

EXHIBIT 78

NEW HAMPSHIRE STATE BUILDING CODE PROPOSED AMENDMENT TO THE IECC 2009

Applicable Code language (including section numbers):

101.5 Compliance. *Residential buildings* shall meet the provisions of Chapter 4.
Commercial buildings shall meet the provisions of Chapter 5.

Current Code language:

101.5 Compliance. *Residential buildings* shall meet the provisions of Chapter 4.
Commercial buildings shall meet the provisions of Chapter 5.

Proposed Code language:

Amend Section 101.5 by adding:

Exception: Any structure three stories or less above grade plane in height and less than 4,000 ft² (372 m²) in gross floor area is permitted to show compliance based on Chapter 4.

Reason/Justification: This amendment will continue the practice of allowing small commercial structures to meet the requirements of Chapter 4 as though they were residential structures. Smaller structures may be interchangeable between residential and commercial uses and are often built without the benefit of an engineer's or architect's plans. Those professions typically certify plans pursuant to RSA 155-D:4(VI) but without their involvement there is no straight-forward code certification for commercial structures. This amendment provides such a mechanism.