

October 17, 2022



Dear ICC Governmental Member Voting Representatives,

As grid reliability experts, companies, and key stakeholders in the clean energy industry, we write to communicate our deep concern regarding a proposed change to codes that could negatively impact the deployment of job-creating clean energy projects nationwide. Non-utility-owned large-scale photovoltaic (PV) facilities and most wind turbine generator systems (WTGS) are permitted and inspected through local County building departments, using the International Building Code (IBC) as the locally adopted construction code applicable to these non-building structures. A code change proposal under consideration for the future 2024 IBC would significantly affect the deployment of PV and wind facilities by unnecessarily driving up construction costs without achieving its intended benefit of grid resiliency and reliability. **For the reasons stated below, the signed organizations request your vote for disapproval of Proposal S76-22 and as further detailed below.**

The Federal Emergency Management Agency (FEMA)'s Applied Technology Council Seismic Code Support Committee (FEMA-ATC SCSC) submitted Proposal S76-22, which increases the structural Risk Category (RC) of most ground mounted large-scale solar and wind projects to the same RC as Essential Services Facilities (including hospitals, fire stations, and police stations). FEMA-ATC SCSC believes that increasing structural loads on all "public utility facilities providing power generation" will achieve increased reliability of the grid, resulting in fewer power outages. However, Proposal S76-22 is written by structural engineers, not grid reliability experts with experience in the core factors of grid resiliency and the interaction of the power generating facility and transmission and distribution systems; both of which are unrelated to structural design loads.

Approximately 95% of large-scale ground-mounted PV facilities are designed, permitted, and inspected as RC I (one). FEMA Proposal S76-22 would increase the RC to IV (four), thereby increasing required wind loads by roughly 33 percent and seismic and snow loads by roughly 50 percent. For hurricane-prone regions or regions with high snow loads, this means projects could be deemed economically unviable; mainly due to a lack of PV modules tested and rated for those higher loads and also for increased equipment needed.

Additionally, nearly all wind turbines in the U.S. are designed and permitted to RC II (two), based on to ASCE/AWEA Recommended Practice RP2011. An increase to RC IV would increase extreme wind design loads for turbines by a minimum of 20% and increase seismic design loads by 50%. These changes will result in limits on the ability to transport the required larger tower sections given road, rail and bridge height and weight constraints. It could also create artificial constraints on the height of wind turbines, thus decreasing the electricity they generate, which undermines project economics and will result in facilities not being built. The wind industry expects that the proposal would only increase the amount of construction material needed for wind turbines and therefore overall cost by 30% or more, without the actual increase in grid power resilience it promises.

The net effect of Proposal S76-22 would be the opposite of the stated intent. Grid reliability and grid recoverability are not based on the survivability of structures, but on grid planning and redundancy. Since grid reliability is already under the auspices of the North American Electric Reliability Corporation (NERC), its regulatory forum is where such integrated considerations should also be debated. Their expert opinions and research should be consulted along with industry stakeholders and AHJs with broad and deep experience in these topics.

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As companies and stakeholders that employ the clean energy workforce and deploy renewable technologies including solar, wind, and storage to enable a clean energy economy, the undersigned strongly encourage ICC Governmental Member Voting Representatives to vote as follows:

- **DISAPPROVAL ON FEMA-ATC SCSC PROPOSAL S76-22**
- **APPROVAL ON SEIA PROPOSAL S79-22 AS MODIFIED BY PUBLIC COMMENT 1**
- **APPROVAL ON SEIA PROPOSAL S81-22 AS MODIFIED BY PUBLIC COMMENTS 3 AND 4**

We thank you for your support.

