



December 14, 2020

Jeremiah Williams
U.S. Department of Energy
Office of Energy Efficiency and Renewable Energy
1000 Independence Ave. S.W. EE-5B
Washington, DC 20585-0121

RE: Minnesota's certified determinations regarding its residential energy code and commercial energy code pursuant to 42 U.S.C. § 6833.

Dear Mr. Williams,

Please accept this letter as Minnesota's fulfillment of the requirements in 42 U.S.C. § 6833. Specifically, this letter certifies that Minnesota has reviewed the provisions of its residential building code regarding energy efficiency and made a determination as to whether it is appropriate for Minnesota to revise its residential energy code. The letter further certifies that Minnesota has reviewed and updated the provisions of its commercial energy code.

Commercial Energy Code. I am pleased to report that Minnesota has completed adoption of the commercial provisions of the 2018 International Energy Conservation Code (IECC). Therefore, on behalf of the State of Minnesota, I am providing this Certification that the State of Minnesota has adopted the commercial provisions of the 2018 IECC on December 30, 2019, effective March 31, 2020.

Residential Energy Code. Pursuant to 42 U.S.C. § 6833(a)(2)(A), I held a public hearing on August 3, 2020, and have made my determination based upon the findings herein and the evidence presented at the hearing that it is not appropriate for Minnesota to revise the residential energy code at this time. The September 30, 2020, Report of the Administrative Law Judge on the Appropriateness Determination is incorporated by reference into my determination and attached to this letter.

I find that the improvements and related energy cost savings from the current Minnesota Residential Energy Code to the 2018 residential provisions of the International Energy Conservation Code are minimal. The current Minnesota Residential Energy Code was adopted in February 2015; it adopts the 2012 IECC with amendments. The cumulative site energy savings from the 2012 IECC to the 2018 IECC is 2.66%. Because of Minnesota's amendments, the energy efficiency improvements from the Minnesota Residential Energy Code to the 2018 IECC results in less than 2.66% site energy savings.

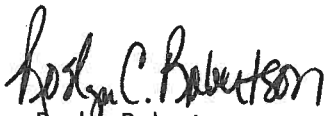
Considering the cost to implement the higher-cost energy-saving elements, the cost-benefit of adopting the 2018 IECC is further reduced. The two key changes identified by the Department of Energy that compose most of the 1.68% energy savings in the 2018 IECC were a reduction in window "U" factors from .32 to .30 and an increase in high-efficacy lighting from 75% to 90% of permanently installed fixtures. Most new homes built in Minnesota are constructed with window "U" factor values of .27 to .29, which is above and beyond the 2018 IECC requirements. Lastly, most new homes in Minnesota typically include high-efficiency lighting (LEDs). These

and other energy-saving options remain available to the public now and are largely already in use by Minnesota builders and owners by choice.

Minnesota's 2018 building code rulemaking cycle is complete except for the residential energy code. If Minnesota were to amend the residential energy code, state statute requires, among other things, "research and analysis that addresses, at a minimum, air quality, building durability, moisture, enforcement, enforceability cost benefit, and liability." Minn. Stat. § 326B.118. The timing of this rulemaking in addition to these additional steps, in conjunction with my other findings, does not support adopting the 2018 IECC residential provisions.

If you have any questions on this matter, please contact Scott McLellan, Director of our Construction Codes and Licensing Division, at 651.284.5869.

Sincerely,

A handwritten signature in black ink that reads "Roslyn C. Robertson". The signature is written in a cursive style with a large initial "R".

Roslyn Robertson
Temporary Commissioner

Encl.

CC: Scott McLellan