



National Electrical Manufacturers Association

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Online via: <https://efiling.energy.ca.gov/EComment/EComment.aspx?docketnumber=17-BSTD-03>

Ms. Ingrid Neumann
California Energy Commission
Dockets Office, MS-4
Re: Docket No. 17-BSTD-03
1516 Ninth Street
Sacramento, CA 95814-5512

NEMA Comments on 15-day Express Terms 2019 CALGreen Voluntary Provisions Docket 17-BSTD-03

Dear Ms. Neumann,

As the leading trade association representing the manufacturers of electrical and medical imaging equipment, the National Electrical Manufacturers Association (NEMA) provides the attached comments on the 15-day CALGreen voluntary provisions issued September 6, 2018. These comments are submitted on behalf of NEMA Lighting Systems Division Member companies.

The National Electrical Manufacturers Association (NEMA) represents nearly 350 electrical equipment and medical imaging manufacturers that make safe, reliable, and efficient products and systems. Our combined industries account for 360,000 American jobs in more than 7,000 facilities covering every state. Our industry produces \$106 billion shipments of electrical equipment and medical imaging technologies per year with \$36 billion exports.

NEMA continues to be concerned that the proposed provision to limit the correlated color temperature of certain outdoor lighting, per the proposed modifications to section A5.203.1.1.1, is shortsighted and does not respect available scientific literature regarding visual acuity and safety in outdoor situations. As we noted in our previous comments to the 45-day express terms¹, reaction time, visual contrast and object recognition can be improved in some instances by using lighting CCT above 3000K. The 15-day express terms do not address this documented fact. We are further concerned that mal-application of this rule could in turn proliferate across other outdoor (or indoor) lighting scenarios to the detriment of citizens in settings where safety is important.

The CEC has not responded to our concerns regarding liability in terms of human safety. While we appreciate that the CEC changed the 45-day express terms for CALGreen for section A5.203.1.1.1 to only apply to “hardscape” lighting, this is not a solution to the problem we presented in prior comments. Hardscape lighting in many instances is required for safety

¹ <https://www.nema.org/Policy/Documents/NEMA-Comments-CEC-CALGreen.pdf>

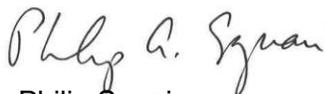
reasons, so an arguably less-safe provision such as this conflicts with the assumption that a green code is “better” than the base code.

Per Title 24 Section 100.1, Hardscape is defined as follows: “HARDSCAPE is the area of an improvement to a site that is paved or has other structural features such as curbs, plazas, entries, parking lots, site roadways, driveways, walkways, sidewalks, bikeways, water features and pools, storage or service yards, loading docks, amphitheaters, outdoor sales lots, and private monuments and statuary.” Many of these areas involve pedestrian and vehicular safety, which is the *very purpose* of the lighting. By limiting the CCT of the light to those color ranges associated with less striking contrast and lower visual acuity, the CEC is placing building owners in the position of being obliged to use lighting that may be less safe. This could cause a liability concern for those owners compelled to follow green codes, and in turn could become a liability for the CEC and California Building Standards Commission by association, should an injury lawsuit include the type and color of lighting employed in the area in question. It would be disingenuous for the CEC to hide behind any statements to the effect that the CALGreen code is voluntary, so the CEC holds no liability. If the CEC is the source of the provision, it is directly responsible.

The CEC should not encourage less-safe lighting and avoid the subject entirely by striking the proposed revisions to section A5.203.1.1.1 in the 15-day language for the CALGreen code.

Our Member companies count on your careful consideration and we look forward to an outcome that meets their expectations. If you have any questions on these comments, please contact Alex Boesenberg of NEMA at 703-841-3268 or alex.boesenberg@nema.org.

Sincerely,



Philip Squair
Vice President, Government Relations
National Electrical Manufacturers Association