

**STATE OF CALIFORNIA
STATE ENERGY RESOURCES CONSERVATION
AND DEVELOPMENT COMMISSION**

2013 Title 24 Building Energy Efficiency)	Docket No. 12-BSTD-2
Standards Rulemaking Proceeding)	Resolution No. 12-1212-7
California Code of Regulations, Title 24,)	
Parts 1 and 6)	
_____)	

**RESOLUTION ADOPTING PROPOSED REGULATIONS
NONRESIDENTIAL ACCEPTANCE TESTING CERTIFICATION**

I. INTRODUCTION

The California Energy Commission (Energy Commission) hereby adopts additions and amendments to its Building Energy Efficiency Standards and associated Administrative Code. These standards apply to nonresidential buildings only and are in Parts 1 and 6 of Title 24 of the California Code of Regulations (“CCR”). The standards are called the Nonresidential Acceptance Testing Certification Standards, and were proposed on November 26, 2012, for a 15-day review period, consistent with the requirements of the Administrative Procedure Act (citation). These regulations will go into effect on January 1, 2014, following approval of the California Building Standards Commission.

The Energy Commission takes this action under the authority given by Public Resources Code sections 25218, subd. (e), 25402, 25402.1, 25402.4, 25402.5, 25402.5.4, 25402.8, 25910, and 25943, and Health and Safety Code sections 18930.5 and 18941.5. The regulations implement, interpret and make specific Sections 25402, subd. (a)-(c), 25402.1, 25402.4, 25402.5, 25402.5.4, 25402.8, 25910, and 25943, and Health and Safety Code sections 18930.5 and 18941.5.

II. HISTORY OF THE PROCEEDING

The development of these Nonresidential Acceptance Testing Certification regulations followed the larger overall development process for the California Energy Code in Part 6 and the associated administrative regulations in Part 1 of Title 24 of the CCR. Those standards in Parts 1 and 6 are collectively called the “2013 Building Energy Efficiency Standards” (or 2013 Standards), and were adopted by the Energy Commission at a May 31, 2012, public hearing.

On September 19, 2012, the Energy Commission published a Notice of Proposed Action regarding these proposed regulations. As stated in the Notice of Proposed Action and associated Initial Statement of Reasons, the Energy Code requires that specific equipment

and controls installed in nonresidential buildings be tested according to Energy Commission-adopted "acceptance testing" protocols to ensure their proper installation before the building is approved for occupancy. Compliance documentation must be signed by both the Field Technician who completed the acceptance testing and the licensed person who is legally responsible for the installation under the Business and Professions Code. The current Standards do not specify qualifications or training that the Field Technician must meet to be authorized to complete the acceptance testing.

Studies and stakeholder comments provided to the Energy Commission indicate that acceptance testing occurring in the field is currently inadequate. Because of inconsistent levels of training, Field Technicians as a whole are not providing the assurances necessary that the installed systems are delivering the energy efficiencies and monetary savings expected by building owners and which are required by state law. The proposed regulations create an independent third party certification and training program to ensure Field Technicians and their employers acquire minimal level of training and skill to verify nonresidential lighting controls and mechanical systems comply with existing energy efficiency building standards.

The proposed language was made available for public comment for 45 days as required by law. The proposed language was also known as the "45-Day Language" or "45-Day Express Terms." The Notice of Proposed Action also stated that the Energy Commission may decide to make substantive changes to the Express Terms through 15-Day Language, in which case the public hearing would be continued to a later noticed date, and an additional public comment period would be held and explained how interested persons could participate.

Along with the Notice of Proposed Action, the Energy Commission published the Economic and Fiscal Analysis (Form 399) and the Initial Statement of Reasons, which presented the rationales for the proposed Standards. The Notice of Proposed Action, Form 399 and Initial Statement of Reasons were submitted to the California Building Standards Commission and subsequently to the Office of Administrative Law, which published notice of these regulations in the California Regulatory Notice Registry on September 21, 2012¹.

The Energy Commission also provided the Notice of Proposed Action to:

- every contact on the Energy Commission's mailing lists for: The Blueprint (a Title 24 newsletter), appliance efficiency standards, nonresidential and residential building energy efficiency standards, city and county building officials, and county clerks,
- the Energy Commission's Efficiency and Building Standards electronic mail list-servers, and

¹California Regulatory Notice Register, Sept 21, 2012, vol. no. 38-Z, p. 1399.

