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| Project Title: | Local Ordinances Exceeding the 2019 Energy Code |
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| Document Title: | American Supply Association Comments - Revisions to ASA November 30th Comment Submittal - Public Review of City of East Palo Alto Code Revisions |
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*Comment Received From: American Supply Association
Submitted On: 12/2/2020
Docket Number: 19-BSTD-06*

**Revisions to ASA November 30th Comment Submittal - Public
Review of City of East Palo Alto Code Revisions**

Additional submitted attachment is included below.



December 2, 2020

Docket Unit
California Energy Commission
Docket No. 19-BSTD-06
1516 9th Street, MS-4
Sacramento, CA 95814

RE: Docket No. 19-BSTD-06 - City of East Palo Alto Application for Approval of Locally Adopted Building Energy Standards in Accordance with Section 10-106 of the California Code of Regulations, Title 24, Part 1

Note: This letter is being submitted as a replacement to the original November 30th letter submitted; errors in the first letter have been corrected.

Dear Commissioners:

The American Supply Association (ASA) thanks you for the opportunity to comment on the city of East Palo Alto application to implement a local “reach code” ordinance having energy efficiency requirements different than those specified in the current California Energy Code.

ASA is the national trade association representing distributors and their manufacturers and manufacturer representative agencies serving the plumbing heating, cooling, pipe (PHCP) and industrial pipe, valves and fittings (PVF) industry. ASA members include the major distributors and manufacturing brands throughout the PHCP-PVF supply chain including: 110 product manufacturing companies, 315 wholesale/distribution companies with over 4,500 branch locations throughout the U.S., and over 100 manufacturer representative companies.

ASA is submitting the following comments in opposition to the East Palo Alto proposed ordinance:

- 1.) We believe that the proposed effective date for the code of January 1, 2021, is unfair to multiple parties. We maintain this position knowing exemptions are made for projects already in the pipeline, and that other jurisdictions have adopted similar codes (Morgan Hill is referenced specifically in East Palo Alto’s documentation). All stakeholders involved will need appropriate time to communicate this information to interested parties so they have ample time to prepare for such a drastic change and communicate it to builders, as well as to prospective home and building owners. It is simply not possible to do this in a responsible manner in approximately one month.
- 2.) East Palo Alto City Council staff are making these code revisions based on an assumption that the 2022 version of Title 24 will move buildings in the direction of promoting electrification. There are no guarantees that this will be the case, which staff acknowledges in its documentation. Given this, we recommend the city consider holding off on this decision, or at least the compliance date, so they have time to fully digest the data that will ultimately inform what CEC’s Title 24 determinations.

- 3.) The code revisions will call for electric water heating to be provided in commercial and multi-residential constructions with few exceptions. At this time, there are a limited number of products commercially available that would be able to provide this service successfully. This is an emerging market and work needs to be done on all electric applications where technology solutions may not exist, especially those applications with high loads.
- 4.) We support exceptions in the code revisions that consider affordability; in fact, we encourage affordability be considered across the board that may be necessary for the electric water heating code. We recommend that the exceptions noted related to “costly and infeasible” be better defined for consistency in enforcement.
- 5.) By working to phase out natural gas, the city is relying too heavily on one fuel source (electricity) to provide power to buildings. There are risks to doing so that could lead to issues with electric grids not being able to keep up with demand during peak demand times. Despite Peninsula Clean Energy’s confidence that this will not be an issue, the reality is that California has experienced this problem the last couple of years.

Again, thank you for the opportunity to submit comments and participate in the review process. If you have any questions related to our comments please contact me directly.

Sincerely,



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