



CAL SMACNA

February 24, 2012

California Energy Commission
1516 Ninth Street, MS-31
Sacramento, CA 95814

DOCKET

10-BSTD-01

DATE FEB 24 2012

RECD. FEB 27 2012

California
Association
Sheet Metal
and
Air Conditioning
Contractors
National
Association

Cyndi Marshall
Executive Vice President

2011-2012 Officers

Randy Attaway
President

David Lawson
President-Elect

Stan Capelli
Treasurer

Brad Young
Secretary

Mike Pence
Immediate Past President

**Re: Docket # 10-BSTD-01
Building Energy Efficiency Standards Acceptance Testing and Documentation**

Dear Commissioners:

I write on behalf of the California Association of Sheet Metal and Air Conditioning Contractors' National Association (CAL SMACNA) and our 600 contractor members statewide in strong **opposition** to any proposal that could serve to narrow or limit the responsibility for acceptance testing and documentation to only those individuals and companies who are certificated by the Associated Air Balance Council (AABC), National Environmental Balancing Bureau (NEBB), or the Testing Adjusting and Balancing Bureau (TABB).

First, due to correspondence generated to the California Energy Commission in recent months, we believe it is necessary to clear-up any confusion that may exist about the relationship between CAL SMACNA and the Joint Committee on Energy and Environmental Policy (JCEEP). We wish to clarify that CAL SMACNA has not been associated with JCEEP since December 31, 2010. As such, CAL SMACNA is not to be confused as a participant in JCEEP's various positions related to the proposed 2013 Title 24 revisions. Finally, despite the unfortunate implication, CAL SMACNA's 600 HVAC contractors statewide were not an endorsing party to the JCEEP letter to the CEC dated October 25, 2011.¹ CAL SMACNA's positions on the 2013 Title 24 revisions are independent and not to be associated with those communicated to you by representatives of JCEEP.

Comment

We strongly support the requirement that acceptance testing and documentation under the 2013 Title 24 Energy Efficiency Standards for non-residential structures be completed by highly trained and highly qualified individuals that have extensive knowledge and expertise in the HVAC industry. Not only is this requirement an essential component for the success of Title 24 in achieving our state's goals for energy efficiency in non-residential buildings but it is also important to ensure the continued professionalism of the commercial HVAC industry.

In this regard, it is our position that whether or not certified by AABC, NEBB or TABB, all licensed mechanical engineers and licensed mechanical contractors who are installing contractors, start-up contractors, or service contractors should be allowed to serve as acceptance testing Field Technicians for HVAC equipment and controls. We also support the availability of well considered additional training and/or certification to all these individuals as necessary. This more inclusive approach will ensure highly qualified individuals are performing the work while achieving full and cost-effective compliance with Title 24 in non-residential structures.

To be clear, we respectfully oppose the recent proposal by the Sheet Metal Workers International Association (SMWIA) to only allow AABC, NEBB or TABB certified technicians or

¹ *This JCEEP letter appears on the California Energy Commission's website within the "documents and reports for review" associated with the CEC's February 27th workshop.*



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*California SMACNA is an association of SMACNA Chapters, contractors and associate members.
Our mission is to provide legislative and regulatory advocacy and program services.
Our goal is to provide the unified voice of our industry for the combined benefit of our companies,
our employees, and our communities.*

firms to perform acceptance testing and documentation. This artificial narrowing of the qualified field to perform these Title 24 functions will only serve to drive up commercial project costs and increase project delivery delays. Our real-world experience tells us that when costs are driven higher due to artificial and non-market based reasons (in this case a shortage of qualified Field Technician personnel) some owners and contractors respond with strategies of non-compliance. This creates an unfair and less competitive marketplace for "high-road" and compliant contractors. We cannot allow this to happen.

CAL SMACNA agrees with SMWIA that a place on the Title 24 acceptance forms should be created to clearly identify the responsible party executing the acceptance work. We believe the signature of the individual who accepts responsibility for the performance of these functions will help to further increase accountability and compliance.

We appreciate the ability to provide the CEC with our thoughts on this proposal. If you should have any questions about our position or need additional information, please do not hesitate to contact me through the CAL SMACNA offices at (916) 363-7460.

Thank you in advance for your kind consideration of our concerns.

Sincerely,

A handwritten signature in blue ink that reads "Randy Attaway". The signature is written in a cursive, flowing style.

Mr. Randy Attaway
President