



*Dawn Michele Bellis*  
Secretary, Standards Council

21 August 2019\*

To: Interested Parties

Subject:

Standards Council Decision (Final):	<b>D#19-2</b>
Standards Council Agenda Item:	<b>SC#19-8-3-n</b>
Date of Decision:	6 August 2019
NFPA 70 <sup>®</sup> , <i>National Electrical Code</i> <sup>®</sup> , 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 6 (NEC-P06)  
Members, NEC Correlating Committee (NEC-AAC)  
Members, NFPA Standards Council (AAD-AAA)  
Individuals Providing Appeal Commentary

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\*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 Association Action and Accept an Identifiable Part of Public Comment No. 1382.

**DECISION:**

At its meeting of August 5-7, 2019, the Standards Council considered an appeal from Peter Graser of COPPERWELD Building Wire. The appeal requests that the Standards Council overturn the Association Action and Accept an Identifiable Part of Public Comment No. 1382, for the 2020 Edition of NFPA 70®, *National Electrical Code*®. Specifically, the appeal requests the establishment of ampacities in Tables 310.16 and 310.17 for 14 AWG copper-clad aluminum conductors.

As background, Code-Making Panel 6 rejected Public Comment No. 1382. A Notice of Intent to Make a Motion (NITMAM) to Accept an Identifiable Part of Public Comment No. 1382 was certified by the Motions Committee, then presented on the floor of the NFPA Technical Meeting as CAM 70-24. CAM 70-24 failed on the floor of the NFPA Technical Meeting. Mr. Graser filed an appeal with the Council based upon the unsuccessful result of CAM 70-24.

The text subject to the appeal did not gain sufficient support within the standards development process for inclusion in the 2020 edition of NFPA 70, *National Electrical Code (NEC)*®. The appeal requests the Council overturn the results yielded by the standards development process. 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 the Identifiable Part of Public Comment No. 1382 will not be included in NFPA 70, *National Electrical Code*.

Given that multiple CMPs have scopes relating to the proposed inclusion of 14 AWG copper-clad aluminum conductors in the *NEC*®, the Council directs NFPA staff to establish a bimetal task group of balanced interests to review the proposed changes to the 2020 edition of the *NEC*® that relate to copper-clad aluminum conductors and recommend changes through a tentative interim amendment and/or provide public inputs for the next revision cycle.

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