Sincerely,

Abcam, Inc  
Acciona Energy USA Global  
ACR Solar & Roofing  
Adion Solar  
Advanced Green Technology  
Aegis Renewable Energy  
Aerocompact  
Aeroplate Corporation  
AES Clean Power  
Alchemy Renewable Energy  
Alder Energy Systems  
All Bright Solar  
Alternative Energy Southeast  
Altis Energy Services LLC  
Alt E Wind & Solar, Ltd.  
Ambor Structures  
American Clean Power Association  
American Energy Care  
Ames Construction  
ANS Geo, Inc.  
Apex Clean Energy  
Arch Electric, Inc.  
Arctech Solar  
Arevon  
Armadillo Power

Array Technologies, Inc  
Aspen Power Partners  
Atlas Renewable Energy  
Aurora Solar  
Avantus  
Bayside Energy Solutions  
BayWa r.e. Solar Systems LLC  
Belmont Solar  
Bergey Windpower Co. LLC  
Black & Veatch  
Blattner Energy, Inc.  
Bluestem Energy Solutions  
BlueWave Solar  
Boiler Burner Control Inc.  
Borrego Energy  
BrightNight, LLC  
Brown & Brown Inc.  
Buffalo Renewables Inc  
Buglet Solar Electric  
California Solar and Storage Association (CalSSA)  
California Solar, Inc.  
Canadian Solar USA, Inc.  
Candela Renewables, LLC  
Carter Wind  
CDL Electric

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CEP Renewables LLC  
Chambers for Innovation and Clean Energy  
CHINT Power Systems  
Clean Energy for America  
Clearway Energy Group  
Cloudbreak Energy Partners  
Conductor Power Renewables  
ConnectGen LLC  
Construction Innovations  
Convergent Systems, LLC  
Copia Power  
Correlate  
CPP Wind Engineering  
Craftsmen House LLC  
Craig Electric  
CS Energy  
CSI Electrical Contractors, Inc.  
Custom Solar and Leisure, LLC  
Cygnum Solar Power  
Cypress Creek Renewables  
D.H. Blattner and Sons  
Daly Energy  
DC Solar Services  
Distributed Solar Development  
Distributed Sun LLC  
DNV Energy USA, Inc.  
Doral Renewables  
Ducted Wind Turbines, Inc.  
DynaSolar EPCM  
Ecogy Energy  
Ecotricity Energy LLC  
EDF Renewables  
EDP Renewables North America  
Elders Climate Action Southern California  
Element Solar  
Encore Renewable Energy  
Enel Green Power North America, Inc.

Energy Concepts  
Energy Intelligence Partners  
Energy Project Solutions  
Energy Toolbase LLC  
ENGIE North America  
Eocycle America Corp.  
ESA Solar  
Esdec BV  
Essex Capital Partners  
EVS, Inc.  
EWT, Americas  
Excite Energy  
First Solar  
FCX Solar  
ForeFront Power Development, LLC  
Free Up Solar LLC  
FTC Solar, Inc.  
Fundamental Renewables  
GameChange Solar  
GE Vernova  
General Electric Company  
General Stamping & Metalworks  
Geode Energy, LLC  
Geoscape Solar  
Glenvale LLC  
Good Steward Consulting  
Grand Solar, Inc.  
Greentech Renewables  
Green Lantern Development, LLC  
GRID Alternatives  
Hanwha Q CELLS America Inc.  
Harmony Energy Solutions  
Hecate Energy  
Horizon Energy Systems  
Horus Renewables Corp.  
HS International  
HST Technologies  
ibV Energy Partners  
Idemitsu Renewables

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Impact Power Solutions  
Incident Management Solutions  
Industrial Sun  
Inovateus Solar LLC  
Intergrid, LLC  
Intersect Power  
Invenergy LLC  
JE Dunn Construction  
Jh Solar Consulting  
Juwi Inc.  
K2 Systems LLC  
Kendall Sustainable Infrastructure  
Kensington Vanguard National  
Land Services  
Keramida Inc.  
Keystone Tower Systems  
Kiewit  
Kimley-Horn  
Kleinfelder Inc.  
Large-Scale Solar Association  
Leeward Renewable Energy  
Lightsource bp  
Live Oak Banking Company  
Lockton Companies, LLC - Pacific  
Series  
Lumio  
Lumos Solar  
M. A. Mortenson Company  
Maffei Structural Engineering  
McCarthy Building Companies, Inc.  
McKinstry  
Meteoswift  
MHG Solar  
Mill Creek Renewables  
Mission Energy Inc.  
Modern Energy LLC  
Mortenson  
Moss & Associates LLC  
MotorDoc LLC

