Amanda Hickman, InterCode Incorporated on behalf of the Leading Builders of America (LBA) and Joseph Belcher, JDB Code Services on behalf of the Florida Home Builders Association (FHBA) respectfully submits the following comments to the Florida Energy Technical Advisory Committee for consideration regarding HB 535 questions on renewable power generation in the Energy Rating Index (ERI) of the 5th Edition of the Florida Building Code - Energy.

**General Comment**

The Energy Technical Advisory Committee (TAC), during their April meeting, unanimously recommended approval of the Florida Solar Energy Center’s (FSEC) Modification EN6727 to include ANSI/RESNET/ICC 301 *Standard for the Calculation and Labeling of the Energy Performance of Low-Rise Residential Buildings* into the ERI language of the 6th edition of the Florida Building Code- Energy.  Table 4.4.2 (1) Minimum Rated Features item 24 of Standard 301 clearly permits onsite power generation to be counted toward the ERI score.

Moreover, The TAC voted Non Affirmative Recommendation (NAR) on Modification EN6933 by the Responsible Energy Codes Alliance (RECA), which would have disallowed credit for renewable power generation in the ERI path. FSECs alternative language comment to EN6933; which sought to revise the language by including a cap on the amount of renewable power generation that can be credited toward the ERI score, also failed to gain the support of the TAC and received a NAR.

During the ICC hearings in Louisville, KY later in April, the ICC Residential Energy Technical Committee unanimously recommended approval of Proposal RE166; which added ANSI/RESNET/ICC 301 to the ERI language of the 2018 edition of the International Energy Conservation Code (IECC).

There were several other proposals that were considered that would have eliminated or limited renewable power generation credit in the ERI path (RE155, RE164, RE167, RE168, RE175, RE177). All were disapproved- most unanimously.

In keeping with the TAC’s previous actions regarding ERI credit for renewable power generation in the 6th edition of the code and with the ICC Technical Committee’s recommendations on the 2018 edition of the IECC regarding renewable power generation in the ERI, we urge the TAC to make the same flexible and cost effective decision for the 5th edition of the Florida code and not eliminate or limit renewable power generation credit in the ERI path.

**Alternative Language Comment 1 (Using Approved Language from Modification EN6727 from 6th Edition and other Revisions)**

R406.3 Energy Rating Index.

The Energy Rating Index (ERI) shall be a numerical integer value that is based on a linear scale constructed such that the ERI reference design has an Index value of 100 and a residential building that uses no net purchased energy has an Index value of 0. Each integer value on the scale shall represent a 1-percent change in the ~~total energy use~~ annual total normalized modified loads of the ~~rated design~~ *rated design* relative to the annual total ~~energy use~~ loads of the ERI reference design. The ERI shall consider all energy used in the residential building.

R406.3.1 ERI reference design.

The ERI reference design shall be configured such that it meets the minimum requirements of the 2006 International Energy Conservation Code prescriptive requirements.

~~The proposed residential building shall be shown to have an annual total normalized modified load less than or equal to the annual total loads of the ERI reference design.~~

R406.4 ERI-based compliance.

The ERI for the rated design shall be determined in accordance with ANSI/RESNET/ICC 301-2014, including Addendum A-2015, and ~~Compliance based on an ERI analysis requires that the rated design~~ be shown to have an ERI less than or equal to the appropriate value listed in Table R406.4 ~~when compared to the ERI reference design.~~ Onsite renewable power generation complying with ANSI/RESNET/ICC 301 shall be permitted with no time limit for its use.

[No other changes to Section R406.]

Chapter 6 Referenced Standards

Add new standard(s) as follows:

ANSI/RESNET/ICC 301-2014 Standard for the Calculation and Labeling of the Energy Performance of Low-Rise Residential

Buildings using an Energy Rating Index First Published March 7, 2014 Republished January 2016

**Alternative Language Comment 2 (Using Staff Revisions)**

**R406.3 Energy Rating Index.** The Energy Rating Index (ERI) shall be a numerical integer value that is based on a linear scale constructed such that the *ERI reference design* has an Index value of 100 and a *residential building* that uses no net purchased energy has an Index value of 0. Each integer value on the scale shall represent a 1-percent change in the total energy use of the rated design relative to the total energy use of the *ERI reference design*. The ERI shall consider all energy used in the *residential building*.

**R406.3.1 ERI reference design.** The *ERI reference design* shall be configured such that it meets the minimum requirements of the 2006 *International Energy Conservation Code* prescriptive requirements.

The proposed *residential building* shall be shown to have an annual total normalized modified load less than or equal to the annual total loads of the *ERI reference design*.

**R406.4 ERI-based compliance.** Compliance based on an ERI analysis requires that the *rated design* be shown to have an ERI less than or equal to the appropriate value listed in Table R406.4 when compared to the *ERI reference design*. Onsite renewable power generation complying with ANSI/RESNET/ICC 301 shall be permitted with no time limit for its use.

[No other changes to Section R406.]

Chapter 6 Referenced Standards

Add new standard(s) as follows:

ANSI/RESNET/ICC 301-2014 Standard for the Calculation and Labeling of the Energy Performance of Low-Rise Residential

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