

TO: House Committee on Energy and Digital Infrastructure
FROM: Kelly Launder, Assistant Director, Efficiency and Energy Resources Division
DATE: 1/8/25
SUBJECT: Building Energy Code Working Group

This is the third year that the Department has participated in, as well as provided administrative support, to the Building Energy Code Working Group. This has been a resource intensive group to oversee, with participation of three Department staff and one lawyer, as well as hiring a contractor to assist with facilitation and writing of the first two required reports. The Department no longer had the federal funds available to hire a contractor so for this last year it was fully staffed by the Department.

Seven meetings were held over six months (June – November) covering several topics including current state government (OPR, DFS, PSD) roles and work regarding building construction and energy efficiency; strategies for increasing compliance with energy codes; testimony from builders and contractors on the energy codes and compliance paths such as the Home Energy Ratings; and priorities for recommendations to include in the BECWG report. Prior to the September meeting a list of potential recommendations were distributed to members to provide written comments on, then those were discussed and voted on at subsequent meetings. If a majority of the members did not vote for a recommendation, then a discussion of the recommendation was not included in the main report, although a summary list was included in an Appendix. There was also an attempt not to repeat information and recommendations included in the first two reports in this final report, although a summary of the 2023 and 2024 recommendations and any progress made on them are included in an Appendix.

Generally, the Department supports the recommendations included in the final report that encourage code compliance without significant additional costs. These include setting up a Task Force to provide support for OPR's Residential Contractor registry and development of voluntary certifications; modifying the "Energy Module" currently required for certain trades and professions to focus on energy code requirements relevant to those trades/professions, and Energy Efficiency Utilities (EEU) having a role in code compliance through outreach, technical assistance





and trainings (although we think that should be determined during the Demand Resource Planning (DRP) proceeding, which establishes the EEU budgets and performance targets).

The Department does not agree with the main recommendation to designate the Division of Fire Safety as the Authority Having Jurisdiction over the Energy Codes for the many reasons included in the report, particularly the financial impacts that it would have on the housing market.

At a time when the state has significant challenges and priorities to address, like housing, education reform, healthcare, and affordability, and the Department will also be focusing on the EEU DRP proceeding, we would not support continuation of this working group and do not support moving forward with a majority of the recommendations as noted in our dissenting comments in the report.

All the Building Energy Code Working Group materials including agenda's, minutes, meeting recordings, and the final report are available on our website at:

<https://publicservice.vermont.gov/efficiency/building-energy-standards/building-energy-code-working-group>

