NLCAA Comments on the 2022 Express Terms

Additional submitted attachment is included below.

NLCAA appreciates the opportunity to support the CEC in the effort to create a synergy between the energy codes and the compliance documents. Having worked with these documents since 2014, NLCAA has found that the ATTCPs, ATTs, and ATEs can provide an invaluable look into how these documents are interpreted, misinterpreted, understood, or even misused by many different professionals using the energy codes.

The following are NLCAA's comments on the Express Terms
(Docket #: 21-BSTD-01   Project Title: 2022 Energy Code Update Rulemaking)

1. **10-103 – PERMIT, CERTIFICATE, INFORMATIONAL, AND ENFORCEMENT REQUIREMENTS FOR DESIGNERS, INSTALLERS, BUILDERS, MANUFACTURERS, AND SUPPLIERS**

    10-103(a)4(B):

    "Contingent upon approval of data registry(s) by the Commission, for all nonresidential buildings, high-rise residential buildings, and hotels and motels, when designated to allow use of an occupancy group or type regulated by Part 6 the person(s) responsible for the Certificate(s) of Acceptance shall submit the Certificate(s) for registration and retention to a data registry approved by the Commission, excluding all Certificates of Acceptance recorded by an acceptance test technician certification provider (10-103.1 and 10-103.2). The submittals to the approved data registry shall be made electronically in accordance with the specifications in Reference Joint Appendix JA7."

    NLCAA Comment:
    NLCAA's understanding of this code section is as follows:

    1. All NRCAs must be submitted to the data registry approved by the Commission, except NRCAs recorded by an ATTCP.

        A. For example, an NRCA generated for an elevator test will be submitted to the data registry approved by the Commission.

    2. ATTCPs will not submit NRCAs to the data registry approved by the Commission.

    3. Can the CEC clarify if NLCAA's understanding is correct?

2. **10-102 – DEFINITIONS**

NLCAA Comment:
Can 10-102 provide a definition for:
1. Electronic Database System - 10-103.1(c)3(H)
2. Electronic Document Repository - 10-103.1(c)3(I)(ii)

3. **10-103.1 – NR LIGHTING CONTROLS ACCEPTANCE TEST TRAINING AND CERTIFICATION**

10-103.1(c)3(I)(i) Compliance Document Recording and Repository Reporting Requirement

"The ATTCP shall <u>record</u> all certificates of compliance (Section 10-103(a)1), certificates of installation (Section 10-103(a)3), and certificates of acceptance (Section 10-103(a)4) associated with any acceptance test specified in Part 6, Section 130.4."

NLCAA Comment:
1. Clarify how an ATTCP is to <u>record</u> NRCC and the NRCIs and/or in what format (e.g., XML, JPG, PNG, PDF, picture, electronic, etc.).
2. After review of 10-103(a)1, 10-103(a)3, 10-103(a)4 and 10-103.1(c)3(I) NLCAA is unclear if there will be a requirement for the ATTCPs to submit any compliance documents other than the NRCAs (NRCC, NRCI, etc.) to a data registry approved by the Commission or the Electronic Document Repository.

3. Can the CEC clarify what the ATTCPs are required to do with the compliance documents (excluding the NRCA)?

National Lighting Contractors
Association of America

4. **SECTION 100.1 – DEFINITIONS AND RULES OF CONSTRUCTION 10-103.1(c)3(H) Electronic Database System.**

   100.1(b) Definitions
   LIGHTING definitions:

   NLCAA Comment:
   NLCAA spends quite a bit of time using the definition code (§100.1) in our training courses as we introduce students with varying backgrounds to the energy codes, most are using the energy code for the first time. Here are our comments based on our experience with students trying to navigate §100.1.

   1. NLCAA recommends removing all indented and sub-definitions such as all definitions after "Lighting definitions:" and "Occupant Sensing Controls".

      A. When searching for a word, users may be unaware that the definition is not in alphabetical order but placed as an indented or sub-definition. NLCAA recommends keeping it simple and consistent.

   2. If indenting remains, lighting control devices are found under the "Lighting definition:" **or** found in alphabetical order of §100.1. This is inconsistent and confusing when searching for device definitions.

      A. For example:

         i. Under "Lighting": Numerous Time Switch Controls, Daylight Continuous Dimming Controls are listed.

         ii. Alphabetically: Demand Response Control, Occupant Sensing Controls (with sub-definitions), Institutional Tuning, Shut-off Controls are listed.

   100.1(b) Definitions
   Ornamental (Lighting/Luminaires) is lighting or luminaires.

NLCAA Comment:

Correct indenting after "Ornamental"

5. **SECTION 110.12 – MANDATORY REQUIREMENTS FOR DEMAND MANAGEMENT100.1(b) Definitions**

    110.12(a) Demand responsive controls.

    All demand responsive controls shall be either:

    A. A certified OpenADR 2.0a or OpenADR 2.0b Virtual End Node (VEN), as specified under Clause 11, Conformance, in the applicable OpenADR 2.0 Specification; or

    B. Certified by the manufacturer as being capable of responding to a demand response signal from a certified OpenADR 2.0b Virtual End Node by automatically implementing the control functions requested by the Virtual End Node for the equipment it controls.

    NLCAA Comment:

    A. and B. are not clearly explaining the differences between each other and how they must be applied. This code is understood, misapplied, and argued in the field <u>consistently</u>.

    1. There is added confusion when you review NA7.6.3.1 Construction Inspection codes and the NRCA-LTI-04-A procedures.
    2. Please provide a clear explanation in the Blueprint Newsletter, many entities do not accept Compliance Manual clarifications.
    3. Please ensure that the Compliance Manual has a clear explanation of this code section and how it is to be applied to the various scenarios.