



NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION  
Low Voltage Distribution Equipment Section

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ADMINISTRATIVE  
HEARINGS

May 29, 2008

Hon. Richard C. Luis  
Office of Administrative Hearings  
600 North Robert Street  
P.O. Box 64620  
St. Paul, MN. 55164-0620

**RE: 2008 NATIONAL ELECTRICAL CODE ADOPTION**

Dear Judge Luis:

The Minnesota Board of Electricity has always committed itself to making sure the state remains at the forefront of electrical safety technology by adopting the latest version of the National Electrical Code every three years. This commitment is once again evident in the Board's thorough review and recommendation to adopt the 2008 NEC and all of the updated safety codes contained within in it.

The premise of the *NEC*<sup>®</sup> is and will always be to "safeguard persons and property from hazards arising from the use of electricity." As fire and safety experts know, the *NEC*<sup>®</sup> is the country's most universally adopted installation code, with a more than 100-year track record of providing electrical safety for millions of Americans through regular and thorough revisions that incorporate the latest in safety technology – with minimal cost impact.

As you heard at the May 13 public hearing, among the updated safety codes is an expanded requirement for arc-fault circuit interrupters (AFCIs) – Code 210.12 – an innovative form of circuit breaker that detects and prevents arc faults – a leading cause of electrical fires in the home and a condition that standard circuit breakers do NOT detect. Each year across the U.S., home electrical fires kill about 360 people, injure more than 1,000 and destroy close to \$1 billion in property. Minnesota currently requires installation of AFCIs only in bedrooms of new homes, but the 2008 *NEC*<sup>®</sup> expanded requirement for the combination AFCI to additional living areas will give the home's electrical system a level of protection no other device can provide.

At the hearing, the Builders Association of Minnesota (BAM) made clear their opposition to AFCIs, in particular their belief that residential dwelling units with fire sprinkler systems be exempt from the 2008 *NEC*<sup>®</sup> expanded AFCI requirement. We believe BAM's stance to be ill-conceived. There's no argument that sprinkler systems are a tremendous asset in putting out or reducing the damage caused by residential fires. However, a sprinkler system takes action only **after** a fire has started, as do working smoke alarms and fire extinguishers, in order to help a family escape safely. But a family whose home is equipped with AFCIs understands their home features a technology that was specifically designed to prevent electrical fires from starting in the first place.

Simply put, sprinkler systems minimize smoke and fire damage and decrease the risk of death and injury from a residential fire. But that risk can be significantly reduced further through the use of innovative AFCI technology.



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It's abundantly clear there is strong support for AFCI expansion in Minnesota. This is evident not only by the Board of Electricity's review and recommendation, but also by the outpouring of support and testimony given at the public hearing from fire and electrical safety experts well-versed in the dangers associated with electricity. These individuals have seen first-hand the destruction caused by electrical fires in the home – destruction that could have easily been prevented with the expanded use of AFCIs.

Additionally, the expanded use of AFCIs have the full support of a growing list of prominent fire and electrical safety groups, including National Fire Protection Association, the Electrical Safety Foundation International, the International Association of Electrical Inspectors, the National Association of State Fire Marshals, the Independent Electrical Contractors Association and the U.S. Consumer Product Safety Commission (CPSC). In fact, the CPSC believes that AFCIs, if installed in all homes, could prevent more than 50 percent of the 28,300 electrical fires that occur annually.

With this mind, I respectfully ask that you uphold the recommendation by the Minnesota Board of Electricity and rule to adopt the 2008 *NEC*<sup>®</sup> expanded AFCI requirement without amendment. The complete adoption code 210.12, along with the entire 2008 *NEC*<sup>®</sup>, will rank Minnesota homes among the safest in the country.

Thank you again for your devotion and hard work in making Minnesota a national leader in home electrical safety.

Respectfully,

Jeff Fecteau  
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The National Electrical Manufacturers Association  
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March 10, 2008

To: Code Making Authorities Considering the Adoption of the 2008 *National Electrical Code*

The U.S. Consumer Product Safety Commission (CPSC) staff\* understands that you and your Committee are considering adoption of the 2008 *National Electrical Code (NEC)* with an exception to reject the expansion of arc fault circuit interrupters to all 120-volt, single-phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sun rooms, recreation rooms, closets, hallways, or similar rooms. The CPSC staff urges that local authorities having jurisdiction adopt paragraph 210.12(B) of the 2008 *NEC* in its entirety as it was accepted by Code-making Panel 2 (CMP-2) during the Report on Comments meetings in Long Beach, CA in December 2006. The CPSC staff is a strong proponent of the implementation of AFCIs as a powerful tool in mitigating fires that originate in the electrical distribution system.

AFCIs are a significant upgrade in electrical fire safety over conventional circuit breaker and fuse technology. The CPSC staff supports the implementation of AFCI technology as a means to reduce these electrical fires based on a thorough analysis of electrical wiring fire incidents, a complete engineering assessment of arc fault detection technology, and a comprehensive laboratory evaluation of AFCI products.

Please let me know if we can provide any additional information that might be of assistance to you. We appreciate this opportunity to comment.

Sincerely,

A handwritten signature in cursive script that reads "Andrew M. Trotta".

Andrew M. Trotta

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\* These comments are those of the CPSC staff and have not been reviewed or approved by, and may not necessarily reflect the views of, the Commission.