



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA  
 1516 NINTH STREET, SACRAMENTO, CA 95814 - 1-800-822-6228 - WWW.ENERGY.CA.GOV

**DOCKET**

**12-CAI-01**

DATE MAY 04 2012

RECD. MAY 08 2012

Docket Number: 12-CAI-01

Date: May 4, 2012

Project Name: Complaint Against and Request for Investigation of CalCERTS, Inc.

**RESPONDENT'S EXHIBIT LIST**

Exhibit	Brief Description	Stipulation	Offered	Admitted	Refused	CEC Use Only
<b>Respondent's Exhibits</b>						
200	Davis CalCERTS Certified Rater Agreement (12/12/09) & Acknowledgement of Rater Certification Status (12/12/09)					
201	Davis CalCERTS Subscription Agreement (12/12/09)					
202	Hoover CalCERTS Certified Rater Agreement (12/12/09) & Acknowledgement of Rater Certification Status (12/12/09)					
203	Hoover CalCERTS Subscription Agreement (12/12/09)					
204	Disciplinary Actions taken against HERS Raters and prospective HERS Raters by HERS Providers <a href="http://www.energy.ca.gov/HERS/documents/disciplinary_actions.pdf">http://www.energy.ca.gov/HERS/documents/disciplinary_actions.pdf</a>					
205	January 11, 2012, Letter from Mr. Dennis Beck, Senior Staff Counsel California Energy Commission					
206	Declaration of Charlie Bachand (March 26, 2012) ( <i>Exhibits Omitted</i> )					
207	Davis – Notice Letter (12/16/2011)					
208	Davis – Letter Discussing Valley Duct Testing's Confidentiality Agreement dated January 2, 2012					

209	Davis – Quality Assurance Summary Report					
210	Davis – Quality Assurance Action Report					
211	Email to Davis dated January 17, 2012					
212	Davis Decertification Letter (1/30/2012)					
213	Davis – Quality Assurance Disposition					
214	Hoover – Notice Letter (12/16/2011)					
215	Hoover – Quality Assurance Summary Report					
216	Hoover – Quality Assurance Action Report					
217	Email to Hoover dated January 18, 2012					
218	Hoover Decertification Letter (1/30/2012)					
219	Hoover – Quality Assurance Disposition					
220	Email from D. Haddock dated January 20, 2012					
221	Letter from D. Haddock dated January 2, 2012					
222	Email from D. Haddock dated February 6, 2012					
223	CalCERTS Letter to D. Haddock dated February 8, 2012 ( <i>Attachments excluded.</i> )					
224	CalCERTS Letter to D. Haddock dated February 9, 2012					
225	Letter from D. Haddock dated February 15, 2012					
226	Email from D. Haddock dated February 28, 2012					
227	CalCERTS Letter to D. Haddock dated March 6, 2012 ( <i>Attachments omitted.</i> )					