- every person who had requested notice of such matters.

In response to Comments received on the proposed regulations, on November 1, 2012, the Energy Commission published a Notice of Postponement of Hearing setting a new date for consideration of proposed regulations for Nonresidential Acceptance Testing Certification for December 12, 2012. On November 26, 2012 a Notice of Hearing and Availability was published, announcing the availability of the revised Express Terms and establishing a 15-day public comment period for proposed changes to the 45-Day Language that was initially proposed.² These notices were also published on the Energy Commission's website.

The following is a high level summary of the 15-Day Language changes made to the 45-Day Language of the Nonresidential Acceptance Testing Certification:

- Reduced the number of Acceptance Test Technicians (ATTs) that need to be certified before the regulations require that specific nonresidential acceptance tests be performed by certified ATTs;
- Added requirements for Acceptance Test Technician Certification Providers (ATTCPs) to document the specifics of their training and certification procedures;
- Reduced the hours required for the one-day class requirement for Acceptance Test Employers;
- Added a requirement that each ATT, upon certification, receive a unique certification number and include it in the Title 24 compliance documentation filed with the enforcement authorities;
- Added a requirement that each ATTCP provide an explanation of curricula changes to the Energy Commission prior to the effective date of adopted updates to the Building Energy Efficiency Standards;
- Clarified that all potential ATTCPs must apply to the Energy Commission no less than six months prior to the effective date of new or amended Building Energy Efficiency Standards (starting with the 2013 Standards).

In addition to these substantive changes, the 45-Day Language was clarified in several places by removing redundancies and adding specificity.

Documents additional to those those identified in the Notice of Proposed Action upon which the Energy Commission is relying in consideration of the 15-Day Language or which were incorporated by reference in the regulations were identified in the Notice of Availability and were made available on the Energy Commission web site or upon request. These changes to the proposed regulatory test are called "15-day language" because they are sufficiently related to the 45-day language and thus only

² Per Gov. Code § 11346.8, subd. (c).

subject to an abbreviated 15-day notice requirement. The 15-day language was made available for public comment for 15 days, through December 11, 2012.³

On December 12, 2012, the Energy Commission held a public hearing, pursuant to Government Code section 11346.8 and Public Resources Code section 25402, to accept both oral and written final comments on the 2013 Energy Provisions of CALGreen, and to consider their adoption.

III. FINDINGS AND CONCLUSIONS

Several different statutory schemes govern the Energy Commission's adoption of building standards: the Warren-Alquist State Energy Resources Conservation and Development Act,⁴ the Administrative Procedure Act,⁵ and the Building Standards Law.⁶ Pursuant to these statutes, the Energy Commission has reviewed the entire record of this proceeding, including public comments, reports and other documents, transcripts of public events, and all other materials that have been filed in this proceeding (Docket No. 12-BSTD-2). Based on that record, the Energy Commission makes the following findings and conclusions.

A. The Warren-Alquist Act

1. Public Resources Code Sections 25402, subd. (a)-(b)

Section 25402 of the Warren Alquist Act directs the Energy Commission to adopt "building design and construction standards that increase the efficiency in the use of energy and water for new residential and new nonresidential buildings" and "energy and water conservation design standards for new residential and new nonresidential buildings".

The Nonresidential Acceptance Testing Certification requirements that we adopt today accomplish the goals of Section 25402, subdivisions (a) – (b).

The 2013 Standards were previously found to fulfill these directives. They increase the efficiency of and conserve the use of energy and water. Moreover, they were found to be cost-effective⁷.

Buildings constructed pursuant to the 2013 Standards are projected to:

- save \$1.60 billion in energy over a 30-year life;
- save 200 million gallons of water per year, and;

³ Gov. Code § 11346.8; Cal. Code Regs., tit. 1, § 42.

⁴ Pub. Resources Code § 25000 et seq.

⁵ Gov. Code § 111340 et seq.

⁶ Health & Safety Code § 18901 et seq.

⁷ See Order Adopting Proposed Regulations, Docket No. 12-BSTD-1, Order No. 12-0531-5, May 31, 2012.

- avoid more than 155 thousand metric tons of greenhouse gas emissions per year.

