

**CALIFORNIA ENERGY COMMISSION**

1516 NINTH STREET  
SACRAMENTO, CA 95814-5512  
www.energy.ca.gov



January 31, 2011

**HERS Industry Update on the Status of the CHEERS Certification for Newly Constructed Buildings for the 2008 Building Energy Efficiency Standards**

I want to take this opportunity to provide an update on the status of the California Home Energy Efficiency Rating Services' (CHEERS) submittal of the newly constructed buildings registry and database to the California Energy Commission for review, and the timeline associated with that review and approval.

In order to provide a fair and equitable business climate in which to operate the Energy Commission provides oversight of the Home Energy Rating System (HERS) providers and through that oversight ensures compliance with the Building Energy Efficiency Standards (Standards). On October 15, 2010 CHEERS agreed to stop accepting new projects into their registry because it was found that their registry and database did not meet the requirements set forth in the California Code of Regulations, Title 20, Chapter 4, Article 8, Sections 1670-1675, "California Home Energy Rating System Program," and Title 24, Part 6.

In order to be an approved HERS provider, CHEERS (along with all other potential/current providers) must have the ability to register compliance documents through an online data registry, store these documents and related data in a database, and provide Energy Commission staff with ongoing access to the database. The database contains information input from each project requiring HERS measure verification and that data is used to analyze proposed changes to the Standards, investigate and resolve complaints of noncompliance with the Standards, and for oversight of the HERS industry. In order to meet the requirement for ongoing access, CHEERS developed a user interface search tool.

On December 15, 2010, CHEERS delivered the user interface to Energy Commission staff. Energy Commission staff provided feedback to CHEERS on the user interface from December 16, 2010, through January 4, 2011. On January 12, 2011, Energy Commission staff informed CHEERS that the user interface was ready to be reviewed and tested along with the newly constructed buildings registry on CHEERS' development website. On January 14, 2011, CHEERS provided my staff with the user interface directed to the CHEERS development website and staff began the review and testing of the newly constructed buildings registry, forms, and database using the user interface search tool.

In order to have a viable and effective HERS industry, and to ensure compliance with the law, thorough review and testing of CHEERS' registry and database is necessary.

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The Energy Commission is aware of and sensitive to the current economic climate and the impact this disruption in the HERS industry may be causing. To minimize disruption in the marketplace, the Energy Commission has worked with the other approved HERS providers to administer challenge exams for HERS raters to obtain certification to continue providing verification services for newly constructed buildings and additions; alterations; and the New Solar Homes Partnership program while CHEERS is awaiting approval. Internally, I have redirected staff from other responsibilities in order to complete the testing and review process, and we are striving to complete our review and testing in an efficient, thorough and expeditious manner.

My staff will work with CHEERS to complete the testing and review process as soon as possible. The timeframe for CHEERS to receive certification for newly constructed buildings depends upon the quality of CHEERS' submittal and the responsiveness of CHEERS to registry and database programming improvements identified as necessary to be in compliance with the law.

The Energy Commission is committed to building and maintaining a strong, credible HERS industry. Together with the HERS providers and raters, we will continue to help homeowners save money and energy and California accomplish its energy efficiency goals by improving compliance with the Standards.

Sincerely,

A handwritten signature in black ink, appearing to read "Panama Bartholomy", is written over a light gray rectangular background.

PANAMA BARTHOLOMY, Deputy Director  
Efficiency and Renewable Energy Division