<b>228</b>	Letter from D. Haddock dated April 4, 2012					
<b>229</b>	Email from D. Haddock dated April 12, 2012					
<b>230</b>	CalCERTS letter to D. Haddock dated April 23, 2012					
<b>231</b>	<p>Testing Results for <u>1135 Popular Street</u> (Davis)</p> <ul style="list-style-type: none"> <li>- QA Report – System 1</li> <li>- Davis – CF-4R-MECH-21</li> <li>- O’Neil – CF-4R-MECH-21</li> <li>- Davis – CF-4R-MECH-25</li> <li>- O’Neil – CF-4R-MECH-25</li> <li>- Photos</li> <li>- O’Neil – Field Notes</li> <li>- QA Report – System 2</li> <li>- Davis – CF-4R-MECH-21</li> <li>- O’Neil – CF-4R-MECH-21</li> <li>- Photos</li> </ul>					
<b>232</b>	<p>Testing Results for <u>346 Malbec Court</u> (Davis)</p> <ul style="list-style-type: none"> <li>- QA Report</li> <li>- Davis – CF-4R-MECH-21</li> <li>- O’Neil – CF-4R-MECH-21</li> <li>- Davis – CF-4R-MECH-25</li> <li>- O’Neil – CF-4R-MECH-25</li> <li>- Photos</li> <li>- O’Neil – Field Notes</li> <li>- Photo of CF-1R</li> </ul>					
<b>233</b>	<p>Testing Results for <u>519 Merlot Lane</u> (Davis)</p> <ul style="list-style-type: none"> <li>- QA Report</li> <li>- Davis – CF-4R-MECH-21</li> <li>- O’Neil – CF-4R-MECH-21</li> <li>- Davis – CF-4R-MECH-25</li> <li>- O’Neil – CF-4R-MECH-25</li> <li>- Photos</li> <li>- O’Neil – Field Notes</li> </ul>					
<b>234</b>	<p>Testing Results for <u>7755 Capella Drive</u> (Davis)</p> <ul style="list-style-type: none"> <li>- QA Report</li> </ul>					

	<ul style="list-style-type: none"> <li>- Davis – CF-4R-MECH-21</li> <li>- O’Neil – CF-4R-MECH-21</li> <li>- Photos</li> <li>- O’Neil – Field Notes</li> </ul>					
<b>235</b>	<p>Testing Results for <u>3994 Borderlands Drive</u> (Davis)</p> <ul style="list-style-type: none"> <li>- QA Reports</li> <li>- Davis – CF-4R-MECH-23</li> <li>- O’Neil – CF-4R-MECH-23</li> <li>- Installer - CF-6R-ENV-21-HERS</li> <li>- Davis – CF-6R-ENV-21-HERS</li> <li>- Davis – CF-4R-ENV-22</li> <li>- O’Neil – CF-4R-ENV-22</li> <li>- Davis – CF-4R-MECH-20</li> <li>- O’Neil – CF-4R-MECH-20</li> <li>- Photos</li> <li>- O’Neil – Field Notes</li> </ul>					
<b>236</b>	<p>Testing Results for <u>303 Russi Court</u> (Davis)</p> <ul style="list-style-type: none"> <li>- QA Report</li> <li>- Davis – CF-4R-MECH-21</li> <li>- O’Neil – CF-4R-MECH-21</li> <li>- Davis – CF-4R-MECH-25</li> <li>- O’Neil – Field Notes</li> </ul>					
<b>237</b>	<p>Testing Results for <u>9531 Richdale Way</u> (Hoover)</p> <ul style="list-style-type: none"> <li>- QA Report – System 1</li> <li>- Hoover – CF-4R-MECH-20</li> <li>- O’Neil – CF-4R-MECH-20</li> <li>- Hoover – CF-4R-ENV-22</li> <li>- O’Neil – CF-4R-ENV-22</li> <li>- Hoover – CF-4R-MECH-25</li> <li>- O’Neil - CF-4R-MECH-25</li> <li>- Photos System 1</li> <li>- QA Report – System 2</li> <li>- Hoover – CF-4R-MECH-20</li> <li>- O’Neil – CF-4R-MECH-20</li> <li>- Hoover – CF-4R-ENV-22</li> <li>- O’Neil – CF-4R-ENV-22</li> <li>- Hoover – CF-4R-MECH-25</li> </ul>					