From the Economic and Fiscal Analysis (Form 399), published simultaneously with the Notice of Proposed Action, the Nonresidential Acceptance Testing Certification requirements are demonstrated to be cost effective.

- Total Statewide costs and benefits: The proposed regulations are estimated to deliver \$4.0 million in benefits at a cost of \$3.75 million, for a cost-effectiveness ratio of 1.07 to 1.
- Cost or Savings to any state agency: The proposed regulations are estimated to save the State Government \$40,000 at a cost of \$37,500 for a cost-effectiveness ratio of 1.07 to 1.
- Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code: None. Additional expenditures of approximately \$112,500 in the current State Fiscal Year which are not reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Section 17500 et seq. of the Government Code because the proposed regulation provides for savings to each affected local government which will, at a minimum, offset any additional cost with a total savings of approximately \$120,000.

With respect to these and the following provisions of the Warren-Alquist Act, the requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards and realization of the anticipated energy savings. This, in turn, will support implementation of the other provisions of the California Energy Code.

2. Public Resources Code Section 25402.4

Section 25402.4 of the Warren-Alquist Act requires that the nonresidential building energy standards allow the use of passive thermal systems. The 2013 Standards do this. The requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards and realization of the anticipated energy savings, thereby enhancing the allowance to use passive solar systems.

3. Public Resources Code Sections 25402.5, 25402.5.4

Sections 25402.5 and 25402.5.4 of the Warren-Alquist Act require that the Energy Commission adopt standards for lighting. The 2013 Standards do this. The requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards and therefore will enhance the adopted Standards for lighting.

4. Public Resources Code Section 25402.8

Section 25402.8 of the Warren-Alquist Act directs the Energy Commission, when adopting new building energy conservation standards to “include in its deliberations the impact that those standards would have on indoor air pollution problems.”

The Energy Commission must take into account both the indoor air quality concerns embodied in Section 25402.8 and the mandate to achieve cost-effective energy conservation in Sections 25402(a) and (b).

We previously found that the 2013 Standards included provisions which are reasonably necessary to carry out the mandate of Section 25402.8, and that struck an appropriate balance between the requirements of this Section and the energy-savings and cost-effectiveness mandates of Sections 25402, subd.(a)-(b). The requirements of the Non-residential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards, and thus will not impact indoor air quality. As previously shown the Nonresidential Acceptance Testing Certification requirements are cost effective.

5. Public Resources Code Section 25910

Section 25910 of the Warren-Alquist Act requires standards for insulation. The 2013 Standards establish such standards, along with requirements to ensure quality installation. The requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards and are expected to improve the quality of installation of insulation.

6. Public Resources Code Section 25943

Section 25943 of the Warren-Alquist Act requires the Energy Commission to

implement a comprehensive program to achieve greater energy savings in California's existing residential and nonresidential building stock. This program shall comprise a complementary portfolio of techniques, applications, and practices that will achieve greater energy efficiency in existing residential and nonresidential structures that fall significantly below the current standards in Title 24 [para.] The comprehensive program may include, but need not be limited to, a broad range of energy assessments, building benchmarking, energy rating, cost-effective energy efficiency improvements, public and private sector energy efficiency financing options, public outreach and education efforts, and green workforce training.^[8]

⁸ Pub. Resources Code, § 25943, subd. (a)(1)-(2) enacted by Assem. Bill No. 758. Stats. 2009. Ch. 470.

The requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards, which have been previously found to fulfill these requirements, and the energy savings anticipated from those regulations.

B. The Administrative Procedure Act

The California Administrative Procedure Act (“APA”) requires all state agencies to take certain steps and assess several matters when adopting regulations. Many of these matters, analyses and findings are required to be addressed in the Initial Statement of Reasons prepared as part of the Notice of Proposed Action, or in the Final Statement of Reasons that is required to be prepared after the regulations are adopted. In support of those documents, the Energy Commission made the following findings and determinations in adopting the Nonresidential Acceptance Testing Certification requirements.

1. Government Code section 11346.3

In addition to the economic analysis required by Section 11346.3 of the APA, discussed further below, subdivision (c) of this statute mandates that agencies that require the preparation of reports by businesses find that such reports are necessary to protect the health, safety or welfare of the people of California.

