



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 11, 2018

The Honorable Carol McGuire, Chair
Executive Departments and Administration Committee
Legislative Office Building, Room 306
Concord, New Hampshire 03301

Re: HB 1472, AN ACT relative to the state building code provisions for energy conservation in new building construction

Dear Chair McGuire and Members of the Committee:

Thank you for the opportunity to comment on HB 1472 relative to the state building code provisions for energy conservation in new building construction. The amended bill directs the state Building Code Review Board (BCRB) to prescribe by rule and make available to the public a simplified residential energy code compliance form, and also repeals portions of RSA 155-D, relative to energy conservation in new building construction. As the New Hampshire Department of Environmental Services (NHDES) is supportive of efforts to simplify the regulatory environment and reduce the administrative burden on all parties, NHDES supports this bill as amended by the bill sponsor.

The state building energy code is intended to ensure that New Hampshire homes and businesses meet a minimum level of energy efficiency. New Hampshire homes and businesses need to be safe and comfortable spaces that are able to perform across a wide variety of weather conditions. Energy efficiency is the most cost effective means to achieve this outcome. Energy efficiency measures also have a direct, positive impact on public health and the quality of our natural environment as reducing energy demand leads to lower air emissions.

RSA 155-D, Energy Conservation in New Buildings, relative to energy conservation in new building construction, was first adopted in 1979 and is specific to building energy code and includes language that addresses the minimum requirements for building insulation. The statewide building code was subsequently adopted in 2002 and those specific building code elements are identified in RSA 155-A, along with administration and enforcement of the non-energy elements of the code. At present, RSA 155-D retains a few elements relative to energy efficiency measures and the administration of the energy code by the New Hampshire Public Utilities Commission (PUC).

While the initial bill seeks to clarify the administration of the state building code by repealing the entirety of RSA 155-D, the amended bill would preserve a portion of the PUC's existing role, as described in Section 155-D:4, and would maintain their support role in reviewing the energy code applications for those communities without an adopted code enforcement mechanism. In

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29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-2867 TDD Access: Relay NH 1-800-735-2964

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2017, the PUC received more than 1,700 energy code applications, referred to as the EC-1 form,¹ from more than 160 towns. The EC-1 forms are submitted per RSA 155-D:4, VII to certify compliance of the building design with the state building energy code. In the course of completing those applications, the PUC staff received many calls and questions about details of the basic energy code requirements. In answering those questions, the PUC staff helped residents and builders understand the energy code requirements that may be difficult to decipher just by reading the code books referenced in RSA 155-A.

Thank you again for the opportunity to comment on HB 1472. If you have any questions or require further information, please contact either Chris Skoglund, Climate and Energy Program Manager, (Christopher.Skoglund@des.nh.gov, 271-7624) or Rebecca Ohler, Administrator, Technical Services Bureau (Rebecca.Ohler@des.nh.gov, 271-6749).

Sincerely,



Robert R. Scott
Commissioner

cc: Sponsors of HB 1472: Representatives M. MacKay, LeBrun, Ober, Rice, J. MacKay, Le;
Senators Carson, Feltes

¹ New Hampshire Residential Energy Code Application,
<http://puc.nh.gov/EnergyCodes/NH%20Code%20Certification%20IECC%202009%20Form%20EC-1%2010-13.pdf>.