

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street
Sacramento, California 95814

Main website: www.energy.ca.gov



In the matter of 2008 Rulemaking on)	Docket No. 08-HERS-2
California Home Energy Rating System)	
Phase II Program Regulations)	NOTICE OF COMMISSION
Implementation of California Code of)	ADOPTION HEARING, AVAILABILITY
Regulations, Title 20,)	OF 15-DAY LANGUAGE AND
Sections 1670 to 1675)	OPPORTUNITY FOR COMMENT

**Notice of Commission Adoption Hearing
Availability of 15-Day Language and
Opportunity for Comment**

DOCKET	
08-HERS-2	
DATE	<u>DEC 17 2008</u>
RECD.	<u>DEC 01 2008</u>

The California Energy Commission (Energy Commission) will hold a public hearing to consider adopting the proposed amendments to the California Home Energy Rating System (HERS) Program Regulations contained in the California Code of Regulations, Title 20, Chapter 4, Article 8, Sections 1670 to 1675. The hearing will be held on:

WEDNESDAY, DECEMBER 17, 2008

10 a.m.

CALIFORNIA ENERGY COMMISSION

1516 Ninth Street

First Floor, Hearing Room A

Sacramento, California

(Wheelchair accessible)

Audio from this meeting will be broadcast over the Internet.

For details, please go to:

[\[www.energy.ca.gov/webcast\]](http://www.energy.ca.gov/webcast)

At the hearing, any person may present written or oral comments on the proposed amendments. If you have a disability and require assistance to participate, please contact Lou Quiroz at (916) 654-5146 at least five days in advance.

INTRODUCTION

The purpose of the HERS rulemaking, as discussed in the published Notice of Proposed Adoption, is to carry out the remaining elements of Public Resources Code Section 25942 and expand the program to deliver whole-house energy ratings that provide California homeowners and home buyers with information about the relative energy efficiency of the homes they live in or homes that they are considering for purchase, and evaluation of the cost effectiveness of options to achieve greater energy

efficiency in those homes. The proposed amendments will also set up a structure to ensure that these ratings and cost effectiveness analyses are technically accurate and done with quality and to avoid conflicts of interest to protect consumers.

The proposed amendments include methodologies for calculating a California HERS Index and analyzing utility bills and the cost-effectiveness of energy efficiency measures. The proposed amendments will further address whole-house energy ratings and certification of individuals who would be involved in the California HERS Program, including raters, energy auditors, energy inspectors, energy analysts, and building performance contractors.

WRITTEN COMMENTS

Written comments related to this hearing must be submitted by 5:00 p.m. on December 16, 2008. The start date of the comment period is December 1, 2008 and the end date is December 17, 2008. Please include the Docket No. 08-HERS-2 "California Home Energy Rating System (HERS) Program Regulations 15-Day Language" in the subject line or the first paragraph of your comments. Any interested person may submit written comments on the proposed 15-Day Language. Written comments should be e-mailed to [Docket@energy.state.ca.us] and [h1am@energy.state.ca.us].

All written comments must indicate "Docket No. 08-HERS-2." When comments are e-mailed on behalf of an organization, the comments should be a scanned copy of the original on the organization's letterhead and include a signature of an authorized representative.

BACKGROUND

On October 3, 2008, the Office of Administrative Law published a Notice of Proposed Adoption (NOPA) concerning the potential adoption of proposed amendments to the California HERS Program Regulations (45-Day Language Express Terms). The NOPA and the 45-Day Language were also posted on the Energy Commission website on October 3, 2008. The first public hearing listed on the NOPA, with the Energy Commission's Efficiency Committee, was held on October 15, 2008, where public comments were received. At the second public hearing listed on the NOPA on November 20, 2008 (rescheduled from November 19, 2008), the Energy Commission's Efficiency Committee informed the Energy Commission that it would postpone the adoption of the proposed 45-Day Language to release further amendments to the proposed regulations through 15-Day Language for adoption at the Energy Commission's December 17, 2008 Business Meeting.

PROPOSED 15-DAY LANGUAGE

The proposed amendments to the 45-Day Language (15-Day Language Express Terms) are available online on December 1, 2008 at the Energy Commission website,

at: <http://www.energy.ca.gov/HERS/rulemaking/documents/>].

DESIGNATED CONTACT PERSONS

Please contact the following person, preferably by e-mail, for general information about the proceeding or to obtain any documents relevant to the proceeding:

Helen Lam
California Energy Commission
1516 Ninth Street, MS-25
Sacramento, California 95814-5512
Telephone: (916) 651-3007
Fax: (916) 654-4304
E-mail: hlam@energy.state.ca.us]

Please contact the following person, preferably by e-mail, for substantive questions:

Rashid Mir
California Energy Commission
1516 Ninth Street, MS-25
Sacramento, California 95814-5512
Telephone: (916) 654-4109
E-mail: rmir@energy.state.ca.us]

The backup contact person for substantive questions is:

Bruce Maeda
California Energy Commission
1516 Ninth Street, MS-25
Sacramento, California 95814-5512
Telephone: (916) 654-4077
E-mail: bmaeda@energy.state.ca.us]

PUBLIC ADVISER

The Energy Commission's Public Adviser provides public assistance in participating in Energy Commission activities. If you wish to obtain information on how to participate in this proceeding, please contact the Public Adviser's Office by phone at (916) 654-4489 or toll free at (800) 822-6228, by FAX at (916) 654-4493, or by email at PublicAdviser@energy.state.ca.us].

NEWS MEDIA INQUIRIES

News media inquiries should be directed to the Media and Communications Office at (916) 654-4989, or by e-mail at mediaoffice@energy.state.ca.us].

AVAILABILITY OF DOCUMENTS CONCERNING THIS RULEMAKING

Documents in this rulemaking proceeding may be obtained at the Energy Commission's HERS website at [<http://www.energy.ca.gov/HERS/index.html>]. The website will have all of the documents prepared by the Energy Commission, including the 15-Day Language Express Terms of the proposed amendments (written in plain English and set forth in a format that indicates affected portions of the existing text and the proposed amendments to the text) and most of the other documents in the rulemaking file. The 15-Day Language Express Terms are also available at no cost from Helen Lam referenced above.

The Energy Commission's Docket Office has available all of the documents in the rulemaking file. For copies, please contact:

Docket Office
California Energy Commission
1516 Ninth Street, MS-4
Sacramento, California 95814-5504
Telephone: (916) 654-5076

INTERNET ACCESS

Documents prepared by the Energy Commission for this rulemaking are posted on the Energy Commission's website, at [<http://www.energy.ca.gov/HERS/index.html>].

ARTHUR H. ROSENFELD, Ph.D.
Commissioner and Presiding Member
Efficiency Committee

JACKALYNE PFANNENSTIEL
Chairman and Associate Member
Efficiency Committee

Mail Lists: 50, 51, 53 and 480

Note: California Energy Commission's formal name is State Energy Resources Conservation and Development Commission.