



**California Energy Commission
February 15, 2023 Business Meeting
Backup Materials for Agenda Item No 03e:
Name change of ConSol Home Energy Efficiency Rating Services, Inc.**

The following backup materials for the above-referenced agenda item are available as described below:

1. Proposed Resolution, attached below
2. Executive Director Recommendation, attached below

For the complete record, please visit: [22-HERS-01](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01) at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01>.

To stay informed about this project and receive documents as they are filed, please subscribe to the proceeding list serve, which can be accessed here: <https://www.energy.ca.gov/subscriptions> (select Efficiency Topics and subscribe to Title 24 Enforcement). The list serve sends out email notifications and direct links when documents are filed in the proceeding docket.

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

**RESOLUTION OF THE CALIFORNIA ENERGY COMMISSION TO APPROVE THE
CONSOL HOME ENERGY EFFICIENCY RATING SERVICES, INC. BUSINESS NAME
CHANGE AMMENDMENT TO ITS EXISTING HOME ENERGY RATING SYSTEM
PROVIDER CERTIFICATIONS AND RESIDENTIAL DATA REGISTRY APPROVALS**

WHEREAS, ConSol Home Energy Efficiency Rating Services, Inc. (CHEERS) submitted an application on December 14, 2022, requesting approval to change its business name to California Home Energy Efficiency Rating Services pursuant to California Code of Regulations, Title 20, sections 1670 et seq. (California Home Energy Rating System (HERS) Program); and

WHEREAS, CHEERS submitted an application on December 14, 2022, requesting approval to change its business name to California Home Energy Efficiency Rating Services pursuant to section 10-109 of the 2022 Building Energy Efficiency Standards (Energy Code) (codified in California Code of Regulations), Title 24, Part 1); and

WHEREAS, the executive director evaluated the CHEERS HERS provider application and observed that CHEERS has met the requirements in section 1674 of the California HERS Program for this business name change request; and

WHEREAS, the executive director evaluated the CHEERS residential data registry application and observed that that CHEERS has met the requirements in section 10-109 of the 2022 Energy Code for this business name change request; and

WHEREAS, on January 18, 2023, the executive director provided a public notice to interested persons and provided an opportunity for public comment; and

WHEREAS, the executive director provided a written recommendation describing the review and validation of the CHEERS HERS provider and residential data registry applications by California Energy Commission (CEC) staff and recommending approval of the CHEERS applications, attached hereto as "Exhibit A;" and

WHEREAS, the executive director's written recommendation was made available to CHEERS on January 24, 2023; and

WHEREAS, the February 15, 2023, business meeting was the first available meeting at least 15 business days after the executive director made his recommendation available to CHEERS for the CEC to consider this matter; and

WHEREAS, the CEC has considered the executive director's recommendation, all written comments submitted, oral comments made at today's business meeting, and CEC staff responses to all comments on this matter.

THEREFORE, BE IT RESOLVED, that the CEC confirms the executive director's determinations, adopts the recommendation, and approves CHEERS' request to change its business name for the CHEERS HERS provider program, pursuant to Code of California Regulations, Title 20, section 1674(c), with this approval effective for permits filed under the 2022, 2019, 2016, and 2013 Energy Codes; and

FURTHER BE IT RESOLVED, that the CEC confirms the executive director's determinations, adopts their recommendation, and approves CHEERS' request to change its business name for its residential data registry, pursuant to Code of California Regulations, Title 24, Part 1, sections 10-109 and 10-110, and Joint Appendix JA7 with this approval effective for permits filed under the 2022, 2019, 2016, and 2013 Energy Codes; and

FURTHER BE IT RESOLVED, that the executive director or their designee shall take all steps necessary to implement this resolution, including updating the CHEERS provider certification and data registry approval once CHEERS demonstrates it has successfully changed its business name.

CERTIFICATION

The undersigned Secretariat to the CEC 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 CEC held on February 15, 2023.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

Liza Lopez
Secretariat

STATE OF CALIFORNIA

STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

EXECUTIVE DIRECTOR RECOMMENDATION TO APPROVE CONSOL HOME
ENERGY EFFICIENCY RATING SERVICES, INC. BUSINESS NAME CHANGE
AMMENDMENT TO ITS EXISTING HOME ENERGY RATING SYSTEM PROVIDER
CERTIFICATIONS AND RESIDENTIAL DATA REGISTRY APPROVALS

Executive Summary

ConSol Home Energy Efficiency Rating Services, Inc. (CHEERS) has applied to change its business name to California Home Energy Efficiency Rating Services. This name change will apply to its existing certifications as a California Home Energy Rating System (HERS) program provider. This name change will also apply to CHEERS existing residential data registry approvals. The business name change application materials are available on the 2022 HERS Provider's Application docket located at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01>.

