



Dawn Michele Bellis
Secretary, Standards Council

21 August 2019*

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#19-4
Standards Council Agenda Item:	SC#19-8-3-c
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.

Please note that a correction has been made to the final decision that was sent August 21st for Council agenda item #19-8-3-c. Specifically, there is a reference to First Revision No. 8587, which should actually read "First Revision No. **8597**" not 8587. This has been changed throughout the decision.

Attached is the final decision on the matter.

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 12 (NEC-P12)
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 Association Action and Accept Public Comment No. 1482; overturn the Association Action and Reject Second Revision No. 7783, including any Related Portions of First Revision No. 8597; and to Accept an Identifiable Part of Public Comment No. 1480.

DECISION:

At its meeting of August 5-7, 2019, the Standards Council considered an appeal from David Liu of American Honda Motor, Company, Inc. (on behalf of 23 Automotive Manufacturers, the Automotive Alliance, Global Automakers and SAE International). The appeal requests that the Standards Council overturn the Association Action and Accept Public Comment No. 1482; overturn the Association Action and Reject Second Revision No. 7783, including any Related Portions of First Revision No. 8597; and to Accept an Identifiable Part of Public Comment No. 1480. Specifically, the appeal requests to delete Section 625.60, delete the definition of “Electric Vehicle Power Export Equipment (EVPE)” from Section 625.2, and delete the final sentence of the requirements in Section 625.48.

As background, Notices of Intent to File a Motion (NITMAM) to accept Public Comment No. 1482, to Reject Second Revision No. 7783 including any Related Portions of First Revision No. 8597, and to Accept an Identifiable Part of Public Comment No. 1480 were filed by Nancy Stone of American Honda Motors (on behalf of 23 Automotive Manufacturers, the Automotive Alliance, Global Automakers, and SAE International) and certified by the Motions Committee as CAM 70-3, 70-37, and 70-40 respectively. CAMs 70-3 and 70-37 were presented to the floor at the NFPA Technical Meeting, with each failing to gain sufficient support of the floor. CAM 70-40 was not pursued at the Technical Meeting. Mr. Liu filed an appeal with the Council based upon the unsuccessful results at Technical Meeting.

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*[®]. The appeal requests the Council to 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 neither Public Comment No. 1482 nor the Identifiable Part of Public Comment No. 1480 will be included in the 2020 edition of NFPA 70, *National Electrical Code*. Additionally, Second Revision No. 7783, including any Related Portions of First Revision No. 8597 will be included in the 2020 edition of NFPA 70, *National Electrical Code*.

Council notes that during the Technical Meeting debate on CAM 70-2, a suggestion to form a joint working group between the Society of Automotive Engineers (SAE), other automotive interests, and NEC members

was put forth. In the interest of collaboration and resolving the issues of cross-over technologies between the automotive and electrical industries, the Council encourages the establishment of a balanced Task Group, facilitated by NFPA Staff, with a goal of developing and submitting a TIA for the 2020 edition of NFPA 70 or Public Inputs to the next revision cycle.

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