

## EXHIBIT 31

**Proposed Amendment to the State Building Code International  
Energy Conservation Code 2006  
Submitted to the  
BUILDING CODES REVIEW BOARD  
State of New Hampshire**

I, Jonathan S. Osgood, member of the Building Codes Review Board, respectfully propose an amendment to the State Building Code International Energy Conservation Code 2006 as follows:

Amend **Table 301.1 Climate Zones by State, County and Territories** as follows: New Hampshire Zone 6 ~~except Zone 5~~ ~~Cheshire Hillsborough Rockingham Strafford~~

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 Puc 1802.02(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.*

Those rules expired on July 31 of this year and were replaced with rules reflecting the responsibility of the Building Codes Review Board to establish and change the state building code pursuant to RSA 155-A:10,V. Therefore, the *International Energy Conservation Code 2006* as written applies. The 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.

Finally, the requirements of Zone 6 of the new code only approach the prescriptive requirements of its predecessor, the IECC 2000 that were followed in New Hampshire from 2002 until August of 2007. To use Zone 5 requirements anywhere in the state, would allow the construction of clearly less efficient homes.

Therefore, I request that the State Building Code Review Board accept the above amendment to the State Building Code.