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DEPARTMENT OF JUSTICE



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September 12, 2012

Via Overnight Mail

Federal Housing Finance Agency
c/o Alfred M. Pollard, General Counsel
Eighth Floor, 400 Seventh Street, S.W.
Washington, D.C. 20024
(Comments/RIN 2590-AA53)

RE: Materials Cited in the Comments of the California Attorney General on the Federal Housing Finance Agency's Notice of Proposed Rulemaking re Property Assessed Clean Energy (RIN 2590-AA53)

Attached please find hard copies of materials cited in the comments of the California Attorney General's Office on the Federal Housing Finance Agency's Notice of Proposed Rulemaking concerning Property Assessed Clean Energy (PACE) programs. 77 Fed. Reg. 36086 (June 15, 2012).

These materials, downloaded or captured on August 7, 2012, are as follows:

- Bryan Bloom, Mary Ellen C. Nobe, and Michael D. Nobe, *Valuing Green Home Designs: A Study of ENERGY STAR® Homes*, 3 *The Journal of Sustainable Real Estate* (Apr. 2011), downloaded from http://www.costar.com/uploadedFiles/JOSRE/JournalPdfs/06.109_126.pdf. Attached.
- California Energy Commission, *Database for Energy Efficient Resources* (description of tool), downloaded from <http://www.energy.ca.gov/deer/>. Attached.
- California Public Utilities Commission, *Database for Energy Efficient Resources* (web-based tool), available at <http://www.deeresources.com/>. Page capture attached.
- California Public Utilities Commission, *Database for Energy Efficient Resources 2011 Update*, downloaded from

http://www.deeresources.com/index.php?option=com_content&view=article&id=68&Itemid=60. Attached.

- California Energy Commission, Solar Advantage Value Estimator (web-based tool), available at <http://www.gosolarcalifornia.org/tools/save.php>. Page capture attached.
- City of New Orleans, Solar Calculator (web-based tool), available at <http://neworleanssolarmap.org/>. Page capture attached.
- Victoria Doyle, Building Industry Research Alliance, *The Role of Appraisals in Energy Efficiency Financing* (May 2012) (prepared for Office of Energy Efficiency and Renewable Energy, U.S. Department of Energy (DOE)), downloaded from www.nrel.gov/docs/fy12osti/54329.pdf. Attached.
- Earth Advantage Institute (EAI), *Certified Homes Outperform Non-Certified Homes for Fourth Year* (June 8, 2011), downloaded from <http://www.earthadvantage.org/resources/library/research/certified-homes-outperform-non-certified-homes-for-fourth-year/>. Attached.
- Federal Home Loan Mortgage Corporation, California Single-Family Uniform Instrument, Deed of Trust, Form 3005 (Jan. 2001), downloaded from <http://www.freddiemac.com/uniform/doc/3005-CaliforniaDeedofTrust.doc>. Attached. (Also available at <https://www.efanniemae.com/sf/formsdocs/documents/secinstruments/doc/3005w.doc>.)
- Federal Housing Finance Agency, *FHFA Statement on Certain Energy Retrofit Loan Programs* (July 6, 2010), downloaded from www.fhfa.gov/webfiles/15884/PACESTMT7610.pdf. Attached.
- Ann Griffin, Earth Advantage Institute, with Ben Kaufman, GreenWorks Realty and Sterling Hamilton, Hamilton Investments, LLC, *Certified Home Performance: Assessing the Market Impacts of Third Party Certification on Residential Properties* (May 2009), downloaded from http://www.earthadvantage.org/assets/uploads/Final_report_from_web_from_greenresourcecouncil.org_site.pdf. Attached.
- Ben Hoen, Ryan Wiser, Peter Cappers and Mark Thayer, Lawrence, Berkeley National Laboratory, Environmental Energy Technologies Division, *An Analysis of the Effects of Residential Photovoltaic Energy Systems on Home Sales Prices in California* (Apr. 2011), downloaded from <http://eetd.lbl.gov/ea/emp/reports/lbnl-4476e.pdf>. Attached.
- Jamie L. Johnson, Solar Power Electric, Geoffrey T. Klise, Sandia National Laboratories, *PV Value™ User Manual v. 1.1* (Sept. 1, 2012), downloaded from http://energy.sandia.gov/?page_id=8047. Attached.

- Nils Kok, Maastricht University, Netherlands / University of California, Berkeley, and Matthew E. Kahn, University of California, Los Angeles, *The Value of Green Labels in the California Housing Market / An Economic Analysis of the Impact of Green Labeling on the Sales Price of a Home* (July 2012), downloaded from http://www.corporate-engagement.com/files/publication/KK_Green_Homes_071912.pdf. Attached.
- National Renewable Energy Laboratory, PVWatts™ calculator (web-based tool), available at <http://www.nrel.gov/rredc/pvwatts/>.
- North Carolina Energy Efficiency Alliance, *Market Impacts of ENERGY STAR® Qualification for New Homes* (2011), downloaded from http://ncenergystar.org/sites/ncenergystar.org/files/NCEEA_ENERGY_STAR_Market_Impact_Study.pdf. Attached.
- PACE Assessment Protection Act of 2011, H.R. 2599, 112th Cong. (2011), downloaded from <http://www.gpo.gov/fdsys/pkg/BILLS-112hr2599ih/pdf/BILLS-112hr2599ih.pdf>. Attached.
- Sandia National Laboratory, PV Value™ Photovoltaic Energy Valuation Model (web-based tool), available at http://energy.sandia.gov/?page_id=8047. Page capture attached.
- Steven R. Schiller, Schiller Consulting, Inc., *Model Energy Efficiency Program Impact Evaluation Guide* (Nov. 2007), prepared for U.S. EPA, downloaded from http://www.epa.gov/cleanenergy/documents/suca/evaluation_guide.pdf. Excerpt (pages 5-1 through 5-3) attached.
- Sonoma County Energy Independence Program, Annual Payment Calculator (web-based tool), available at <http://www.sonomacountyenergy.org/lower.php?url=annual-payment-calculator>. Page capture attached.
- Sonoma County Energy Independence Program, Contractor Standards (June 28, 2011), downloaded from http://drivecms.com/uploads/sonomacountyenergy.org/Contractor_Standards.pdf. Attached.
- Sonoma County Energy Independence Program, Find a Contractor (web-based tool), available at <http://www.sonomacountyenergy.org/lower.php?url=find-a-contractor>. Page capture attached.
- Sonoma County Energy Independence Program, Main Page, downloaded from <http://www.sonomacountyenergy.org/>. Page capture attached.
- U.S. Department of Energy, Energy and Cost Savings Calculators for Energy-Efficient Products (compilation of web-based tools), available at http://www1.eere.energy.gov/femp/technologies/eep_eccalculators.html. Page capture attached.

- U.S. Department of Energy, *Estimating the Cost and Energy Efficiency of a Solar Water Heater* (May 30, 2012), downloaded from <http://energy.gov/energysaver/articles/estimating-cost-and-energy-efficiency-solar-water-heater>. Attached.
- U.S. Department of Energy, *New Orleans Solar Calculator* (description of program), downloaded from http://www4.eere.energy.gov/solar/sunshot/resource_center/resources/new_orleans_solar_calculator. Attached.

We request that FHFA consider these materials, including the cited web-based tools, and include them as part of the rulemaking record.

Sincerely,

/s/

JANILL RICHARDS
Supervising Deputy Attorney General
JASON MALINSKY
Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

Attachment