

FW: CBPCA HERS Raters

Jennings, Jennifer@Energy

Sent: Thursday, May 10, 2012 3:01 PM**To:** Energy - Docket Optical System

Please docket in 12-CAI-01 and forward to webworks for posting under Public Comments. Thank you,

Jennifer Jennings, Public Adviser
California Energy Commission
1516 Ninth St., MS#12
Sacramento, CA 95814-0027
Jennifer.Jennings@energy.ca.gov
916.653.5898

DOCKET**12-CAI-01**DATE APR 20 2012RECD. MAY 10 2012

From: HVAC Rater [mailto:Rater@HVACRater.com]**Sent:** Friday, April 20, 2012 7:47 PM**To:** Jennings, Jennifer@Energy**Subject:** RE: CBPCA HERS Raters

They lied and committed fraud. They should be decertified. This should be referred to the attorney general for prosecution. It is about time we not only policed ourselves but stop the cronyism and re-establish this program to protect the people we were sworn and certified to protect. Valley Duct Testing, not just these two, is an embarrassment to our industry and undermines everything we strive to protect and ensure.

A concerned and committed HERS rater for over 6 years.

From: Jennings, Jennifer@Energy [mailto:Jennifer.Jennings@energy.ca.gov]**Sent:** Friday, April 20, 2012 7:24 PM**To:** Jennings, Jennifer@Energy**Subject:** CBPCA HERS Raters

Dear HERS Rater,

The purpose of this e-mail is to inform you, as a Home Energy Rating System (HERS) Rater, that a proceeding is underway at the California Energy Commission (Commission) that you may be interested in. Specifically, two HERS Raters have filed a complaint against a HERS Provider, challenging the Provider's decision to decertify the Raters. On February 15, 2012, the Commission received a *Complaint Against and Request for Investigation of CalCERTs, Inc.* (Complaint), filed on behalf of Erik Hoover and Patrick Davis. Mr. Hoover and Mr. Davis worked as HERS Raters until they were decertified by CalCERTS in January 2012. They state that CalCERTS failed to follow the Commission's regulations governing the HERS Program, and that the manner in which CalCERTS acted violated applicable due process requirements. The Complaint requests that the Commission provide the following relief:

- Reverse the decision of CalCERTS to decertify Mr. Hoover and Mr. Davis;

- Investigate the way CalCERTS imposes discipline on HERS raters alleged to have made mistakes; and
- Require CalCERTS to adopt a written discipline procedure that complies with the HERS regulations and with constitutional requirements of due process.

The Commission's HERS Program was adopted in 1999, and establishes criteria for a statewide home energy rating program for residential dwellings. The goal of the Program is to create a consistent, accurate, and uniform rating system based on a single statewide rating scale that can serve to differentiate the energy efficiency levels between California homes and to prioritize the investment in cost-effective home energy efficiency measures. The HERS Program is mandated by California Public Resources Code, section 25942. Under the Program, home energy rating system organizations (called Providers) administer a home energy rating system in conformity with the Commission's HERS regulations. Providers are responsible for training, testing, and certifying Raters, who perform the tests necessary to establish a HERS rating.

In accordance with the Commission's regulations, the Chair of the Commission ordered service of the complaint and request for investigation on CalCERTS and a proceeding was started to consider the claims made in the filing. The proceeding will be conducted by Commissioner Douglas, Presiding Member, and Commissioner Peterman, Associate Member. Notices of events and documents are posted on the Commission's web site at the following link: <http://www.energy.ca.gov/HERS/12-cai-01/index.html>

If you want to receive further notice of the Commission's actions on the complaint and request for investigation, you need to sign up for the Commission's list server for this proceeding at: <http://www.energy.ca.gov/HERS/12-cai-01/index.html>. You simply enter your name and e-mail address. The webmaster will send you a confirming e-mail within 24 hours. If you do not receive a confirming e-mail, please check your spam filter. Once you are on the list serve, you will automatically receive an e-mail when new notices and documents are posted on the proceeding's webpage.

If you choose to submit a comment on this matter, please be aware that written comments may be posted on the Commission's website. Posted comments are searchable via the Internet. If you provide personal information such as your phone number, email or home address in your comments or materials, that information will become part of the public record as well. Please consider whether personal information is essential to your comment before providing it to the Commission.

The notices and documents currently on the website provide additional information about this matter. If you have remaining questions, please contact the Energy Commission's Public Adviser's Office at (916) 654-4489 or (800) 822-6228 or e-mail: **publicadviser@energy.ca.gov**