



**California Energy Commission
February 14, 2024, Business Meeting
Backup Materials for CalCERTS Application to Register Low-rise Multifamily
Projects for 2022 Energy Code Compliance**

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

1. Proposed Order, attached below.
2. Executive Director Recommendation for Approval, attached below.

To stay informed about this project and receive documents as they are filed, please subscribe to Building Energy Efficiency Standards, which can be accessed here:

<https://public.govdelivery.com/accounts/CNRA/signup/31895>

The Topic sends out email notifications and direct links when documents are filed in the proceeding docket [22-HERS-01](#), 2022 HERS Provider Applications for the 2022 Building Energy Efficiency Standards.

STATE OF CALIFORNIA
STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION

IN THE MATTER OF:

**CalCERTS, Inc. Application for
Modification of its Residential Data
Registry under the 2022 Energy Code**

Docket No.: 22-HERS-01

**ORDER TO (1) RE-CERTIFY
CALCERTS, INC. AS A HOME
ENERGY RATING SYSTEM
PROVIDER AND (2) APPROVE
MODIFICATION OF THE CALCERTS
2022 ENERGY CODE RESIDENTIAL
DATA REGISTRY TO INCLUDE LOW-
RISE MULTIFAMILY BUILDING
TYPES**

I. BACKGROUND

The Warren-Alquist Act directs the California Energy Commission (CEC) to establish criteria for a statewide Home Energy Rating System (HERS) program. The CEC's California HERS program regulations establish requirements for home energy rating services offered by 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.¹

The 2022 Building Energy Efficiency Standards (Energy Code) requires field verification and diagnostic testing (FV&DT) of specified residential energy efficiency measures to demonstrate compliance with the Energy Code.² This testing must be performed by raters who are certified by a CEC-approved HERS provider. Additionally, the 2022 Energy Code describes the approval process as well as functional and technical requirements for a residential data registry. Finally, "[f]or residential compliance document registration, the Registration Provider shall be approved in accordance with the requirements in Section JA7.8, and shall also be a HERS Provider approved by the Energy Commission."³

¹ California Code of Regulations, title 20, section 1671.

² California Code of Regulations, title 24, part 1, section 10-103(a).

³ 2022 Reference Appendices, Joint Appendix section JA7.4.1 Registration Provider

CalCERTS, Inc. (CalCERTS), an approved HERS provider, has applied to modify its 2022 Energy Code residential data registry to incorporate low-rise multifamily projects and compliance documents.

II. EXECUTIVE DIRECTOR'S RECOMMENDATION

On June 7, 2023, CalCERTS, Inc. submitted an application to the CEC requesting modification of a residential data registry under section 10-109(g) of the 2022 Energy Code. CalCERTS submitted subsequent application materials, with the final filing received on November 6, 2023.

Staff determined the application to be complete. Pursuant to Title 20 of the California Code of Regulations (CCR) section 1674(c)2, and Title 24 section 10-110(b), a public notice was posted to docket number [22-HERS-01](#).⁴ The notice provided an opportunity for public comment, and any comments received were considered as of January 2, 2024.

As specified in 20 CCR section 1674(f), staff reviewed and validated all information received and determined that CalCERTS meets the criteria to administer a California HERS Program and oversee raters conducting FV&DT under the 2022 Energy Code.

Staff concluded that CalCERTS has met the requirements specified in the 2022 Energy Code. Staff has also concluded that CalCERTS has met the requirements of 20 CCR section 1674 for re-certification as a HERS provider.

On January 17, 2024, the executive director concurred with these conclusions and signed a recommendation to approve the CalCERTS application and to recertify CalCERTS as a HERS provider. A copy of the recommendation was sent to CalCERTS on January 18, 2024, which was at least fifteen business days before the next scheduled business meeting, as required by 20 CCR section 1674(c)(5). Staff also posted the recommendation to docket log 22-HERS-01.

III. ENERGY COMMISSION FINDINGS

1. 24 CCR section 10-109(g) requires a previously submitted data registry application to undergo resubmittal and approval to the Commission if it has undergone changes. CalCERTS has submitted modifications to the CalCERTS residential data registry to register low-rise multifamily compliance documents for the 2022 Energy Code.
2. 20 CCR section 1674(f) requires where this changed information could affect the provider's compliance with these regulations, the Energy Commission may require that the provider be recertified. The Energy Commission found that the

⁴ Available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01>

changes could affect the Provider's compliance with these regulations and, therefore, required the Provider to undergo recertification.

