

February 5, 2024

International Code Council
500 New Jersey Avenue, N.W., 6th Floor
Washington, D.C. 20001

**Re: *Comment Letter Supporting the International Energy Conservation Code Appeals
Filed by the American Public Gas Association***

ICC Appeals Board:

On January 2, 2023, the American Public Gas Association (APGA) filed an appeal of several proposed provisions of the 2024 International Energy Conservation Code (IECC). We are writing to you today in support of these appeals.

Our organization supports the transparent development of building codes and standards, including the IECC, through consensus-based processes that follow the tenets of due process and fair competition. Unfortunately, we are concerned that several provisions were inappropriately processed for inclusion in the 2024 version of the code and thus must be removed.

As noted in APGA's appeal filing, a number of the proposed provisions fall squarely outside of the IECC's clear scope and intent provisions. Provisions incorporating additional energy efficiency and greenhouse gas reductions belong squarely in the nonmandatory appendices, if in the code at all, as they neither guarantee increased energy efficiency nor emissions reductions, but do increase the cost of complying with the ever-increasingly complex code.

ICC codes are adopted at all levels of government, so it is important to ensure that ICC's robust development process for the IECC remains fair and transparent. We were disappointed to see that the development of the 2024 IECC did not always meet the high standard that ICC has traditionally held itself to. These violations in the due process have resulted in many provisions that would hinder the ability of Americans to choose the direct use of natural gas for their homes or businesses, making the code anticompetitive on its face.

Middle Tennessee Natural Gas Utility District (MTNG) serves communities in 23 of Tennessee's 95 Counties, in both Middle and East Tennessee. Many of our 70,000+ customers are located in the Appalachian region of the US. I have personally served as Chief Codes Officer for MTNG for over thirty years.

We are proud members of APGA. APGA's public gas utility members, like ourselves, provide the energy needed by the homes and businesses that the IECC will ultimately impact. As a critical stakeholder in this proceeding, we urge you to uphold APGA's appeals and remove the contested provisions from the final 2024 IECC. Thank you for your consideration of our comments.

Sincerely,

Clifford M. Swoape
Director of HR & Communications
Middle Tennessee Natural Gas Utility District

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