



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

IN THE MATTER OF
**COMPLAINT AGAINST AND REQUEST
FOR INVESTIGATION OF CALCERTS, INC.**

Docket No. 12-CAI-01

**COMMITTEE MEETING
NOTICE AND AGENDA**

PLEASE TAKE NOTICE that the Committee assigned to the Complaint Against and Request for Investigation of CalCERTS, Inc. has scheduled meetings to take place on:

Tuesday, May 29, 2012
Beginning at 10:30 a.m.

**California Energy Commission
Hearing Room A
1516 Ninth Street
Sacramento, CA 95814**

and also on:

Monday, June 11, 2012
Beginning at 10 a.m.

**California Energy Commission
Hearing Room B
1516 Ninth Street
Sacramento, CA 95814**

Meeting Agenda

1. Call to Order
2. General Items

Committee closed session consideration of the following item:

**DELIBERATION ON EVIDENCE AND PROPOSED DECISION REGARDING
COMPLAINT AGAINST AND REQUEST FOR INVESTIGATION OF CALCERTS, INC.**
(Contact: Kourtney Vaccaro.)

The Committee will adjourn to closed session in accordance with Government Code section 11126, subdivision (c)(3), which allows a state body, including a committee, to hold a closed session to deliberate on a decision to be reached in a proceeding required to be conducted pursuant to Chapter 5 of the Administrative Procedure Act or similar provisions of law. The Commission's regulations require the Committee to conduct proceedings on the Complaint Against and Request for Investigation of CalCERTS, Inc., and issue a proposed decision for consideration by the full Commission. (Cal. Code Regs., tit. 20, § 1232 et seq.)

3. Party and Public Comment

Parties, members of the public, and other interested persons and entities may speak up to three minutes on the matter appearing on this agenda.

4. Adjourn

Party and Public Teleconference Option

Parties, interested persons and agencies, and the public may attend the committee meeting in person at the above location or by telephone and/or by computer via our "WebEx" web conferencing system. For details on how to participate by WebEx, please see the "Participation in the Committee Meetings Through WebEx" directions attached to this notice.

Public Adviser and Public Participation

The Energy Commission's Public Adviser's Office is available to provide the public with an understanding of a proceeding and to make recommendations for meaningful participation. For assistance, contact Jennifer Jennings, the Public Adviser, at (916) 654-4489 or 800-822-6228 or e-mail at: publicadviser@energy.ca.gov.

If you have a disability and need assistance to participate in this event, contact Lourdes Quiroz no less than five days prior to the hearing at (916) 654-5146 or e-mail: lou.quiroz@energy.ca.gov.

Information

Questions of a legal or procedural nature should be directed to Kourtney Vaccaro, the Hearing Adviser, at (916) 654-4328 or e-mail: kourtney.vaccaro@energy.ca.gov.

Media inquiries should be directed to the Office of Media and Public Communications at (916) 654-4989 or e-mail: mediaoffice@energy.ca.gov.

Information concerning the status of the project, as well as notices and other relevant documents may be viewed on the Energy Commission's Internet web page at: <http://www.energy.ca.gov/HERS/12-cai-01/index.html>.

Dated: May 18, 2012, at Sacramento, California.

Original Signed By:

KAREN DOUGLAS
Commissioner and Presiding Member
Committee re Complaint and Investigation
Against CalCERTS, Inc.

Original Signed By:

ANDREW McALLISTER
Commissioner and Associate Member
Committee re Complaint and Investigation
Against CalCERTS, Inc.

PARTICIPATION IN THE COMMITTEE MEETINGS THROUGH WEBEX
THE ENERGY COMMISSION'S ON-LINE MEETING SERVICE

1. COMPUTER LOG-ON WITH A DIRECT PHONE NUMBER:

- Please go to <https://energy.webex.com> and enter the meeting number unique to the specific hearing date:
 - 5/29/12 - meeting number: **920 167 938**
 - 6/11/12 - meeting number: **928 363 343**

When prompted, enter your information and the meeting password: **complaint#1**

After you login, a prompt will appear on-screen for you to provide your phone number. In the **Number box**, type your area code and phone number and click OK. **You will receive a call back on your phone for the audio of the meeting.** International callers can use the "Country/Region" button to help make their connection.

2. COMPUTER LOG-ON FOR CALLERS WITH AN EXTENSION PHONE NUMBER, ETC:

- Please go to <https://energy.webex.com> and enter the unique meeting number.
- 5/29/12 - meeting number: **920 167 938**
- 6/11/12 - meeting number: **928 363 343**

When prompted, enter your information and the meeting password: **complaint#1**

After you login, a prompt will ask for your phone number. Click "CANCEL."

- Instead call 1-866-469-3239 (toll-free in the U.S. and Canada). When prompted, enter the meeting number above and your unique Attendee ID number which is listed in the top left area of your screen after you login.