3. Pursuant to 24 CCR section 10-110(a), within 75 days of receipt of an application the executive director shall determine if the application is complete. The application was determined complete on December 19, 2023.
4. 24 CCR section 10-110(b) allows the public the opportunity to comment on the proposed modifications once an application is determined complete. A public notice was posted to docket number 22-HERS-01, the notice provided an opportunity for public comment, and any comments received were considered as of January 2, 2024. No adverse comments were received.
5. 20 CCR section 1674(c) requires the executive director to provide a copy of its evaluation to all interested persons and provide the applicant and the Energy Commission a written recommendation that approves or denies the recommendation. Meanwhile, 24 CCR section 10-110(f) requires the complete application package, any additional information considered by the executive director, and the executive director's recommendation to be considered at the next business meeting after submission of the recommendation. On January 17, 2024, the executive director recommended CalCERTS data registry modification be approved and to recertify CalCERTS as a HERS provider, the evaluation was publicly available. On January 18, 2024, a copy of the recommendation was sent to the applicant as required by 20 CCR 1674(c)(5). The Energy Commission confirms the executive director's recommendation and finds that the requirements of 20 CCR 1674 and 24 CCR 10-110 have been met. Therefore, CalCERTS has met the requirements to be recertified as a HERS Provider, and their residential data registry to register low-rise multifamily compliance documents is therefore approved.

IV. CONCLUSION AND ORDER

The CEC hereby recertifies CalCERTS as a HERS provider and approves the modifications to the CalCERTS residential data registry to register low-rise multifamily compliance documents for the 2022 Energy Code.

IT IS SO ORDERED.

CERTIFICATION

The undersigned Secretariat to the CEC does hereby certify that the foregoing is a full, true, and correct copy of an order duly and regularly adopted at a meeting of the CEC held on February 14, 2024.

AYE:

NAY:

ABSENT:

ABSTAIN:

Dated:

Kristine Banaag
Secretariat

PROPOSED RESOLUTION NO: 24-0214-X

STATE OF CALIFORNIA

**STATE ENERGY RESOURCES
CONSERVATION AND DEVELOPMENT COMMISSION**

IN THE MATTER OF:

***CalCERTS, Inc. Application for
Modification of its Residential Data
Registry under the 2022 Energy Code***

Docket No.: 22-HERS-01

**EXECUTIVE DIRECTOR
RECOMMENDATION TO (1) RE-
CERTIFY CALCERTS, INC. AS A
HOME ENERGY RATING SYSTEM
PROVIDER AND (2) APPROVE
MODIFICATION OF THE CALCERTS
2022 ENERGY CODE RESIDENTIAL
DATA REGISTRY TO INCLUDE LOW-
RISE MULTIFAMILY BUILDING
TYPES**

I. BACKGROUND

The Warren-Alquist Act directs the California Energy Commission (CEC) to establish criteria for a statewide Home Energy Rating System (HERS) program. The CEC's California HERS program regulations establish requirements for home energy rating services offered by 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.¹

The 2022 Building Energy Efficiency Standards (Energy Code) requires field verification and diagnostic testing (FV&DT) of specified residential energy efficiency measures to demonstrate compliance with the Energy Code.² This testing must be performed by raters who are certified by a CEC-approved HERS provider. Additionally, the 2022 Energy Code describes the approval process as well as functional and technical requirements for a residential data registry. Finally, "[f]or residential compliance document registration, the Registration Provider shall be approved in accordance with

¹ California Code of Regulations, title 20, section 1671.

² California Code of Regulations, title 24, part 1, section 10-103(a).

the requirements in Section JA7.8, and shall also be a HERS Provider approved by the Energy Commission."³

CalCERTS, Inc. (CalCERTS), an approved HERS provider, has applied to modify its 2022 Energy Code residential data registry to incorporate low-rise multifamily projects and compliance documents.

II. STAFF EVALUATION

On June 7, 2023, CalCERTS, Inc. submitted an application to the CEC requesting modification of a residential data registry under section 10-109(g) of the 2022 Energy Code. CalCERTS submitted subsequent application materials, with the final filing received on November 6, 2023.

Staff determined the application to be complete. Pursuant to Title 20 of the California Code of Regulations (CCR) section 1674(c)2, and Title 24 section 10-110(b), a public notice was posted to docket number [22-HERS-01](#).⁴ The notice provided an opportunity for public comment, and any comments received were considered as of January 2, 2024.

