

EXHIBIT 79

NEW HAMPSHIRE STATE BUILDING CODE PROPOSED AMENDMENT TO THE IECC 2009

Applicable Code language (including section numbers):

301.1 General. Climate zones from Figure 301.1 or Table 301.1 shall be used in determining the applicable requirements in Chapter 4 and 5. Locations not in Table 301.1 (outside the United States) shall be assigned a climate zone based on Section 301.3.

301.2 Warm humid counties. Warm humid counties are identified in Table 301.1 by an asterisk.

301.3 International climate zones. The climate *zone* for any location outside the United States shall be determined by applying Table 301.3(1) and then Table 301.3(2).

2009

Current Code language:

301.1 General. Climate zones from Figure 301.1 or Table 301.1 shall be used in determining the applicable requirements in Chapter 4 and 5. Locations not in Table 301.1 (outside the United States) shall be assigned a climate zone based on Section 301.3.

301.2 Warm humid counties. Warm humid counties are identified in Table 301.1 by an asterisk.

301.3 International climate zones. The climate *zone* for any location outside the United States shall be determined by applying Table 301.3(1) and then Table 301.3(2).

2009

Proposed Code language:

301.1 General. Climate zone 6 shall be used in determining the applicable requirements in Chapter 4 and 5.

Strike Figure 301.1 and Table 301.1.

~~**301.2 Warm humid counties.** Warm humid counties are identified in Table 301.1 by an asterisk.~~

~~**301.3 International climate zones.** The climate *zone* for any location outside the United States shall be determined by applying Table 301.3(1) and then Table 301.3(2).~~

~~**2009**~~

Reason/Justification: This amendment will continue the practice of limiting the State of New Hampshire to only one climate zone, that being Zone 6 consistent with the amendment made to the IECC and IRC 2006. Since the energy code was first enacted in 1979, the State of New Hampshire has consisted of only one climate zone in accordance with RSA 155-D:4,IX. The single zone had been established under the rules of the Public Utilities Commission Puc1802.02(a)(13) that read: *The exterior design conditions attributable to residential construction described in chapter 3 section 302 of the M(odel) E(nergy) C(ode) shall be those attributable to Concord New Hampshire.*

The proposed code divides the state into two climate zones, the extreme northern edge of Zone 5 and the southern border of Zone 6, with Cheshire, Hillsborough, Rockingham and Strafford counties in Zone 5. Zone 5 also incorporates substantial portions of New Mexico, Arizona and most of Nevada while Zone 6 includes all of Vermont, most of New York and all but Aroostook County Maine. It is inappropriate in my judgment, to split a small geographic region like this state because it causes confusion to builders and fails to recognize the essentially homogeneous climate of the New Hampshire. Given the geographic areas included in the two zones, Zone 6 is the more representative of New Hampshire's climate. To use Zone 5 requirements anywhere in the state, would allow the construction of clearly less efficient homes.