



Dawn Michele Bellis
Secretary, Standards Council

21 August 2019*

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#19-21
Standards Council Agenda Item:	SC#19-8-3-nn
Date of Decision:	6 August 2019
NFPA 70 [®] , <i>National Electrical Code</i> [®] , 2020 Edition	

Dear Interested Parties:

At its meeting of August 5-7, 2019, the Standards Council considered an appeal on the above referenced matter. The Council's Final decision is now available and is attached herewith.

Sincerely,

A handwritten signature in black ink that reads "Dawn Michele Bellis".

Dawn Michele Bellis
Secretary, NFPA Standards Council

cc: S. Everett, S. Gallagher, L. Fuller, M. Earley, J. Sargent, G. Frost
Members, Code-Making Panel 10 (NEC-10)
Members, NEC Correlating Committee (NEC-AAC)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA's standards development process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the Regulations Governing the Development of NFPA Standards and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the publication date of this Decision.



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SUMMARY OF ACTION (for convenience only; not part of official decision): The Standards Council voted to deny the appeal to overturn the Panel Action and Reject Second Revision No. 8011.

DECISION:

At its meeting of August 5-7, 2019, the Standards Council considered an appeal from Christel Hunter of Cerro Wire. The appeal requests that the Standards Council overturn the Panel Action and Reject Second Revision No. 8011 for the 2020 Edition of NFPA 70®, *National Electrical Code*®. Specifically, the appeal requests that Second Revision No. 8011 to Section 240.88 be removed to provide opportunity for public review of the language added at the Second Draft.

As background, Code-Making Panel 10 (CMP 10) supported Second Revision No. 8011 through ballot and the Correlating Committee proposed no correlating revisions. Although numerous Notices of Intent to Make a Motion (NITMAM) were filed by Ms. Hunter on revisions related to reconditioning, she inadvertently failed to file a NITMAM to Reject Second Revision No. 8011. She has included this revision in her appeals asking for Council to overturn the Association Actions on identified Certified Amending Motions.

On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the results of that process only where a clear and substantial basis for doing so is demonstrated. The Council has reviewed the entire record concerning this matter and has considered all the arguments put forth in this appeal. In the view of the Council, this appeal does not present any clear and substantial basis upon which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that Second Revision No. 8011 will be included in the 2020 Edition of NFPA 70, *National Electrical Code*.

Council Members Kerry Bell, Chad Beebe, and Michael Johnston recused themselves from the deliberations and vote on the appeal.