independent home performance rater model for inducing actual home energy improvements. Such independent home energy audits rarely result in significant home upgrades. Also, in our experience, home performance contractors are unwilling to accept the improvement analysis and recommendations on an independent rater because the contractor becomes legally responsible for the results despite having no involvement in the analysis." This sentence reveals the CBPCA Program Director is ignoring *facts* in favor of his *bias*.

First, the *fact* is today we do not have the CEC approved software to provide existing homeowners with an energy audit and energy improvement suggestions. So no criticism can be made of software modeling energy improvements when it has not been improved by the CEC. Yet, as an active member of CalHERS I have colleagues, who like me, have used current software to provide homeowners with significant cost affective energy savings options to select from. The Program Director's logic is much like saying the independent CF-1R/Title 24 work produced by a Title 24 analyst does not provide significant project energy savings for new construction builders.

Second, the *bias* of the letter suggests Building Performance Contractors are unwilling to accept the improvement analysis and recommendations by independent raters. This *bias* is refuted by the *facts* of the HERS II 45-day language. Existing home energy improvement options for homeowners are not the results of the isolated work of the rater. An existing home energy analysis and plan to reduce energy consumption is the result of the cooperation between the auditor, analyst, rater, builder and homeowner. The contractor is not getting recommendations from a rater, but from the combination of inputs. Our current new construction experience as mentioned above rejects the Program Director's logic. The *bias* in the letter is Building Performance Contractors should be free to make independent energy savings evaluations and rating for existing homeowners. "A principal concern is with the quality and extent of training to be received by raters as well as their actual construction experience, which is often inadequate for adequate job specification." The connecting sentences reveal an illogical *bias* not based on the *facts*. His concluding remarks rely upon the word "likely" as proof raters "are likely to find it difficult to find high-quality contractors willing to work to their independent job specifications". The Program Director's words reflect his *bias*. Evidently he conveniently ignores the CEC HERS II 45-Day Language for the roles of auditor, analyst, rater, contractor and homeowner to provide precise options from which homeowners may select the best for energy savings.

The implication at the bottom of page 2 is CBPCA members are much better trained for existing home energy audits than HERS Raters. Evidently the contractor training referred is the training provided by the CBPCA. I would like to have the content of this training so we can evaluate the CBPCA training in light of HERS training.

On page 3, under "rater effectiveness in generating savings" there are statements that question independent rating work for an existing residence to reduce site energy demand. The suggestion is the contractor should be involved in the scope of work. Rather than write a response to each item, my remarks above again cover the flawed *bias* of these comments.

The HERS II 45-Day Language specifies a partnership between rater, auditor, analyst, builder and homeowner is essential for providing exceptional energy efficiency choices for homeowners to consider. This specification is a team approach rather than the Program Director's thought the Building Performance Contractor is uniquely qualified to provide existing homeowners with an energy audit, analysis, construction and rating. The letter suggests, "There is a major danger of job quality loss in the independent-rater approach for ratings when the homeowner chooses to have improvements done without the involvement of either the original rater or a qualified home performance contractor." The conclusions that follow this sentence are more emotional than factual. The letter gives words of value for independent raters but consistently focuses on the value of the Building Performance Contractor's key role with a minor role for analyst, auditor and rater. In contrast to this prejudice view, a partnership revealed in the HERS II 45-Day Language between builder, auditor, analyst, independent rater and homeowner provides precise cost effective energy savings options for the homeowner. Just as the partnership today in the new construction industry between builder, Title 24 analyst and independent HERS Rater provides residence energy savings.

Thank you for considering my letter.

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