

Memorandum

To: ROBERT OGLESBY
Executive Director

Date: January 28, 2013

Telephone: (916) 654-5013

From: **California Energy Commission** – Dave Ashuckian, Deputy Director
Efficiency and Renewable Energy Division
1516 Ninth Street
Sacramento CA 95814-5512

Subject: CONSOL HOME ENERGY EFFICIENCY RATING SERVICES, INC. (CHEERS).
POSSIBLE APPROVAL OF CHEERS AS A HERS PROVIDER FOR HERS RATERS
CONDUCTING FIELD VERIFICATION AND DIAGNOSTIC TESTING TO SHOW
COMPLIANCE WITH THE 2008 BUILDING ENERGY EFFICIENCY STANDARDS FOR
RESIDENTIAL NEWLY-CONSTRUCTED BUILDINGS.

Summary of Item

The Energy Commission's HERS regulations, Title 20, Chapter 4, Article 8, Sections 1670 through 1675, authorize the Energy Commission to approve organizations to be HERS Providers, who oversee the training, certification, and oversight functions of HERS Raters. The Title 20 regulations detail the functions and systems that must be included in a HERS Providers' program, and the application requirements and other criteria that must be met for Energy Commission approval. HERS Raters conduct the field verification and diagnostic testing services required to demonstrate compliance with Title 24, Part 6, *Building Energy Efficiency Standards* to ensure correct installation of specific building features and equipment that have been shown to be prone to incorrect installation in the past. The procedures for how Field Verification and Diagnostic Testing is to be conducted are detailed in sections RA2 (for residential construction) and NA1 (for non-residential construction) of the *Reference Appendices* for the 2008 Building Energy Efficiency Standards. The *Reference Appendices* are adopted as regulations at the same time that the Energy Commission adopts the *Building Energy Efficiency Standards*. Detailed protocols for Field Verification and Diagnostic Testing of specific building features and equipment are also included in the 2008 *Reference Appendices*.

On November 18, 2009, the Energy Commission approved California Home Energy Efficiency Rating Services (CHEERS) as a Home Energy Rating System (HERS) Provider for HERS Raters conducting Field Verification and Diagnostic Testing for showing compliance with the 2008 *Building Energy Efficiency Standards* on Newly Constructed Buildings, Alterations and the New Solar Homes Partnership Program. The approval of CHEERS by the Energy Commission encompassed the HERS Rater training program, the CHEERS registry and the CHEERS database, which is used to register the compliance documentation and store the data for each rating project conducted by a rater. At the time of approval, CHEERS used the same basic design, referred to as the Navigator, for Newly Constructed Buildings, Alterations, and the NSHP programs.

On August 3, 2010, the CHEERS Board of Directors formally requested that CHEERS be decertified as a HERS Provider for Newly Constructed Buildings and New Solar Homes Partnership Programs, as CHEERS was no longer using the Energy Commission-approved

registry and database (the "Navigator" software) for these programs while they undertook a software update. Although the formal decertification of CHEERS did not take place, an agreement between the Energy Commission and the CHEERS Board of Directors was reached whereby any newly-constructed projects for which Certificates of Compliance had already been entered into the CHEERS Registry on or before October 15, 2010, could continue to have compliance documents uploaded to the CHEERS registry for those projects. No new projects would be allowed to be uploaded to the CHEERS Registry after October 15, 2010, and no further HERS Rater training or HERS Rater certification could take place through CHEERS.

On May 22, 2012, ConSol Inc. notified the Energy Commission that it had acquired CHEERS's assets, including the CHEERS trademarked name, all existing contracts, the CHEERS HERS Raters List (past and present), all software and existing databases, intellectual property, accounts receivable, Quality Assurance protocols, Policy and Procedures documents, training materials and curriculum, and existing websites. CHEERS would henceforth stand for ConSol Home Energy Efficiency Rating Services.

CHEERS has submitted an application to become approved as a HERS Provider to oversee HERS Raters conducting field verification and diagnostic testing on residential newly-constructed buildings to show compliance with the *2008 Building Energy Efficiency Standards*. Staff has reviewed the CHEERS application, which includes the training materials, quality assurance program description, data registry and database, and all other required materials, and has determined that the application meets the requirements for HERS Providers overseeing HERS raters conducting Field Verification and Diagnostic Testing as specified in the HERS Regulations and the Reference Appendices. Staff recommends approval by the Energy Commission of CHEERS as a HERS Provider overseeing HERS Raters conducting field verification and diagnostic testing on residential newly-constructed buildings.

Staff Contact

Jim Holland
Laura Zaninovich

Business Meeting Participants

Building Standards Implementation Office
Legal Office

Commission Action Requested

Approve CHEERS as a HERS Provider to oversee HERS raters conducting field verification and diagnostic testing to show compliance with the *2008 Building Energy Efficiency Standards* on residential newly-constructed buildings.



Dave Ashuckian, Deputy Director
Efficiency and Renewable Energy Division