

ORIGINAL

QUESTIONS FOR PHILIP FAIREY TO BE ANSWERED FOR PRE-FILED
TESTIMONY PURSUANT TO SUBPOENA OF SAME DATE

If someone else in your organization is able to answer a question better, please respond to the best of your ability and then indicate the name and title of the person. If that person is willing to provide the answer voluntarily, please have the person answer the first five questions and the question or questions posed in the same format that you use.

1. Please state your name, current position and address.
2. Please provide us your educational background and any special credentials or training that you have received relevant to your testimony in this case.
3. Please provide us with your past and present professional association memberships and positions you have held in those associations.
4. Please provide us with a brief statement of your background and experience in the areas of building science, standards of building practice and programs involving residential energy efficiency and conservation.
5. Please provide us with a brief statement of activities in which you have initiated, supported, and/or managed the establishment and adoption of standards in the areas of residential building construction practices.
6. How does the Florida Building Code measure and regulate residential building energy efficiencies in Florida?
7. Are you familiar with other jurisdictions' efforts to measure and regulate residential building practices and, if so, can you summarize their various approaches?
8. Are there national standards for the development of systems for rating the energy efficiency of buildings? If so, describe and indicate where the standards may be found.

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- RCA _____
- SCR _____
- SGA _____
- SEC 1
- OTH _____

9. How do you believe any residential program purporting to increase residential building energy efficiencies should be measured and monitored?
10. What is a building energy efficiency rating under Florida Law?
11. Please give us a brief description of your involvement in the development and implementation of the Florida Building Energy Efficiency Rating Law, Florida Statute Chapter 553, Part VIII, Sections 553.90 et seq. and Florida Administrative Code Rule Chapter 9B-60.
12. Are there any categories of ratings?

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13. What services need to be performed to provide a rating under the various categories?
14. What is the difference between the process of developing and completing a code compliance form and a Class 3 rating?
15. Is there any relationship between an e-ratio developed in the process of code compliance work and a BERS score developed in the process of a Class 3 rating? If so, explain.
16. The Department has periodically reviewed both its building code and its rules relating to regulation of rating systems. What was your role in these activities?
17. Did you provide any recommendation to the Florida Public Service Commission when it adopted Rule 25-17.003(4)(a), F.A.C., as amended on 7/14/1996? If so, what was your recommendation and reasons therefore? Please provide a copy of any written statement or letter that you submitted.
18. How does Florida assure its citizens fair, impartial and accurate information on the energy usage in their residences?
19. How would you measure a residential unit's energy efficiency?
20. Recognizing that you are not an economist, but rather an educated layman, how would you measure the cost effectiveness of any entity's program to enhance the energy efficiency of a residential unit?
21. In order to measure and monitor the success of any program to enhance the energy efficiency of a residential unit, how would you assure accurate information?
22. If the program's direct costs are to be paid by someone other than the program operator, how would you assure a program designed to be effective yet minimize the cost burden on those that pay for it?
23. How would you assure maximum quality control to verify the results claimed for the program and the persistence of those results over time?
24. What are the accepted duct testing method(s) recognized by Florida, other state, national and international standards?
25. What is the difference between the testing protocols? Which is more accurate and why?

26. Was Pressure Pan testing ever accepted by the State? If, yes, then is it still accepted as a valid testing protocol? If no, then why not?
27. Were you involved in the original residential new construction study conducted by FPL in 1993-94 that lead to their BuildSmart program? If so, what was your involvement?
28. What was the duct testing protocol used in that study?
29. Have you or your staff at FSEC been involved in reviewing the results of any duct tests done in homes tested by either the Petitioner or Respondent? If so, please describe circumstances and results.
30. Have you or your staff at FSEC done any audits (second ratings) on homes rated by either the Petitioner or Respondent? If so, please describe circumstances and results.
31. Are you aware of any studies of the differences between initial code calculations done on homes and their subsequent as-built energy efficiency compared to the Florida code or a BERS rating? If not studies, have you any anecdotal or individual case(s) evidence of any differences?
32. Have you reviewed the initial pre-filed testimony of FPL's witnesses as submitted on July 15, 2005? If so, please comment on any concerns that you have based on your experience and not included in your response to another question.
33. Have you reviewed the responses to the Petitioner's 1st Set of Interrogatories and for Production of Documents filed by FPL on July 30, 2005? If so, please comment on any concerns that you have based on your experience and not included in your response to another question.
34. In administering Florida's rating law (§ 553.90 et seq., FS), please explain the processes you use to assure quality control and to assure that Florida's citizens receive the best, un-biased, accurate and verifiable information about the energy efficiency of their home and as compared to other like homes.
35. Are you aware of any methods used by FPL to assure adequate quality control and provide accurate, reliable monitoring and performance data on their BuildSmart program? If so, please describe and evaluate.
36. Do you have any recommendations, based on your experience as administrative agent for the state's rating program, as to how the FPL and the Commission may improve its monitoring and performance measuring capabilities? If so, discuss.
37. What has been the trend for the number of certified raters for the years 1995 to 2005? Please describe the significance of the number of certified raters during

this time period. What is the approximate ratio of raters directly employed by utilities to those who are not? What is the approximate number of active raters (10 ratings +/-year) and what is the approximate comparison between active utility raters and others during that time frame? Please describe the significance to trends in these categories and reasons for the trends.

38. What is the interrelationship between the states BERS system and the Energy Star Homes program? What are the similarities and differences? Is there a threshold to achieve an Energy Star home using the BERS system? What is that threshold and how was it developed?
39. Are you aware of any minimum charges required to be charged for BERS Audits, If so, what are the minimum charges for each classification? If, yes, to the best of your knowledge, are there exceptions for charging these minimums by individuals/businesses in State statutes or rules?
40. Does this conclude your testimony?

I have prepared the above pre-filed testimony consisting of ____ pages and swear under penalty of perjury that it is true to the best of my knowledge.

Philip Fairey

Sworn to and subscribed before me this
____ day of _____ 2005.

Notary Public
State of Florida
My Commission expires:_____