Mynt Systems  
Natural Power Company  
Nautilus Solar Energy, LLC  
NEI Electric Power Engineering, Inc.  
Newport Solar  
NewSun Energy  
Nexamp, Inc.  
NextEra Energy  
Nextracker, Inc.  
NoBull Energy  
Nokomis Energy LLC  
NOV  
NYS Sustainable Corp.  
Oasis Montana, Inc  
OBXtroniX  
OMCO  
OneEnergy Renewables  
Onyx  
Opsun Systems Inc.  
Orange Mountain Energy  
Oregon Solarworks LLC  
Oriden  
Orsted  
Paces  
PanelClaw, Inc  
Pattern Energy  
Pecos Wind Power  
Photonworks Engineering LLP  
Photon Vault  
Pine Gate Renewables, LLC  
Pivot Energy  
Planet Plan Sets LLC  
Pomeroy Design  
POWER Engineers, Inc.  
Powur and Energy Network  
Residential  
Precision Systems Engineering  
Prime Consultants  
Primergy Solar

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Primoris  
Pure Power Contractors Inc.  
PV AMPS  
PV Evolution Labs  
PV Hardware Solutions S.L.U.  
QUANTA  
Quanta Services  
Radian Generation  
Rayne  
REC Americas LLC  
ReneSola Power Holdings, LLC  
Renewable Energy Services LLC  
Renewable Energy Systems  
Renewable Energy Vermont  
RENEW Wisconsin  
RES (Renewable Energy Systems)  
Revamp Engineering, Inc.  
Robert Perez LLC  
Robinson, Inc.  
Roof Tech, Inc.  
Rosenblum  
Rosendin Electric, Inc.  
rPlus Energies  
RRC Power & Energy, LLC  
RWDI  
RWE Renewables Americas  
S-5! Metal Roof Innovations, Ltd  
Safari Energy  
SALT Energy  
San Francisco Department of Environment  
Sargent & Lundy LLC  
Savion, LLC  
SB Energy  
Schultek Construction  
Scout Clean Energy  
Sea Bright Solar  
Shenandoah Energy Services LLC  
Signal Energy

Sigora Solar  
Silicon Ranch Corporation  
SimpleRay, LLC  
Site Resource Solutions  
Sofos Harbert Renewable Energy  
Sol Focus  
Sol Systems LLC  
Solamerica Energy, LLC  
Solar Energy Industries Association  
Solar Energy International  
Solar FlexRack  
Solar Landscape  
Solar PowerWorks, Inc.  
Solar Source  
SolarFlow  
Solaround Ltd.  
SOLV Energy  
Somos Solar  
Sonnex Kingbird, Inc  
Southern Current  
Standard Solar  
Star Power Systems, LLC  
Starling RFS  
Stellar Renewable Power  
Stem, Inc.  
Steven Quade Consulting LLC  
StraightUp Solar  
Strata Clean Energy  
Summit Ridge Energy  
Sundt Renewables  
SunEnergy1 LLC  
Sunfolding  
Sungenix Energy Solutions  
SunModo Corporation  
SunPower Corporation  
Sunrise Energy Ventures, LLC  
Sunrun  
Sunwire Energy  
Sustainable Solutions

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Sustineo Corporation  
Suter Construction  
T A Somers Electrical  
Target  
TC Energy  
Technical Creative  
Tenaska  
Terabase Energy  
Terra-Gen  
Terracon Consultants, Inc.  
TerraPro Solutions  
Terrasmart  
Tesla  
The Climate Economy Education  
Inc.  
Titan Solar  
TMEIC  
TotalEnergies Renewables USA, LLC  
TPI Composites, Inc  
TrackerSled  
TRC  
Trinity River Community Solar  
Systems (TRCSS)

ULCG  
Ulteig Engineers, Inc.  
Unico Solar  
Unirac, Inc.  
Ventoco Services Group, Inc.  
Vestas American Wind Technology,  
Inc.  
Walden's Greenergy Solar, LLC  
Washington Solar Energy Industries  
Association (WASEIA)  
WECS Renewables  
Western Land Services, Inc.  
Westwood Professional Services,  
Inc.  
Wind Advisors Team  
Wind Harvest International  
WindSolarUS, Inc.  
Windurance, LLC  
Wood PLC  
Xcel Energy  
XFlow Energy  
XL Fleet

EMBARGOED UNTIL 10/19/22 12:00PM ET