Based on the staff review of the CHEERS application, I recommend that the California Energy Commission (CEC) approve the CHEERS business name change to its existing certifications as a California HERS program provider under the 2022, 2019, 2016, and 2013 Building Energy Efficiency Standards (Energy Code). I also recommend approval of the CHEERS business name change to its existing residential data registry approvals under the 2022, 2019, 2016, and 2013 Energy Codes.

On December 14, 2022, CHEERS submitted applications to the CEC requesting to change its business name. As specified in section 1674(f) of the California HERS Program, staff reviewed and validated the materials in the HERS provider application and determined that CHEERS provided adequate information in support of its business name change request. As specified in section 10-109(g) of the 2022 Energy Code, staff reviewed and validated the materials in the residential data registry application and determined that CHEERS provided adequate information in support of its business name change request. Pursuant to Title 20, section 1674(c)2 and Title 24, section 10-110(b), the executive director posted a public notice to docket number [22-HERS-01](https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01) at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01>, provided an opportunity for public comment, and considered all comments received as of February 2, 2023. The staff evaluation is included as Exhibit A.

Post Approval Requirements

CHEERS shall adhere to the Post Approval Requirements included in Exhibit A. The Post Approval Requirements ensure that CHEERS complies with California HERS program and Energy Code requirements.

Recommendation of the Executive Director

Based on the staff review and validation of the CHEERS applications, I recommend that the CEC confirm these findings, approve the business name change to the CHEERS HERS provider certifications, and approve the business name change to the CHEERS residential data registry approvals.



Drew Bohan
Executive Director
California Energy Commission

February 3, 2023

Date

EXHIBIT A

Staff Evaluation – CHEERS, Inc. HERS Provider and Residential Data Registry Business Name Change Applications

Scope of Approvals

ConSol Home Energy Efficiency Rating Services, Inc. (CHEERS) submitted applications to the California Energy Commission (CEC) requesting authorization to change its business name to California Home Energy Efficiency Rating Services. Changes to an existing Home Energy Rating System (HERS) provider certification are evaluated under section 1674(f) of the California HERS program (California Code of Regulations Title 20, sections 1670-1675) and changes to a residential data registry approval are evaluated under section 10-109(g) of the 2022 Building Energy Efficiency Standards (Energy Code).

The CHEERS business name change request applies to its existing HERS provider certifications and residential data registry approvals under the 2022, 2019, 2016 and 2013 Energy Codes.

Summary

The Warren-Alquist Act directs the CEC to establish criteria for a statewide HERS program. No home energy rating services may be performed in California unless those services are certified according to the program established by the CEC. The CEC's California HERS program regulations establish requirements for home energy rating systems, for providers (including the providers' training and certification of raters), and for the CEC's certification of providers. The regulations define a provider as an organization that administers a California HERS program.

The 2022 Energy Code requires field verification and diagnostic testing (FV&DT) of specified residential energy efficiency measures to demonstrate compliance with the Energy Code. This testing must be performed by HERS raters who are certified by the CEC-certified HERS providers. Additionally, the 2022 Energy Code describes the approval process as well as functional and technical requirements for a residential data registry.

The business name change does not affect program operations such as training and certification of HERS raters, data collection, quality assurance, or other responsibilities of a HERS provider detailed in Title 20 sections 1672 and 1673.

The effects of the name change are mostly clerical from the CEC oversight perspective. The change affects instances of the full business name in documents, including agreements between CHEERS and registry users, including External Digital Data Source (EDDS) operators. The full business name appears on all registered compliance documents as part of the provider's signature, both in the page footer and on the digital

certificate. While this impacts hundreds of form templates, acceptance testing was only necessary for one registered document to illustrate the result.

Existing branding is based on the provider's acronym and would remain unchanged. Registered compliance documents will continue to be watermarked with the "CHEERS" logo.

Staff reviewed the business name change application information filed in docket number 22-HERS-01 and verified that all the requirements of the Title 20 California HERS program and the 2022 Energy Code are met. Therefore, staff recommends approval of the CHEERS business name change application for its existing HERS provider certifications. Staff also recommends approval of the CHEERS business name change application for its existing residential data registry approvals.

Post Approval Requirements

If this business name change is approved by the CEC at a business meeting, CHEERS should file with the California Secretary of State and should revise its articles of incorporation (AOI). Pursuant to Title 20 section 1674(f), the revised AOI and any other modified application materials shall be submitted to the CEC. Upon completion of its business name change, CHEERS shall also notify its stakeholders of the change as required by Title 24, Part 6, JA7.8.3.2(d). The notice should specify the extent of the name change.

CHEERS Applications Materials

Staff reviewed and verified the CHEERS application materials as they pertain to the requirements in the California HERS Program and the 2022 Energy Code. Table 1 lists the application materials reviewed.

Table 1: CHEERS 2022 Applications Materials

TN #	Document Title
248073	Application Amendment
248326	Requested Information
248394	Amendment