	<ul style="list-style-type: none"> <li>- O'Neil - CF-4R-MECH-25</li> <li>- Photos System 2</li> <li>- O'Neil – Field Notes</li> </ul>					
<b>238</b>	<p>Testing Results for <u>334 Malbec Court</u> (Hoover)</p> <ul style="list-style-type: none"> <li>- QA Report</li> <li>- Hoover - CF-4R-MECH-21</li> <li>- O'Neil – CF-4R-MECH-21</li> <li>- Davis – CF-4R-MECH-25</li> <li>- O'Neil – CF-4R-MECH-25</li> <li>- O'Neil – Field Notes</li> <li>- Photos</li> </ul>					
<b>239</b>	<p>Testing Results for <u>15987 Crescent Park</u> (Hoover)</p> <ul style="list-style-type: none"> <li>- QA Results</li> <li>- Hoover – CF-4R-ENV-20</li> <li>- O'Neil – CF-4R-ENV-20</li> <li>- Hoover – CF-4R-ENV-22</li> <li>- O'Neil - CF-4R-ENV-22</li> <li>- Hoover- CF-4R-MECH-20</li> <li>- O'Neil - CF-4R-MECH-20</li> <li>- Hoover- CF-4R-MECH-23</li> <li>- O'Neil - CF-4R-MECH-23</li> <li>- O'Neil – Field Notes</li> <li>- Photos</li> </ul>					
<b>240</b>	<p>Testing Results for <u>800 Ferry Launch Ave</u> (Hoover)</p> <ul style="list-style-type: none"> <li>- QA Report</li> <li>- Hoover – CF-4R-ENV-20</li> <li>- O'Neil – CF-4R-ENV-20</li> <li>- Hoover – CF-4R-ENV-22</li> <li>- O'Neil - CF-4R-ENV-22</li> <li>- Hoover- CF-4R-MECH-20</li> <li>- O'Neil - CF-4R-MECH-20</li> <li>- Hoover- CF-4R-MECH-23</li> <li>- O'Neil - CF-4R-MECH-23</li> <li>- O'Neil Field Notes</li> <li>- Photos</li> </ul>					
<b>241</b>	Building Permits for Homes Tested in Vintage Plaza, Stockton California					

<b>242</b>	California Tax Credit Allocation Committee Project Staff Report for Vintage Plaza <a href="http://www.treasurer.ca.gov/ctcac/staff/20091216/602.pdf">http://www.treasurer.ca.gov/ctcac/staff/20091216/602.pdf</a>					
<b>243</b>	Community Description for Vintage Plaza; Visionary Home Builders <a href="http://www.visionaryhomebuilders.org/vintage-plaza/">http://www.visionaryhomebuilders.org/vintage-plaza/</a>					
<b>244</b>	Complaint and Request for Investigation of Valley Duct Testing Dkt. No. 12-CAI-02.					
<b>245</b>	Declaration of William Barrett Dkt. No. 12-CAI-02					
<b>246</b>	Residential Compliance Manual For California's 2008 Energy Efficiency Standards CEC-400-2008-016-CMF-Rev1 <a href="http://www.energy.ca.gov/2008publications/CEC-400-2008-016/CEC-400-2008-016-CMF-REV1.PDF">http://www.energy.ca.gov/2008publications/CEC-400-2008-016/CEC-400-2008-016-CMF-REV1.PDF</a>					
<b>247</b>	Residential Appendix for the 2008 Energy Efficiency Standards CEC-400-2008-004-CMF <a href="http://www.energy.ca.gov/2008publications/CEC-400-2008-004/CEC-400-2008-004-CMF.PDF">http://www.energy.ca.gov/2008publications/CEC-400-2008-004/CEC-400-2008-004-CMF.PDF</a>					
<b>248</b>	HERS Home Energy Rating System Regulations CEC-400-2008-011-CFM <a href="http://www.energy.ca.gov/2008publications/CEC-400-2008-011/CEC-400-2008-011-CMF.PDF">http://www.energy.ca.gov/2008publications/CEC-400-2008-011/CEC-400-2008-011-CMF.PDF</a>					
<b>249</b>	Email from John Flores regarding Davis and Hoover complaint dated April 11, 2012					
<b>250</b>	Email from John Flores to Mark Wiese dated October 14, 2010					

