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MEMORANDUM

TO: Code-Making Panel 9

FROM: Sarah Caldwell, *Committee Administrator*

DATE: March 31, 2023

SUBJECT: NEC® Proposed TIA No. 1699 **PRELIMINARY TC BALLOT RESULTS**

According to Section 5.6(a) in the NFPA *Regs*, the preliminary results show this TIA **HAS** achieved the $\frac{3}{4}$ majority vote needed on both Ballot Item No. 1 (**Technical Merit**) and Ballot Item No. 2 (**Emergency Nature**).

13 Eligible to Vote
1 Not Returned (*Michon*)

Technical Merit:

0 Abstentions
11 Agree (*w/comment: Hartwell*)
1 Disagree (*Carroll*)

Emergency Nature:

0 Abstentions
12 Agree (*w/comment: Hartwell*)
0 Disagree

There are two criteria necessary to pass ballot [(1) simple majority (2) affirmative $\frac{3}{4}$ vote]. Both questions must pass ballot in order to recommend that the Standards Council issue this TIA.

- (1) In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required.

$$[13 \text{ eligible} \div 2 = 6.5 = \mathbf{(7)}]$$

- (2) The number of affirmative votes needed to satisfy the $\frac{3}{4}$ requirement is **9**.
(13 eligible to vote - 1 not returned - 0 abstentions = $12 \times 0.75 = 9$)

Ballot comments are attached for your review.

This proposed TIA has been published for public comment in the March/April 2023 issue of *NFPA News* with a Public Comment Closing Date of April 20, 2023. Any public comments received will be circulated to the committee. The Standards Council will consider the issuance of this TIA.

NFPA 70®-2023 Edition

National Electrical Code®

TIA Log No.: 1699

Reference: 408.6

Comment Closing Date: April 20, 2023

Submitter: Ronnie Ridgeway, Siemens

www.nfpa.org/70

1. Revise 408.6 to read as follows:

408.6 Short-Circuit Current Rating. Switchboards, switchgear, and panelboards shall have a short-circuit current rating not less than the available fault current. In other than one- and two-family dwelling units, the available fault current and the date the calculation was performed shall be field marked on the enclosure at the point of supply. The marking shall be of sufficient durability to withstand the environment involved. ~~comply with 110.21(B)(3).~~

Substantiation: For NFPA 70 2023 the wording in NFPA 2020 110.21(B)(3) was combined with some of the wording in NFPA 70 2020 110.21(B)(1). 110.21(B)(3) does not exist in NFPA 70 2023 but the required wording is a part of 110.21(B)(1). This change adds the required wording from NFPA 2020 to 408.6 and removes the reference to 110.21(B)(3).

Emergency Nature: The standard contains an error or an omission that was overlooked during the regular revision process. The proposed TIA intends to correct a circumstance in which the revised NFPA Standard has resulted in an adverse impact on a product or method that was inadvertently overlooked in the total revision process or was without adequate technical (safety) justification for the action.

The standard contains an error that was overlooked during the regular revision process. This TIA corrects the error by removing a technical requirement regarding the marking that was not intended or required.

NEC CMP-9 TIA No. 1699 Preliminary Ballot Results

Election:70_A2025_NEC_P09_Log1699_Ballot

Results by Revision

QUESTION NO. 1: I AGREE with the TECHNICAL MERITS of the Proposed TIA Log No. 1699 to revise Section 408.6.

Eligible to Vote: 13

Not Returned : 1

Richard D. Michon

Vote Selection

Agree

Votes

Comments

11

Richard Hollander

Agree

Ronnie H. Ridgeway

Agree

Paul D. Barnhart

Agree

Ryan Parker

Agree

Frederic P. Hartwell

I would restate the relevant sentence in the substantiation as: "This action will restore a requirement that was inadvertently compromised by the reorganization of the material to which it originally referred." The rule in 408.6 was inadvertently lost because CMP 9 was unaware of the reorganization of 110.21(B). By restating the requirement, CMP 9 is now restoring the requirement as well as preventing a recurrence of this problem in a future cycle.

Michael OConnell

Agree

Timothy James Schultheis

Agree

George Smith

Agree

Gary Boom

Agree

Lou Grahor

Agree

Paul B. Sullivan

agree

Disagree

1

David R. Carroll

Reference to 110.21(B) should still remain to address all items covered in that section. I recommend removing reference to "(3)" only.

Abstain

0

QUESTION NO. 2: I AGREE that the subject is of an EMERGENCY NATURE for one or more of the reasons noted in the Instructions box.

Eligible to Vote: 13

Not Returned : 1

Richard D. Michon

Vote Selection

Agree

Votes

Comments

12

Richard Hollander

A

Ronnie H. Ridgeway

A

Paul D. Barnhart

Agree - A

Ryan Parker

A

Frederic P. Hartwell

A. This is a matter of urgency because the safety requirement will otherwise be absent for the remainder of the cycle.

Michael OConnell

A. The standard contains an error or an omission that was overlooked during the regular revision process.

Timothy James Schultheis

A. The standard contains an error or an omission that was overlooked during the regular revision process.

George Smith

Reason "A"

Gary Boom

Agree

Lou Grahor

The standard contains an error or an omission that was overlooked during the regular revision process.

David R. Carroll

A

Paul B. Sullivan

A

Disagree

0

Abstain

0