

STATE OF NEW HAMPSHIRE

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September 20, 2018

Re: Energy Code Administration Revised by Recent Legislation

Dear Municipal Official:

On August 7, 2018, House Bill 1472 (HB 1472) regarding the state building code and its provisions for energy conservation in new building construction went into effect. HB 1472 repealed RSA 155-D, thereby transferring administration of the state energy code from the Public Utilities Commission to individual municipalities in New Hampshire, except in cases where a municipality does not have an adopted building code enforcement mechanism.

Based on our review, it appears that your town/city is a municipality that has adopted a building code enforcement mechanism. Therefore, the Commission is not authorized to verify that projects located in your town/city meet energy code requirements. Energy code applications will now need to be submitted to your appropriate municipal personnel and not to the Commission. See RSA 155-A:10-a, as added by HB 1472, which reads as follows (with emphasis added):

*155-A:10-a: Energy Code Compliance Form. The state building code review board shall prescribe by rule and make available to the public, in electronic formats, a simplified residential code compliance form based upon the energy provisions in the International Residential Code and the International Energy Conservation Code identified in RSA 155-A:1. The correctly completed form shall be accepted by all code enforcement authorities within the state of New Hampshire as one method of verification that the applicable project meets the code requirements. **Completed compliance forms shall be submitted to the building official in those municipalities that have adopted an enforcement mechanism under RSA 674:51.** For municipalities without an adopted code enforcement mechanism, completed compliance forms shall be submitted to the New Hampshire public utilities commission, on behalf of the building code review board, for verification that the applicable project meets the code requirements. The public utilities commission shall then forward the reviewed compliance forms to the municipality for retention in property records.*

The Commission will continue to make the Energy Code Application ([EC-1 form](#)) available on the Commission's website (<http://www.puc.nh.gov/EnergyCodes/energypg.htm>) as a convenience for the use of the general public and municipalities.

If you believe that our conclusion regarding your municipal building code enforcement authority is incorrect, please inform the Commission by contacting Azanna Wishart at 603.271.6306.

Sincerely,

Handwritten signature of Debra A. Howland in black ink.

Executive Director