Adopt En 1800 to read as follows:

CHAPTER En 1800 ADMINISTRATION OF NEW HAMPSHIRE ENERGY CONSERVATION CODE

PART En 1801 APPLICABILITY

En 1801.01 Purpose. En 1800 governs the procedures for submission to the department and the department's review of the residential energy code compliance form for projects in municipalities that do not have an adopted code enforcement mechanism in accordance with RSA 155-A:10-a.

En 1801.02 Scope. En 1800 shall apply to all new residential buildings and additions or alterations to existing residential buildings pursuant to RSA 155-A. found at New Hampshire State Fire Marshal's Office | NH Division of Fire Safety.

PART En 1802 DEFINITIONS

En 1802.01 "Applicant" means the general contractor, builder, owner or other person submitting an application to the department or local authority having jurisdiction, as applicable, for verification of design compliance with the energy code.

En 1802.02 "Application" means the NH Residential Energy Code Application EC-1 Form effective July 3, 2024 as prescribed by the state building code review board pursuant to RSA 155-A:10-a found at New Hampshire State Fire Marshal's Office | NH Division of Fire Safety.

En 1802.03 "State Building Code Review Board" (BCRB) means the state building code review board pursuant to RSA 155-A.

En 1802.04 "Commission" means the New Hampshire public utilities commission.

En 1802.05 "Department" means the New Hampshire department of energy.

En 1802.06 "Energy code" means the "New Hampshire building code" or "state building code" as defined by RSA 155-A:1, IV found at New Hampshire State Fire Marshal's Office | NH Division of Fire Safety.

En 1802.07 "Residential building," as referenced in RSA 155-A New Hampshire Building Code, means:

(a) Any detached one- or 2-family dwelling;

(b) Any other dwelling as defined and prescribed by the New Hampshire Building Code.

PART En 1803 APPLICATION REQUIREMENTS

En 1803.01 Submission of Applications.

(a) Each applicant shall submit an application as prescribed by the BCRB.

(b) Each applicant shall include with each application for review of a residential building for compliance with the energy code, the following:

(1) A completed, signed electronic copy of the application available on the BCRB website.

(2) All information as prescribed by the BCRB pursuant to RSA 155-A; and

(3) A certification by the applicant, as follows:

"I hereby certify that all the information contained in this application is true and correct, and construction shall comply in all respects with the New Hampshire Building Code."

(c) Applicants may submit applications to the department by electronic mail to energycodes@energy.nh.gov.

(d) For purposes of RSA 155-A:10-a, any application submitted shall not be deemed complete until all components of the application as required at En 1803.01(b) have been received by the department. The failure of an applicant to respond to an inquiry by the department within 10 business days of such inquiry shall render the application rejected.

(e) If an applicant makes a substantive revision to an application, including but not limited to a revision to a design specification, after the application has been submitted to the department, the applicant shall date and initial in ink or electronically the revision made to the application.

(f) The date of the submitted revision, as described in En 1803.01(c) above, shall constitute a new receipt date for the application.

(g) An owner of a residential building for which plans and specifications have been approved by an architect or engineer pursuant to RSA 155-A shall submit them to the department as prescribed by the BCRB.

PART En 1804 METHODS OF COMPLIANCE

En 1804.01 Energy Code Compliance.

(a) In accordance with RSA 155-A:10-a, applicants who intend to construct new or alter existing residential buildings in municipalities without an adopted code enforcement mechanism, shall submit a completed application to the department on behalf of the BCRB for verification that the applicable project meets the energy code requirements.

(b) An applicant shall demonstrate that a residential building subject to the requirements of the energy code meets or exceeds the minimum construction standards of the energy code pursuant to RSA 155-A.

(c) No project shall be considered approved pursuant to En 1800 and RSA 155-A without the issuance of a verification letter by the department.

En 1804.02 Department Responsibilities.

(a) The department shall review the application and shall:

(1) Determine whether the applicant has demonstrated, pursuant to RSA 155-A, that the design of the residential building complies with the energy code; and

(2) If the department determines compliance with the energy code, the department shall issue a verification letter to the municipality pursuant to RSA 155-A:10-a with a copy to the applicant.

PART En 1805 APPEALS PROCESS

En 1805.01 When the department denies an application it shall notify the applicant of its finding and the procedures outlined in En 1805.01.

(a) Any applicant whose application has been initially denied by the department may request an informal reconsideration conference with the department.

(b) The department shall hold an informal conference requested pursuant to En 1805.01(a) above, within 30 business days of the request for a conference.

(c) Within 10 working days of the informal conference referred to in En 1805.01(b) above, the department shall, pursuant to RSA 541-A:29, II(a):

(1) Issue a written decision which shall:

a. Affirm, reverse or modify the decision on the application; and

b. Summarize the results of the informal conference and the basis for the decision; and

(2) Provide a copy of the written decision, referred to in En 1805.01(c)(1) above, to the applicant.

(d) If, following the informal conference referred to in En 1805.01(b) above, the department determines compliance with the energy code, the department shall issue a verification letter to the municipality pursuant to RSA 155-A:10-a with a copy to the applicant.

APPENDIX

Rule	Statute
En 1801.01– En 1805.01	RSA 12-P:5, IV; RSA 155-A:10-a