



January 11, 2021

Mike Pfeiffer, PE
Senior Vice President of Technical Services
International Code Council
4051 Flossmoor Road
Country Club Hills, IL 60478

Subject: Comments of the American Gas Association on the International Code Council (ICC) Framework Proposal for Standards Process Implementation for International Energy Conservation Code (IECC) Development

Dear Mr. Pfeiffer:

The American Gas Association (AGA), founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 71 million residential, commercial and industrial natural gas customers in the U.S., of which 92 percent — more than 65 million customers — receive their gas from AGA members. Today, natural gas meets almost one-fourth of the United States' energy needs.

AGA is pleased to submit these comments on the subject proposal developed by the ICC Board Committee on the Long-Term Code Development Process (the "Blue Ribbon Committee") for consideration by the Code Council Board of the International Code Council (ICC). In addition to these written comments, AGA requests the opportunity to present verbal testimony at the Board meeting on Monday, January 18th.

AGA wholly supports the proposal of the Blue Ribbon Committee to revise the development procedures for the IECC toward use of the ICC Consensus Process for development of codes and standards. As an American National Standards Institute (ANSI) accredited standards development organization, AGA recognizes the essential and unique value of developing codes and standards documents under ANSI recognized consensus procedures.

AGA will not review the background arguments of proponents for this change toward the Consensus Procedures and their means of remedying potential abuses of the ICC online membership voting that took place on the Final Actions of the most recent edition of IECC. The arguments of the National Association of Home Builders (NAHB) and Leading Buildings of American (LBA) were found by AGA to be sufficiently persuasive to justify a major change in the process for development of the IECC. Suffice it to say that the current process, taken to extreme, could result in further potential abuses of the Code Development Process whereupon a proponent of a change to the IECC could submit a proposal and never present testimony in support of the proposal. Yet the proponent could be successful in achieving the proposal's implementation as a Final

Action through the online membership voting process. This outcome could be achieved even despite negative results from both IECC Code Committee and hearing voting.

Proposals for reforms to online voting or treatment of hearing voting relative to online voting have been proffered by NAHB and others, apparently to no effect. In AGA's view, it is unlikely that consensus within the ICC membership is possible for these sorts of incremental reforms, especially in view that organizational interests that have benefited from the current abuses are likely to oppose changes, seeing no benefit to them from these sorts of changes.

In contrast, the Consensus Process provides one salient benefit to development of IECC not captured to date in records of deliberations on the proposal: **transparency in development of requirements for building energy efficiency**. As many IECC hearing participants are familiar, written proposals, written comments on committee actions, and three (3) minutes per person of hearing testimony are not sufficient to develop consensus across the breadth of the ICC membership and stakeholder community. As the IECC proposed requirements have become more complex (especially in the building performance paths) and dependent upon external organization technical expertise, the current approach does not allow for deliberation, only cursory presentations of written support (many times in contradiction with other technical experts' opinions) and claims made in verbal testimony. The Consensus Process provides for greater deliberation and full exposition of supporting arguments for requirements in full documentation and in response to conflicting viewpoints. Ultimately, the Consensus Process provides a record of technical debate and dissenting viewpoints to final actions, the latter being especially valuable where commenters are "unresolved."

The importance of transparency is difficult to argue against since the ICC membership and stakeholders most immediately involved in IECC development represent a limited cross section of interests, regardless of the population size and reach of processes such as online voting. Not everyone has the time or resources to spend on the current IECC processes, especially the public hearings where membership and public technical and professional interests might be limited to a small segment of the IECC coverage and relevant proposals. This leads to organizations' preparation of "voting recommendation" documents, however objective or biased, to focus both testimony and ultimately hearing and online voting. The number of membership votes influenced by these documents in no way represent or replace technical consensus.

This concludes the AGA comments at this time. Thank you for the opportunity to provided comments.

Sincerely,



James A. Ranfone,
Managing Director,
Codes & Standards



Ted A. Williams
Director
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