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Chair Orth and members of the State Building Code Council,

The Building Industry Association of Washington (BIAW) is the voice of the housing industry in the state of Washington. We are dedicated to promoting the vitality of the building industry and the housing needs of the state's citizens. On behalf of our nearly 8000 member companies, thank you for the opportunity to participate in the code development process and submit comments.

Proposal EM050-2018 has raised several concerns for our members. First, if there is a temporary surcharge on the rates, like some jurisdictions do to pay for new meters, there should be a means of updating, adjusting or appealing the utility rates used in the calculations. The comments we received and submitted from the Washington Public Utility Districts Association details the variability in rates among Washington Utilities, among other things. Would one vest based on the utility rate at the time of application for the permit?

As you know, HVAC systems are not just one machine, plug and play; they are made up of a variety of components, including pumps, fans, heat exchangers, etc. We see this concept consistently working in manufactured homes, where HUD mandates that the whole system is installed exactly one like the other, using the same components that have been approved for all similar-sized homes in a similar climate, but see challenges in other cases. The proponents are using 15 years for the useful life but on the executive report they use 50 years. Maintenance costs should be part of the calculations since they can be expensive as systems are becoming more complex with more equipment, such as DOAS now requires.

Our members also pointed out that with an electricity emissions factor that is too low and with carbon being a factor in the calculations, it would unfairly favor the use of electricity and discourage the use of gas and other energy sources. Utilities have been pressured to reduce electricity loads and this proposal would surely cause consumers to go 100% electric to avoid higher operating and up-front costs.

BIAW has always opposed product placement in the code. The software included in this proposal significantly reduces time it would take for a building official to calculate the TSPR. Without the software, it could add a large amount of time to construction while engineers run the numbers, and not just once, they would have to do the calculations several times over to optimize the system using different component items. Time is money to everyone on the jobsite including the builder who would have to wait longer to see a return on investment. For these reasons builders and other consumers would be forced to purchase the software unless it would be available for free, which hasn't been addressed as of yet.

For the above reasons, BIAW encourages the council to reject proposal EM050-2018.

Respectfully submitted,

Al Audette  
Building Industry Association of Washington