

**DOCKETED**

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In response to Daniel L Pohnert's submission NLCAA has the following comments:

NLCAA is not advocating for the Lighting Controls Acceptance Test Technician (ATT) to accept or overtake the responsibility or authority of the design from the design professionals, those responsibilities must reside with the Engineers of Record (EoR). What NLCAA is proposing is that the ATT perform a compliance review to assist the designer by ensuring that the project has been designed in a manner to pass the Acceptance Testing process. ATTs are specifically and highly trained on Title 24 compliance to not only cover the Building Energy Efficiencies Standards, but also the Non-Residential Appendices (NA7- testing procedures) and the non-residential testing forms (NRCA testing forms) which are used during the acceptance testing process, performed by a certified ATT. ATTs can assist in identifying designs that may not pass Acceptance Testing procedures even though the design is code compliant, i.e. daylight harvesting controls do not have any requirements regarding cardinal direction, but the testing process does not always pass when cardinal direction is not factored in the design.

This suggested process is similar to the strategies applied in LEED projects where project teams, whose members represent various disciplines, come together so that knowledge, analyses, and ideas from each can inform and direct one another to ensure that the final design meets project goals. These strategies in the LEED Integrative Process credit are recommended for all LEED projects because they encourage integration during early design stages, when it will be the most effective and ultimately improve the performance, efficiency, and effectiveness of every building system. The California Energy Commission (CEC) has included similar requirements in Section 102.8 – Nonresidential Building Commissioning. Specifically, in Section 120.8(d)3 Construction Documents Design Review, is where The Construction Document Design Review Checklist Certificate of Compliance shall list the items checked by the design reviewer during the construction document review. The completed form shall be returned to the owner and the design team for review and signoff. The building owner or owner's representative shall include this form in the Certificate of Compliance documentation. NLCAA's recommendation is that this section should be altered for a requirement to be added to ensure that a Certified ATT is included in this design team for the purpose of reviewing the Title 24, Part 6 design to verify that it meets the mandatory lighting control requirements and then also be required to sign-off on the construction documents, along with the rest of the design review team.

Currently, there are many companies in the business of performing acceptance testing services that include the integrative process of a plan review. This is not an uncommon practice and has become very successful with these companies and their clients. While it would be ideal for the same ATT that signs the NRCC form to be the ATT to functionally test the project, that would not be a requirement.

The goal of NLCAA's proposal is to have any qualified ATT review the plans to ensure Title 24 compliance. Once reviewed and signed off on, another ATT could just as easily come in to provide the hands-on Acceptance Testing. Another benefit is that in the event that a different ATT performs the non-residential acceptance tests, they will have the name and contact information for the ATT that reviewed and signed the construction documents and therefore have someone to collaborate and discuss any questions that may come up during the acceptance testing process.

Over the past 6 years, it has been proven, that if the lighting control construction documents and plans have been designed Title 24, Part 6 compliant and reviewed by an ATT, it effectively minimizes any issues that may arise during the functional testing process, at the end of the project, which in turn will reduce the amount of project delays and cost associated with not passing the testing process.



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An ATT would not be required to be qualified under Division 3 of the Business and Professions Code to sign compliance documents as the EOR would still remain the designer and the ATT would only sign off on the Title 24 compliance of the drawing. Additionally, ATTs are held to a higher standard in the form of oversight and accountability by Acceptance Test Technician Certification Provider (ATTCP). In addition, the ATTCP has the same oversight and accountability by the CEC and is subject to stringent operational guidelines. NLCAA is not suggesting the ATT take over the responsibility of the Engineer of Record, but to assist in verifying a code compliant design that will pass the functional testing process.

In conclusion, the NLCAA is simply pointing out that current requirements, that are already part of Title 24, Part 6, should be modified to require the ATT to be part of the design review and included in the required signing of the Certificate of Compliance documents.