



January 11, 2021

Board of Directors
International Code Council
500 New Jersey Avenue, NW, 6th Floor
Washington, DC 20001

Dear ICC Board Members:

Thank you for the opportunity to provide comments on the proposed elimination of the International Energy Conservation Code (IECC) and its replacement with a standard. The National Association of State Energy Officials (NASEO) expresses our deep concern that the IECC action you are considering would effectively eliminate the ability of the vast majority of state government officials to provide meaningful input on a code that their jurisdictions would preside over. Moving forward with such a proposal suggests that the ICC embraces rushed, opaque actions aimed at adopting processes which eliminate participation by most state officials to create codes these same officials are expected to adopt, adapt, and enforce. Such a decision by ICC would be out of step with modern, widely accepted good governance practices in matters of policies, regulations, codes, and standards developed for the adoption and use by state and local governments.

As described in our letters to you on [December 4, 2020](#) and [December 21, 2020](#), NASEO's state government members from across the political spectrum have significant concerns about this change and the resulting disenfranchisement of most state government officials. Evidence of the states' views can be found in yet another recent ICC Board proposal that also aimed to limit state government engagement in the IECC process. The [letters submitted to ICC](#) by 14 states opposing the appeal challenging the eligibility of Governmental Members in 2020 included submissions by the governor-designated energy officials from Alabama, California, Colorado, Oklahoma, Louisiana, and Vermont, among others. The message that both NASEO and the states' letters suggest is that the ICC appears to be increasingly in pursuit of processes aimed at eliminating states' views on IECC matters. Such actions put the continued use of the IECC in doubt and greatly diminish prospects for future NASEO support of ICC activities.

In addition to the recommendations previously provided by NASEO in the attached letters, we strongly encourage the ICC Board to immediately publish a statement which affirms, "Energy efficiency rollbacks will not be permitted from the baseline of the 2021 IECC." This step would demonstrate a commitment to the results of the 2021 IECC vote, which was completed using a transparent process completely consistent with ICC requirements.

Best regards,

David Terry, Executive Director, NASEO

CC: Dominic Sims, ICC CEO; State Energy Directors

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