EXHIBIT 43

PROPOSED AMENDMENT TO:
2008 NATIONAL ELECTRICAL CODE
(NFPA 70)

Section 210.12 (B)

CURRENT CODE LANGUAGE:

210.12 (B) Arc-Fault Circuit-Interrupter Protection

Dwelling Units.

All 120-volt, single phase, 15- and 20 ampere branch circuits supplying outlets installed in dwelling unit family rooms, dinning rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreations rooms, closets, hallways, or similar rooms or areas shall be protected by a listed arc-fault circuit interrupter, combination type, installed to provide protection of the branch circuit.

PROPOSED CODE LANGUAGE:

(To remain as printed in the 2005 National Electrical Code NFPA 70)

210.12 (B) Arc-Fault Circuit-Interrupter Protection

Dwelling Unit Bedrooms.

All 120-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms shall be protected by a listed arc-fault circuit interrupter, combination type, installed to provide protection of the branch circuit.

SUBSTANTIATION:

The 2005 NEC required AFCI protection; these devices were only required in the bedrooms and only capable of detecting series faults. As with any new product a gradual implementation was approved until further field data could be gained. These were numerous issues with the proper testing of these devices in the early stages. It would only be prudent to follow the same implementation with the new combination AFCI, which are capable of detecting both series and parallel faults, prior to requiring them to be installed in almost all habitable areas in a dwelling,

Mandating the installation of any product with new technology would not be in the best interest of public safety. True field testing is the only way to gather data to determine if these new products are functioning properly and to substantiate their impact on public safety.

With regard to extension of existing circuit: If a consumer wanted to correct an unsafe situation an add a receptacle to an existing circuit, it would require that an AFCI be installed on that circuit even if only adding one duplex receptacle to that circuit. This could mean in many situations that you may have to change the service to the dwelling unit, with the consumer incurring a cost upwards of $2000.00 just to add one receptacle. Hence promoting the consumer to leave the unsafe conditions due to the cost to correct it defeating the intent of the original code.

Many existing dwelling units have multi-wire branch circuits. With this change you would have to install a completely new circuit just to add once receptacle, in order to install an AFCI and meet the code. This again could require a service change to the dwelling unit in addition to running a new circuit, and as stated above promote the consumer to keep the unsafe conditions instead of correcting them for a reasonable cost.

FISCAL IMPACT:

This new requirement would add approximately 10% to the average cost of the electrical work on a new home, ($250 - $500) in an already soft housing market.

The issues concerning multi-wire branch circuits and additions to existing installations could cost the consumer up to $2,000.00 just to comply with this code.

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March 7, 2008

Chairman Robert Clegg
NH State Building Code Review Board
33 Hazen Drive
Concord, NH 03302

Re: Proposed Amendment to the
2008 National Electrical Code (NFPA 70)
Section 210.12 (B)

Dear Chairman Clegg,

Please have the NH State Building Code Review Board review the proposed amendment to the 2008 National Electrical Code (NFPA 70) Section 210.12 (B)

Code Language: 2008 National Electrical Code (NFPA 70)

210.12 (B) Arc-Fault Circuit-Interrupter Protection

Dwelling Units.

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Proposed Code Language:
(To remain as printed in the 2005 National Electrical Code NFPA 70)

210.12 (B) Arc-Fault Circuit-Interrupter Protection

Dwelling Unit Bedrooms.

All 120-volt , single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit bedrooms shall be protected by a listed arc-fault circuit interrupter, combination type, installed to provide protection of the branch circuit

Substantiation:

The 2005 NEC required AFCI protection; these devices were only required in the bedrooms and only capable of detecting series faults. As with any new product a gradual implementation was approved until further field data could be gained. There were numerous issues with the proper testing of theses devices in the early stages. It would only be prudent to follow the same implementation with the new combination AFCI, which are capable of detecting both series and parallel faults, prior to requiring them to be installed in almost all habitable areas in a dwelling. Mandating the installation of any product with new technology would not be in the best interest of public safety. True field testing is the only way to gather data to determine if these new products are functioning properly and to substantiate their impact on public safety.

With regards to extension of existing circuits: If a consumer wanted to correct an unsafe situation an add a receptacle to a existing circuit, it would require that an AFCI be installed on that circuit even if only adding one duplex receptacle to that circuit. This could mean in many situations that you may have to change the service to the dwelling unit, with the consumer incurring a cost upwards of $2000.00 just to add one receptacle. Hence promoting the consumer to leave the unsafe conditions due to the cost to correct it defeating the intent of the original code.

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Fiscal impact:

This new requirement would add approximately 10% to the average cost of the electrical work on a new home, ($250-$500) in an already soft housing market.

The issues concerning multi-wire branch circuits and additions to existing installations could cost the consumer up to $2,000.00 just to comply with this code.

Sincerely:

Steven R. Rancourt, President
Electrical Contractors Business Association
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