

**Boards of Electricity and High Pressure Piping
and the Construction Codes Advisory Council
Department of Labor and Industry**

Board/Council Meeting Open Forum Request

Please keep your presentation to 5 minutes or less.

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- Availability based on length of meeting and number of requestors.

Name of Board/Council		Date of Meeting		Will you be attending meeting in person or by phone?	
Name		Street/Mailing Address			Phone Number
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Topic:					

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November 14th, 2025

Construction Codes Advisory Council
Minnesota Department of Labor & Industry
443 Lafayette Road
St. Paul, MN 55155

RE: The Importance of Energy Index in Evaluating Residential Code Change Proposals

Members of the Construction Codes Advisory Council (CCAC),

CenterPoint Energy is privileged to serve our Minnesota customers by providing homes and businesses with safe, reliable and resilient energy solutions. The Company has a long-standing commitment to help customers use energy efficiently. We appreciate the opportunity to provide comments on the amendments brought before the CCAC.

We recognize the enormous challenge before the Department of Labor and Industry in reaching the 2038 goal and maintaining a pace of 3-year code cycles. CenterPoint Energy believes reliable code advancement requires an exact understanding of who is responsible for evaluating code performance and what procedures they follow. As such, we strongly recommend the CCAC set a high bar for adopting code change proposals which deviate from well-understood model code. Measures whose impacts are unclear should be set aside for further analysis or consideration in future code cycles.

Based on our analysis and feedback from Department of Energy (DOE) experts, we believe several of the amendments approved in the TAG process have been misinterpreted and will not contribute to the state's energy efficiency goals. Minnesota statute requires that the residential energy code move incrementally towards a 70% reduction in annual net energy consumption by 2038. Though this goal is often discussed as a reduction in building efficiency metrics such as ERI or HERS scores, the national standard for measuring state code performance is the Energy Index published by the DOE Building Energy Codes Program (BECP). Energy Index is a longstanding and well-documented metric; it evaluates prescriptive code performance relative to 2006 and, crucially, controls for all changes outside the code itself.

As a measure of state code performance, Energy Index:

- Does not reward a state for market incentives or trends towards smaller homes or different fuel systems
- Is neutral on fuel choice and only measures code improvement within each category of heating system (gas, electric, heat-pump, and fuel oil)

- Measures only a subset of prescriptive code changes (For example, in the BECP's analysis of the 2024 IECC residential model code, only 8 of 273 code changes were applied to Energy Index)

Consequently, this council cannot assume all measures which reduce energy use will also reduce Energy Index, especially those that rely on changing variables which are intentionally controlled, such as heating system choice in new construction. While the TAG has discussed this type of amendment, the CCAC should consider whether the BECP has sufficiently vetted their effects on Energy Index.

For example, proposal RE-41.1 makes the bold claim that up to “half the energy savings needed to reach Minnesota’s statutory goal of a 70% net energy savings by 2038” can be obtained by granting homes with *Federal minimum efficiency* heat pumps additional efficiency credits. While there are serious doubts that they can deliver these savings in Minnesota’s climate, the basic premise of this amendment is flawed. Energy Index can only capture improvement within the heat pump category relative to 2006; it simply cannot reward minimum efficiency. At the same time, because the additional credits would still count towards code compliance, heat pump homes would become effectively exempt from traditional energy efficiency measures, thus increasing energy index.

CenterPoint Energy views RE-41.1 as reaching beyond the scope of code to modify the Energy Index metric itself, akin to a coach calling a play which includes a rule change for the game. Consideration of this measure raises difficult questions about the future of code development:

- If code can define for itself how code performance is evaluated, what prevents statute goals from being reached through purely superficial measures?
- If opinions about how energy efficiency ought to be measured override objective methods for evaluating code performance, how are safety, impartial analysis, and fuel-neutrality maintained in energy codes?
- How would this council respond if adopted amendments were later shown to hinder progress towards statute goals?

We ask that other code proposals are carefully examined in the context of BECP Energy Index methods. While proposals RE-39 and RE-50 may warrant adoption for extrinsic reasons, both modify the performance pathways not measured in Energy Index and do not directly contribute to conservation goals in statute.

We thank this council for their careful consideration of these concerns and are available to discuss them further upon request.

Sincerely,

Joel Lynch, PhD
Energy Efficiency Engineer
CenterPoint Energy