We previously found and concluded that it is necessary that the reporting requirements in the 2013 Standards apply to businesses, in order to protect the health, safety and welfare of the people of California, as required by Government Code section 11346.3, subdivision (c). The Nonresidential Acceptance Testing Certification reporting requirements are consistent with those in the 2013 Standards and help achieve the benefits of those standards. Additional requirements are required of Certification Providers, but are minimal and present no significant burden and thus are similarly necessary.

2. Government Code section 11346.45

State agencies must “involve parties who would be subject to the proposed regulations in public discussions regarding those proposed regulations, when the proposed regulations involve complex proposals or a large number of proposals that cannot easily be reviewed during the comment period.” The Energy Commission conducted extensive outreach with industry and other stakeholders, over the course of the past 18 months on the structure and contents of the regulations. We therefore previously found that the Energy Commission complied with Government Code section 11346.45.

On September 5, 2012, the Energy Commission opened the 45-Day comment period and provided a publicly noticed Hearing on October 1, 2012 to all interested parties. This further extended the Energy Commission’s outreach activities and encompassed additional stakeholders who were participating in the Energy Commission rulemaking for the 2013 Standards. We find that this requirement was fulfilled.

3. Government Code sections 11346.3, 11346.5 and 11346.9

Sections 11346.3, 11346.5, and 11346.9 of the APA require State agencies to assess various potential economic and fiscal impacts of proposed regulations and potential alternatives. Briefly stated, the Energy Commission previously found that the 2013 Standards:

- a) Will not result in a significant statewide adverse impact directly affecting business (including small businesses), including the ability of California businesses to compete with businesses in other states, and job creation;
- b) Will not have significant impacts on housing costs;
- c) Do not have alternatives that would be more effective in carrying out the purposes of the Warren-Alquist Act without increasing burdens, or that would be as effective and less burdensome to affected private persons in carrying out the purposes; and
- d) Will not impose any direct costs or direct or indirect requirements on state agencies, local agencies, or school districts, including but not limited to costs that are required to be reimbursed under Part 7 (commencing with Section 17500) of the Government Code.

For complete details of the Energy Commission's fiscal and economic analysis of the 2013 Standards, see the Economic and Fiscal Analysis (Form 399), previously published with the Notice of Proposed Action for those regulations.

The Energy Commission has similarly determined that the adoption of the Nonresidential Acceptance Testing Certification requirements will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with business in other states. The basis for the Energy Commission's findings on economic impacts is that the proposed regulations are cost effective, and therefore will have a beneficial economic impact on the owners and occupants of buildings built to comply with the Standards. Evidence for the cost effectiveness of the proposed regulations is contained in the Initial Statement of Reasons and in the Economic and Fiscal Statement (Form 399).

These proposed regulations will not have an adverse statewide economic impact because the expected costs are largely one-time certification expenses, whereas the energy savings that will accrue will continue to be realized year after year. Even in the first year of implementation, the costs of these regulations will be more than offset by energy savings.

C. The State Building Standards Law

The Building Standards Law requires that state agencies adopting building standards submit to the California Building Standards Commission both their adopted building standards and a justification of how the standards meet the criteria in Section 18930 of

the Health and Safety Code. For the reasons described below, we find, determine, and conclude that the Nonresidential Acceptance Testing Certification requirements comply with each one of the applicable criteria.

1. The provisions do not conflict with, overlap, or duplicate other building standards

There is no overlap or duplication with other regulations because the Energy Commission is the only state agency authorized to set efficiency standards for buildings, and for the same reason there should be no conflict with other building standards (i.e., no situation in which it is impossible to comply with both an Energy Commission standard and another building standard). Nothing in the record shows otherwise.

The 2013 Standards were found not to conflict with, overlap or duplicate other building standards. The requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards and do not, on their own, conflict with, overlap or duplicate other building standards or that address these kinds of testing and training requirements for Field Technicians.

2. The provisions are within the parameters established by enabling legislation and are not expressly within the exclusive jurisdiction of another agency

The California Energy Commission has statutory authority under Public Resources Code sections 25213, 25402, 25402.1, 25402.4, 25402.5, 25402.8, and 25910 to promulgate and update energy efficiency standards for residential and nonresidential buildings, including both newly constructed buildings and additions and alterations to existing buildings. The Energy Commission is the only state agency with the authority to set efficiency standards for buildings. No commenter suggested otherwise.

The requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards and do not exceed the authority of the Warren-Alquist Act.

3. The public interest requires the adoption of the provisions

The Warren-Alquist Act requires the Energy Commission to adopt and “periodically update” its building standards, which indicates that the Legislature itself deems adoption of cost-effective building standards to be in the public interest.⁹ Moreover, as we have discussed at length above, the extensive public record demonstrates that the 2013 Standards will save substantial amounts of energy and money, and will reduce adverse environmental impacts, all of which are in the public interest. The requirements of the Non-

⁹Pub. Resources Code, § 25402, subd. (a)(1).

residential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards and are therefore in the public interest.

4. The provisions are not unreasonable, arbitrary, unfair, or capricious, in whole or in part

The record of the Energy Commission's rulemaking proceeding demonstrates that the proposed building standards are not unreasonable, arbitrary, unfair, or capricious, in whole or in part. The Building Energy Efficiency Standards respond to the mandates of the Warren-Alquist Act, the Global Warming Solutions Act of 2006, California's Energy Action Plan 2008 Update, the California Energy Efficiency Long-Term Strategic Plan, the 2011 Integrated Energy Policy Report, the California's Clean Energy Futures Initiative, and Governor Brown's Clean Energy Jobs Plan.

Not only the content of the 2013 Standards, but also the process through which they were adopted (including the voluminous comments, both supporting the proposed Standards and suggesting edits which were incorporated into the final proposal), show that this criterion was met. Some comments challenged, or proposed modifications to, various provisions of the proposed measures (although rarely using the statutory terms "unreasonable, arbitrary, unfair, or capricious"). The Energy Commission either accepted those comments or determined that they were invalid.

The requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards. These requirements have been publicly vetted and supported by those that would be most impacted by them. Therefore, this clearly demonstrates that these requirements are not unreasonable, arbitrary, unfair or capricious, in whole or in part.

5. The cost to the public is reasonable based on the overall benefit to be derived from the provisions

The record overwhelmingly demonstrates that the 2013 Standards are cost-effective. The added construction costs that the Standards will impose are reasonable based on the economic, environmental, and other benefits that are derived from the Standards and that will substantially outweigh the costs.

The 2013 Standards will reduce the energy use of typical new buildings by around 25 percent compared to buildings constructed under the current standards. Buildings constructed pursuant to the 2013 Standards are projected to:

- Save \$1.60 billion in energy over 30 years;
- Save 200 million gallons of water per year; and
- Avoid more than 155 thousand metric tons of greenhouse gas emissions per

year.

The Energy Commission estimates average increases in construction costs of \$45,000 for a 15,000 square foot commercial building. This is less than 2 percent of typical construction costs for typical nonresidential buildings and, of course, as we just described above, these increases will be more than recouped by the reduced energy costs to operate the buildings.

Businesses, including small businesses, that inspect and verify the operational performance of lighting controls or mechanical systems in nonresidential buildings will be required by the Nonresidential Acceptance Testing Certification requirements to gain additional certification of their ability to complete the Title 24, Part 6 installation inspections and acceptance testing for these systems. The costs to become certified for these businesses are expected to be a one-time cost of approximately \$2,000 for each technician and \$500 for each employer overseeing technicians. The Energy Commission anticipates that these costs will be passed on to the building owners requiring the services of these businesses through increased fees for these inspection services.

The Nonresidential Acceptance Testing Certification requirement will provide building owners with a higher quality of verification of the energy saving features of their building lighting and mechanical components, thereby helping ensure the building owner is obtaining the benefits of their investment in various technologies. The costs that directly affect private persons and businesses are completely offset by the resulting energy bill savings, which are far in excess of the cost of compliance. The people of California benefit as less energy is used, reducing the need for developing additional generation capacity and the environmental damage associated with such energy projects, including greenhouse gas emissions.

In addition, by developing a rigorous training and certification program, the state will benefit by increasing the awareness among the building industry of the economic and environmental value of energy efficiency that may lead to overall gains in energy efficiency in other areas of building systems.

