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OCTOBER 3, 2008

| DOCKET |
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As a General Engineering Contractor, Registered Civil Engineer and Title 24 Consultant, we've been in the business (in the trenches so to speak) since 1987 and have seen how things work in the field.

It appears that there is a conflict of interest having HVAC contractors hold licenses as HERS raters. There appears to be a lot of "I'll scratch your back if you'll scratch mine", or "if you'll sign off my job I'll sign off yours".

There also appears to be a conflict having Title 24 Consultants as HERS raters. We've found it takes more modeling trial and error work but many houses will comply without HERS credits by getting the proper balance among envelope, HVAC and water heating components. But it's easy for a Title 24 Consultant to run out the model with HERS credits then turn to the unsuspecting homeowner and say, "our company will do the HERS inspection for you", for an added price.

It seems to us that the folks building their dream home should be afforded a bit more protection from these potential conflicts of interest.

In the first case they will think they are getting higher efficiency as called for in the Title 24 Report and may never know it was signed off by an unscrupulous HVAC contractor; so, they end up with duct leakage, poor insulation installation or an air conditioner with a lower SEER rating than called for.

In the second case they may never find out they paid more for the Title 24 service than necessary because they won't know the house could have complied without calling for a HERS rater.

Thank you for the opportunity to comment.
Norm & Kay Thomas
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