



Dawn Michele Bellis
Secretary, Standards Council

21 August 2019*

To: Interested Parties

Subject:

Standards Council Decision (Final):	D#19-5
Standards Council Agenda Item:	SC#19-8-3-e
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, reading "Dawn Michele Bellis", is positioned below the word "Sincerely,".

Dawn Michele Bellis
Secretary, NFPA Standards Council

cc: S. Everett, S. Gallagher, L. Fuller, M. Earley, J. Sargent, G. Frost
Members, Code-Making Panel 1 (NEC-P01)
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 Reject an Identifiable Part of Second Correlating Revision No. 71.

DECISION:

At its meeting of August 5-7, 2019, the Standards Council considered an appeal from Thomas Bishop of EASA. The appeal requests that the Standards Council overturn the Association Action and Reject an Identifiable Part of Second Correlating Revision No. 71 for the 2020 Edition of NFPA 70®, *National Electrical Code*®. Specifically, the appeal requests the removal of new text recommended in Section 110.21(A)(2).ArA

As background, the NEC Correlating Committee (CC) supported Second Correlating Revision No. 71 through ballot. Mr. Bishop filed a Notice of Intent to File a Motion (NITMAM) which was certified by the Motions Committee, then presented to the floor at the NFPA Technical Meeting as CAM 70-5. CAM 70-5 failed to achieve the necessary support of a simple majority of votes on the floor of the NFPA 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 that 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 Second Correlating Revision No. 71 will be included in the 2020 edition of NFPA 70, *National Electrical Code*.

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