EXHIBIT 249

**Catherine Cross - Davis and Hoover Complaint against CalCerts**

**From:** John Flores <golferjohn@wavecable.com>  
**To:** <ccross@energy.state.ca.us>, <oawolowo@energy.state.ca.us>, <kmcdonne@energy.state.ca.us>  
**Date:** 4/11/2012 12:39 PM  
**Subject:** Davis and Hoover Complaint against CalCerts

Good Morning All,

My name is John Flores. I am the President of JaaR Sales, Inc. DBA Valley Duct Testing. It has come to my attention that CalCerts has filed a document as part of Docket No. 12-CAI-01 that includes several accusations and other disparaging statements against my company JaaR Sales, Inc., which does business in the state of California under the name Valley Duct Testing. Valley Duct Testing is a private corporation, licensed as a corporation by the state of California. Valley Duct Testing does not possess, and is not required to obtain, a license from the California Energy Commission in order to operate, and it requires no certification or authorization from CalCerts. Valley Duct Testing is not a party to this proceeding.

Valley Duct Testing, as a corporation, does not perform home energy testings or ratings. It simply provides support functions, such as payroll, benefits, accounting, etc. for other people who do perform home energy testings or ratings, and do depend upon certifications from the CEC and CalCerts. For these reasons, Valley Duct Testing is not subject to the regulatory authority of CalCerts or the CEC. It does not operate under any statute or regulation adopted, administered or enforced by either CalCerts or the CEC. Accordingly, it is wholly inappropriate for Valley Duct Testing to be dragged into this proceeding. If CalCerts or the CEC has accusations against me individually as a HERS Rater, or against any of the HERS raters employed by Valley Duct Testing, it should direct its accusations to the HERS raters themselves.

The statements made by CalCerts about Valley Duct Testing in its Answer are false and defamatory, and will do significant damage to Valley Duct Testing if they are published. It was wrong for CalCerts to make the statements in its Answer. It will also be wrong if the CEC chooses to publish the Answer, including those statements, on its website. The Answer should be withdrawn and corrected. If the CEC intends to publish the Answer, it should insist that references to Valley Duct Testing be redacted.

If all of you could please respond to this email it would be much appreciated.

Sincerely,

John Flores  
 Valley Duct Testing

<b>DOCKET</b>	
<b>12-CAI-01</b>	
DATE	APR 11 2012
RECD.	APR 12 2012

**John B. Flores**  
 Valley Duct Testing  
 Ph. 916-624-2092  
 Fax 916-624-3352  
 Cel 916-240-8605

*4/12/12 - Emailed  
 to Dockets/cc*

**EXHIBIT 250**

**Mark Wiese**

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**From:** John Flores <golferjohn@wavecable.com>  
**Sent:** Thursday, October 14, 2010 11:53 AM  
**To:** 'Mark Wiese'  
**Subject:** RE: Follow-up

5572 Whitfield

Hi Mark,

He took his Return readings from the Filter Base under the furnace and The supply readings from the register right behind the furnace on the wall. He says that the Return Sticker was on the Filter door. And there was not a supply sticker on the plenum. As we saw there was not a sticker on the filter base. Maybe it came off.

Let me know know if you need anything else. Since this I have had a meeting with all of my guys regarding the stickers and the holes and explained that they always need to be there or it is a fail.

Thanks,

*John Flores*  
President  
Valley Duct Testing  
Division of JaaR Sales, Inc.  
Ph. - 916-624-2092  
Fax - 916-624-3352  
Cell - 916-240-8605

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**From:** Mark Wiese [mailto:mark@calcerts.com]  
**Sent:** Tuesday, October 12, 2010 10:05 AM  
**To:** golferjohn@wavecable.com  
**Subject:** Follow-up

Hello John,

Please verify where Jeremy Rhodes took his temperature readings from for 5572 Whitfield Way. The CF-4R Mech-25 is checked that the TMAH holes were there- please clarify this as well.

Thank you,

Mark Wiese  
CalCERTS