

COMPLETED

California Energy Commission
Energy Commission Executive Director
1516 Ninth Street, MS-39
Sacramento, CA 95814

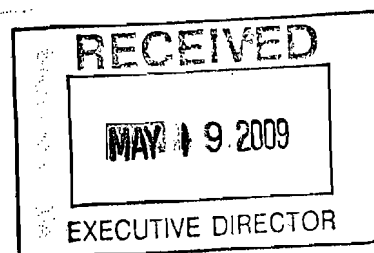
DOCKET 09-HERS-1
DATE _____
RECD. MAY 19 2009

RE: Recertification of training material

The California Building Performance Contractors Association, an approved HERS Provider, respectfully requests that the California Energy Commission grants our request for confidentiality and our application for recertification of the attached training material for the 2008 standards. References made to Title 20 Chapter 4, Article 8, Sections 1670 – 1675 are the final approved text, 1999 version. At such time adoption and implementation of HERS phase II, references to Title 20 Chapter 4, Article 8, Sections 1670 – 1675 shall replace prior references. This Basic HERS class will satisfy the training of 1673(a)4 “California Field Verification and Diagnostic Testing Raters” as referenced in the proposed text.

Included in the presentation material attached is the “compilation video” for High Quality Insulation Installation found on the CEC website.

Greg Davis
CBPCA Trainer
California Building Performance Contractors Association
1000 Broadway
Oakland, CA 94607
925-864-5668 cell



APPLICATION FOR CONFIDENTIAL DESIGNATION
(Title 20 Cal. Code. Regs., § 2505 et seq.)

TO: ENERGY COMMISSION EXECUTIVE DIRECTOR, MS-39

ENERGY COMMISSION CONTRACT/DOCKET NO. (IF APPLICABLE):

APPLICANT: California Building Performance Contractors Association (CBPCA)

ADDRESS: 1000 Broadway, Suite 410, Oakland, CA 94607

- 1(a). Title, date, and description (including number of pages) of the information or data for which you request confidential designation. **Information or data seeking a designation of confidentiality must be included with this application.**

California Building Performance Contractors Association Basic HERS Title 24 Compliance Requirements 2008: The binder contains an synopsis, course outline, Power Point presentation screen shots (4 per page), place cards for excerpts from the ACM, Compliance Manual and Joint Appendices, Related article "California Energy Commission Clarifies New Energy Standards for HVAC Changeouts," "2008 Update" reference chart and sample test questions.

- 1(b). Specify the part(s) of the information or data for which you request confidential designation.

The synopsis, course outline, Power Point presentation screen shots (4 per page), "2008 Update" reference chart and sample test questions due to the intellectual nature of the property.

2. State and justify the length of time the Energy Commission should keep the information or data confidential.

For a period of three years. When new Standards are released in the future this information will be obsolete.

- 3(a). State the provision(s) of the Public Records Act (Gov. Code, § 6250 et seq.) or other law that allows the Energy Commission to keep the information or data confidential, and explain why the provision(s) apply to that material.

6254 (4) and (g), 6254.5 (e), 6255. Items received in confidence can be held as confidential. The intellectual property, test questions and proprietary information is better served by non disclosure. Copyright law and The California Uniform Trade Secrets Act

- 3(b). Discuss the public interest in nondisclosure of the material submitted for a confidential designation. If the material contains trade secrets or its disclosure would otherwise cause loss of a competitive advantage, please state how it would be lost, the value of the information to the applicant and the ease or difficulty with which the information could be legitimately acquired or duplicated by others.

Trade secrets and loss of competitive advantage of our intellectual training program. The information can only be acquired by a participating student enrolling in the HERS training.

4. State whether the information or data can be disclosed if it is aggregated with other information or masked to conceal certain portions (including but not limited to the identity of the applicant). State the degree of aggregation or masking required. If the data cannot be disclosed even if aggregated or masked, explain why.

This information does not lend itself to aggregation.

5. State how the material is kept confidential by the applicant and whether it has even been disclosed to a person other than an employee of the applicant. If it has, explain the circumstances under which disclosure occurred.

The information has not been disclosed to anyone outside the CBPCA

I certify under penalty of perjury that the information contained in this application for confidential designation is true, correct, and complete to the best of my knowledge and that I am authorized to make the application and certification on behalf of the applicant.

Dated: May 18, 2009

Signed: Greg Davis

Name (print or type): Greg Davis

Title: (print or type) CBPCA Trainer 925-864-5668

Representing: California Building Performance Contractors Association (CBPCA)

Include additional signature blocks if there are multiple partners in the project with shared responsibilities for making the request.