From: Steve Saunders
To: ENERGY STAR Homes
Subject: Public Comment on EPA ES VOO process
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Are there other industry standards that should be referenced in addition to, or in lieu of, MINHERS?

This is a problematic question … but, perhaps not in the way EPA originally intended.

RESNET says they have a "applied a copyright" to their standards and their processes. They have sent letters to Rating Software Providers and Rating QA Providers outlining proposed contract changes that prevent any use of RESNET Standards outside of the HERS / RESNET universe. There are reports that RESNET has sent "cease and desist" letters to the Department of Energy asking that they stop development of any action to deliver ERI in Energy Plus and/or Be Opt.

From these actions and other market indications, RESNET appears to be using the RESNET Standards and the ANSI Standards as tools for limiting VOO and general market competition. The apparent objective is to limit access, charge fees or directly prevent competition based on the MINHERS and other standards developed by industry stakeholders in conjunction with the stakeholders who together created the foundation for this industry.

These standards were developed by all … for the benefit of all.

It seems unseemly and anti-competitive for RESNET to use these standards as a tool to make it impossible (or harder) for VOO competition to evolve. If these actions prove true, then … perhaps, they are indicative of the philosophy that drives our concerns about RESNET's sole position in leadership and oversight of our industry. This just does not seem to us like it is an appropriate utilization of power, resources and time.

EPA should ascertain the validity of these concerns. If they turn out to be true, EPA should neutralize the value of RESNET limiting competition by allowing competitive standards to MINHERS (and others) to be acceptable within appropriate 17065 / 17020 infrastructures and an EPA ENERGY STAR scheme.

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