3. TELEPHONE ONLY (NO COMPUTER ACCESS):

- Call 1-866-469-3239 (toll-free in the U.S. and Canada) and when prompted enter the meeting number:
 - 5/29/12 - meeting number: **920 167 938**
 - 6/11/12 - meeting number: **928 363 343**

If you have difficulty joining the meeting, please call the WebEx Technical Support number at 1-866-229-3239. To see if your computer is compatible, visit <http://support.webex.com/support/system-requirements.html>.

Please be aware that the meeting's WebEx audio and on-screen activity may be recorded.



**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**

***IN THE MATTER OF
COMPLAINT AGAINST AND REQUEST
FOR INVESTIGATION OF CALCERTS, INC.***

**Docket No. 12-CAI-01
(EST. 5/18/12)**

RESPONDENT

CalCERTS, Inc.
Mike Bachand
31 Natoma Street, Suite 120
Folsom, CA 95630
mike@calcerts.com

RESPONDENT'S COUNSEL

Jane E. Luckhardt
Andrew L. Collier
Shelby M. Gatlin
Downey Brand, LLP
621 Capitol Mall, 18th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com
acollier@downeybrand.com
sgatlin@downeybrand.com

COMPLAINANTS

Patrick Davis
JAAR Sales, Inc.
DBA Valley Duct Testing
2272 Sierra Meadows Drive
Suite A
Rocklin, CA 95677

Erik Hoover
JAAR Sales, Inc.
DBA Valley Duct Testing
2272 Sierra Meadows Drive
Suite A
Rocklin, CA 95677

COMPLAINANTS' COUNSEL

David Haddock
David Haddock Legal
P.O. Box 2501
Citrus Heights, CA 95611
dave@davidhaddocklegal.com

**INTERESTED
AGENCIES/ENTITIES/PERSONS**

CHEERS
David Blanke
20422 Beach Boulevard, Suite 235
Huntington Beach, CA 92648
dblank@cheers.org

CBPCA HERS Providership
Michael T. Thompson, Director
P.O. Box 460
Nevada City, CA 95959
michaelt@cbpca-hers.org

*George J. Nesbitt
CalHERS
978 40th Street
Oakland, CA 94068
e-mail service preferred
george@houseisasystem.com

**ENERGY COMMISSION -
DECISION-MAKERS**

KAREN DOUGLAS
Commissioner and Presiding Member
e-mail service preferred
karen.douglas@energy.ca.gov

CARLA PETERMAN
Commissioner and Associate Member
e-mail service preferred
carla.peterman@energy.ca.gov

Kourtney Vaccaro
Hearing Adviser
e-mail service preferred
kourtney.vaccaro@energy.ca.gov

Galen Lemei
Advisor to Presiding Member
e-mail service preferred
galen.lemei@energy.ca.gov

Jennifer Nelson
Advisor to Presiding Member
e-mail service preferred
jennifer.nelson@energy.ca.gov

Jim Bartridge
Advisor to Associate Member
e-mail service preferred
jim.bartridge@energy.ca.gov

ENERGY COMMISSION STAFF

Dennis Beck

Senior Staff Counsel

e-mail service preferred

dennis.beck@energy.ca.gov

Caryn Holmes

Acting Assistant Chief Counsel

e-mail service preferred

caryn.holmes@energy.ca.gov

**ENERGY COMMISSION –
PUBLIC ADVISER**

Jennifer Jennings

Public Adviser's Office

e-mail service preferred

publicadviser@energy.ca.gov

DECLARATION OF SERVICE

I, Jacqueline Clay, declare that on May 18, 2012, I served and filed copies of the COMMITTEE MEETING NOTICE AND AGENDA, dated May 18, 2012. This document is accompanied by the most recent Proof of Service list, located on the web page for this project at:

<http://www.energy.ca.gov/HERS/12-cai-01/index.html>.

The document has been sent to the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit or Chief Counsel, as appropriate, in the following manner:

(Check all that Apply)

For service to all other parties:

- Served electronically to all e-mail addresses on the Proof of Service list;
- Served by delivering on this date, either personally, or for mailing with the U.S. Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses NOT marked "e-mail preferred."

AND

For filing with the Docket Unit at the Energy Commission:

- by sending an electronic copy to the e-mail address below (preferred method); **OR**
- by depositing an original and 12 paper copies in the mail with the U.S. Postal Service with first class postage thereon fully prepaid, as follows:

CALIFORNIA ENERGY COMMISSION – DOCKET UNIT
Attn: Docket No. 12-CAI-01
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.ca.gov

OR, if filing a Petition for Reconsideration of Decision or Order pursuant to Title 20, § 1720:

- Served by delivering on this date one electronic copy by e-mail, and an original paper copy to the Chief Counsel at the following address, either personally, or for mailing with the U.S. Postal Service with first class postage thereon fully prepaid:

California Energy Commission
Michael J. Levy, Chief Counsel
1516 Ninth Street MS-14
Sacramento, CA 95814
michael.levy@energy.ca.gov

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

Original Signed By:

Jacqueline Clay
Hearing Advisers Office