As specified in section 10-109 of the 2022 Energy Code, staff reviewed and validated all information received in the residential data registry application. These materials are listed in [Table 1](#) of [Exhibit 1](#) (attached). The application materials included an instructional document that is of a type described in 20 CCR sections 1674(a) and 1673(a)(5). The update to this instructional document requires CalCERTS to be re-certified as a HERS program provider. No other changes that would affect certification were submitted.

As specified in 20 CCR section 1674(f), staff reviewed and validated all information received and determined that CalCERTS meets the criteria to administer a California HERS Program and oversee raters conducting FV&DT under the 2022 Energy Code.

Staff concluded that CalCERTS has met the requirements given in the 2022 Energy Code. Staff has also concluded that CalCERTS has met the requirements of 20 CCR section 1674 for re-certification as a HERS provider.

III. CONCLUSION AND RECOMMENDATION

Pursuant to Title 20, section 1674(c)4, I recommend the CEC re-certify CalCERTS as a HERS provider. Pursuant to Title 24, section 10-110(e), I recommend the CEC approve the modifications to the CalCERTS residential data registry.

Based on the staff review and validation of the CalCERTS application, I recommend that the CEC confirm these findings, approve the CalCERTS modification of its

³ 2022 Reference Appendices, Joint Appendix section JA7.4.1 Registration Provider

⁴ Available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01>

residential data registry within the scope of approval described in Exhibit 1, and re-certify CalCERTS as a HERS provider.



Date 1/17/2024

Drew Bohan
Executive Director
California Energy Commission

EXHIBIT 1
Staff Evaluation – CalCERTS, Inc.
2022 Residential Data Registry Modification Application

Scope of Approval

CalCERTS, Inc. (CalCERTS) submitted an application for approval of modifications to its residential data registry under section 10-109(g)1 of the 2022 Building Energy Efficiency Standards (Energy Code).

The residential data registry application includes many updates to incorporate the registration of low-rise multifamily compliance documentation. Staff found the updates to comply with requirements given primarily in the 2022 Reference Appendices Joint Appendix (JA) section JA7. CalCERTS programmed its registry to add functionality for management of low-rise multifamily projects for the purpose of registering the associated documentation. A list of applicable compliance documents can be found in Appendix A of the *Data Registry Requirements Manual*.⁵ CalCERTS tested its programming and submitted evidence in the form of registered documents to the CEC. CEC staff also tested much of the modified registry.

The application included an update to instructional materials (TN 252956) used in the training and certification of raters for field verification and diagnostic testing (FV&DT) for low-rise multifamily buildings and in the use of the provider's database.

CalCERTS' certification status as a provider for Whole-House ratings and Building Performance Contractors as defined by Title 20, section 1670 et seq., remains unchanged. CalCERTS' certification status as a provider for FV&DT ratings under prior code cycles also remains unchanged.

Conclusion

Staff reviewed the confidential and non-confidential information filed in docket number 22-HERS-01 and verified that all the requirements of Title 20, sections 1672 and 1673 and Title 24, Parts 1 and 6 (Energy Code) are met. Therefore, staff recommends re-certification of CalCERTS as a HERS provider for the 2022 Energy Code. Staff also recommends approval of the residential data registry application for registration of 2022 Energy Code low-rise multifamily compliance documentation.

⁵ Publication Number CEC-400-2022-011. Available at <https://www.energy.ca.gov/publications/2022/2022-data-registry-requirements-manual-2022-building-energy-efficiency-standards>

CalCERTS Application Materials

Staff reviewed and verified the CalCERTS application materials as they pertain to the requirements in the California HERS Program and the 2022 Energy Code. Table 1 lists the pertinent materials, which can be found on docket number [22-HERS-01](#).⁶

Table 1: CalCERTS Low-rise Multifamily Registry Application Materials

TN	Document Title
251142	Exhibit A - Cover Letter for LRMF Data Registry Applications
251143	Exhibit B - CalCERTS Order for Approval
252956	Exhibit C - CalCERTS Registry User Manual LRMF
251244	Exhibit D - Registry Overview
251146	Exhibit E - Registry Testing LRMF
253673	Application for Confidential Designation for Documents submitted via CEC AWS Portal
251147	Exhibit F - Application Checklist

⁶ Available at <https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-HERS-01>