6. The provisions are not unnecessarily ambiguous or vague, in whole or in part

The Energy Commission made many changes to the draft proposals to ensure their clarity. There were no comments on the 15-Day Language for the Nonresidential Acceptance Testing Certification requirements regarding unnecessary ambiguity or vagueness.

7. The applicable national specifications, published standards, and model codes have been incorporated in the provisions as provided in the State Building Standards Law, where appropriate

There are no federal laws applicable to nonfederal buildings in their entirety, so nothing

in this realm could have been incorporated into the Nonresidential Acceptance Testing Certification requirements.

There are no national specifications, published standards, or model codes, beyond those which were previously included in the 2013 Standards, which are applicable to the Nonresidential Acceptance Testing Certification requirements.

8. The format of the provisions is consistent with that adopted by the California Building Standards Commission

The Nonresidential Acceptance Testing Certification requirements continue to use the format of the other building standards in the State Building Code.

9. The proposed building standards, if they promote fire and panic safety as determined by the State Fire Marshal, have the written approval of the State Fire Marshal

The 2013 Standards are not intended to promote fire and panic safety. Nevertheless, the Energy Commission obtained the approval of the State Fire Marshal of the 2013 Standards. The requirements of the Nonresidential Acceptance Testing Certification will provide for better, more reliable implementation of the 2013 Standards and, of themselves, do not address fire and panic safety as defined by the State Fire Marshal.

D. The California Environmental Quality Act

The California Environmental Quality Act (Act)¹⁰ requires that state agencies consider the environmental impact of their discretionary decisions, including the adoption of regulations.

When it adopted the 2013 Standards, the Energy Commission found that:

- (1) In light of the whole record, there is no substantial evidence that the 2013 Building Energy Efficiency Standards in Parts 1 and 6 of Title 24 of the California Code of Regulations, will have a significant effect on the environment and
- (2) the [Adopted] Negative Declaration reflects the Energy Commission's independent judgment and analysis.^[11]

The requirements of the Act only apply to projects that have the potential for causing a significant effect on the environment.¹² A significant effect on the envi-

¹⁰ Pub. Resources Code, § 21000 et seq.; see also implementing regulations, California Environmental Quality Act Guidelines, at tit. 14, Cal. Code of Regs., § 15000 et seq.

¹¹ See Order Adopting Proposed Regulations, Docket No. 12-BSTD-1, Order No. 12-0531-5, May 31, 2012.

¹² Cal. Code of Regs., tit. 14, § 15061 (b)(3).

ronment is defined as a substantial, or a potentially substantial, adverse change in the environment, and does not include an economic change by itself.¹³

The requirements of the Nonresidential Acceptance Testing Certification establish a quality control and training program that will improve the acumen of those professionals who fulfill existing inspection requirements. This will benefit the environment by helping ensure the energy-conservation requirements of the 2013 Standards are met. Therefore, although adopting these regulations is arguably a "project" as defined under the Act,¹⁴ it is nonetheless exempt from the requirements of the Act because it can be seen with certainty that there is no possibility that the Nonresidential Acceptance Testing Certification requirements may have a significant effect on the environment. Nothing in the record suggests otherwise. Accordingly, adopting these regulations is not subject to the California Environmental Quality Act.

IV. ADOPTION OF AMENDMENTS TO REGULATIONS; DELEGATION TO EXECUTIVE DIRECTOR

The California Energy Commission adopts in the Title 24, Parts 1 and 6 of the California Code of Regulations the amendments identified in the Nonresidential Acceptance Testing Certification 15-day language dated November 26, 2012.

The California Energy Commission directs the Executive Director to take, on its behalf, all actions reasonably necessary to have the adopted regulations approved by the California Building Standards Commission and go into effect, including but not limited to preparing and filing all appropriate documents and correcting typographical and other non-substantive errors, such as the Final Statement of Reasons and a Notice of Exemption.

CERTIFICATION

The undersigned Secretariat to the Energy Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on December 12, 2012.

AYE: Weisenmiller, Douglas, Peterman, McAllister

NAY:

ABSENT:

ABSTAIN:



Harriet Kallemeyn,
Secretariat

¹³ Pub. Resources Code, § 21068; Cal. Code of Regs., tit. 14, § 15382.

¹⁴ See Pub. Resources Code, § 21065; Cal. Code of Regs., tit. 14, § 15378.