

April 16, 2025

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Pursuant to CP#12C-25 – ICC Standards Development Consensus Procedures, Section 14.4, AGA submits the following questions on Scope and Intent through the IECC Staff Secretariat and committee chairs to the ICC Board of Directors.

**Question #1:** Whether the IECC Committees (commercial and residential) and Subgroups that develop code editions must apply the Analysis and Performance Requirements<sup>1</sup> in C101.2 Scope and C101.3 Intent/ R101.2 Scope and R101.3 Intent to the body of the IECC **and all appendices**?

**Question #2:** If 2027 IECC appendices do not need to meet the Analysis and Performance Requirements required by the Scope and Intent, must there be evidence that they will result in greenhouse gas reduction or zero energy buildings?

#### **Background:**

The Scope and Intent of the Commercial and Residential versions of the 2027 IECC require analysis and performance requirements for all IECC provisions. Each provision must meet the following analysis and performance requirements:

- [A]chieve a reasonable level of **energy efficiency**, that is
  - [S]afe.
  - [T]echnologically feasible
  - [L]ife cycle cost effective
- [C]onsidering economic feasibility, including potential costs and savings for consumers and building owners, and return on investment.

(referenced as “Analysis and Performance Requirements”)

On March 5, 2025, the IECC’s Commercial Consensus Committee met and disapproved proposal CE151-24, which proposed the deletion of Appendix CB, *Solar-Ready Zone – Commercial*, in its entirety. The Commercial Consensus Committee’s reason statement stated: “the appendix does not violate the scope and intent of the code and provides jurisdictions with an optional provision.”

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<sup>1</sup> For purposes of this request “Analysis and Performance Requirements” refers to the “purpose” test laid out in the first sentence of C101.2 and R101.2: “The purpose of the International Energy Conservation Code-Commercial is to provide market-driven, enforceable requirements that achieve a reasonable level of **energy efficiency** that is safe, technologically feasible, and lifecycle cost effective, considering economic feasibility, including potential costs and savings for consumers and building owners, and return on investment.” (emphasis added).

Appendix CB was approved during the IECC 2024 revision cycle **without any evidence** that the provisions met the 2024 IECC Scope and Intent Analysis and Performance Requirements, including achieving a reasonable level of **energy efficiency** or life-cycle cost effectiveness, which are substantively identical to the requirements in the 2027 Scope and Intent.

Also on March 5, the IECC's Commercial Consensus Committee disapproved proposal CE 159-24, which proposed the deletion of Appendix CG, *Electric Vehicle Charging Infrastructure*, in its entirety. The Commercial Consensus Committee reason statement stated: "The appendix remains a voluntary option and aligns with ICC Board of Director's guidance on greenhouse gas reduction measures."

As with CB above, Appendix CG was approved during the IECC 2024 revision cycle **without any evidence** that the provisions met the 2024 IECC Scope and Intent Analysis and Performance Requirements, including achieving a reasonable level of **energy efficiency** or life-cycle cost effectiveness, which are substantively identical to the requirements in the 2027 Scope and Intent.

On April 9, 2025, the IECC's Residential Consistency and Administration Subgroup met and disapproved proposal RE203-24, which proposed the deletion of Appendix RK, *Electric-Ready Residential Building Provisions*, in its entirety. The Residential Consistency and Administration Subgroup reason statement stated: "Removing optional appendices hinders the intent of the IECC to provide jurisdictions with flexibility to achieve their unique efficiency goals."

As with Appendices CB and CG above, Appendix RK was approved during the IECC 2024 revision cycle **without any evidence** that the provisions met the 2024 IECC Scope and Intent Analysis and Performance Requirements, including achieving a reasonable level of **energy efficiency** or life-cycle cost effectiveness, which are substantively identical to the requirements in the 2027 Scope and Intent.

2027 IECC C101.3 and R101.3 state that the "code may include non-mandatory provisions incorporating additional energy efficiency and greenhouse gas reduction resources and provisions that lead to achievement of zero energy buildings." However, "greenhouse gas reduction resources and provisions that lead to achievement of zero energy buildings" must still meet the Analysis and Performance Requirements which are basis and "purpose" for the creation of the IECC and why it is incorporated into federal and state laws.

If Question 1 above is answered in the negative and appendices do not need to meet the Analysis and Performance Requirements, there must be evidence, at a minimum, that they provide "greenhouse gas reduction resources and provisions that lead to achievement of zero energy buildings".

However, Appendix CB, "Solar-Ready Zone" does not provide any greenhouse gas reduction provisions. It only requires additional infrastructure that may never be used.

Appendix CG and RK represent infrastructure that may never be used, and also fail to clearly provide any greenhouse gas reduction resources as much of the power-grid continues to be supplied with fossil-fuel derived electricity

The committees have disapproved these proposals based on the commentary and interpretation published by the ICC Board of Directors.

The “purpose” test laid out in the first sentence of C101.2 and R101.2 is clear and unequivocal, all provisions in the IECC must lead to **energy efficiency** savings. Therefore, it should be applied to the entire code, whether the body or appendices.

Therefore, further guidance is needed from the Board of Directors to determine if the IECC Consensus Committee and Subgroup actions and reasons are consistent with the approved Scope and Intent.

I look forward to your reply.

Regards,

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## ICC Board of Directors Response (ICC-SIQ-000006 & ICC-SIQ-000007 & ICC-SIQ-000008)

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**Question 1 Response:** The term “Analysis and Performance Requirements” is not used in the Scope and Intent statements and therefore is not addressed in this response.

Future additional requirements and modifications to existing sections to the IECC both main text and appendices must comply with the Scope and Intent statements. Provisions in both the main body of the code and the optional appendices must achieve a reasonable level of energy efficiency that is safe, technologically feasible, and lifecycle cost effective, considering economic feasibility, including potential costs and savings for consumers and building owners, and return on investment. The intent statement further clarifies these requirements for provisions incorporating additional energy efficiency and greenhouse gas reduction resources and provisions that lead to achievement of zero energy buildings, which may be included if they are non-mandatory and appear either in optional appendices or in the base code as options where compliance with the code is still possible without complying with such provisions.

**Question 2 Response:** The term “Analysis and Performance Requirements” is not used in the Scope and Intent statements and therefore is not addressed in this response.

Future additional requirements and modifications to existing sections to the IECC both main text and appendices must comply with the Scope and Intent statements. Provisions in both the main body of the code and the optional appendices must achieve a reasonable level of energy efficiency that is safe, technologically feasible, and lifecycle cost effective, considering economic feasibility, including potential costs and savings for consumers and building owners, and return on investment. The intent statement further clarifies these requirements for provisions incorporating additional energy efficiency and greenhouse gas reduction resources and provisions that lead to achievement of zero energy buildings, which may be included if they are non-mandatory and appear either in optional appendices or in the base code as options where compliance with the code is still possible without complying with such provisions.