



Jack Wells
Vice President – Corporate Development

June 11, 2004

Mr. Casey Grant
Standards Council Secretary
NFPA
Batterymarch Park
Quincy, MA 02269

Subject: Appeal to Standards Council NEC Comment 2-91

Dear Mr. Grant

1. Name, Affiliation, Address of Appellant:

Jack Wells
Pass & Seymour/Legrand
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2. Statement identifying the particular action to which the appeal relates:

Our appeal is related to the floor action on NEC Comment 2-91(Proposal 2-140) and any subsequent, but presently unknown, action of the TC and TCC.

3. Argument setting forth the grounds for the appeal:

Since the deadline for filing an appeal to the Standards Council is prior to the action of the TC and TCC we are unable to address the specifics at this time.

We oppose adoption of NEC Comment 2-91 and fully support the Action of the Code Panel on Comment Number 2-87a (ROC Page 70-84).

It taking action on Comment 2-87a, CMP 2 continued a sound engineering method by introducing the new technology of AFCI protection by methodically extending requirements in stages to enable the CMP to evaluate the effect of these progressive changes before taking the next step.

The first introduction of AFCIs into the 2002 NEC was limited to one type of circuit. In selecting bedroom circuits, the CMP, in it's wisdom, selected an uncomplicated circuit not likely to have multiple arcing loads operating concurrently (a recognized possible source of nuisance tripping).

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CMP 2 action on Comment 2-87a introduced a new type of AFCI (UL designated "combination type"). This step mandates a product with significantly enhanced AFCI protection compared to the present limitations of the UL Branch/Feeder type AFCI. In accepting this comment and concurrently rejecting all comments associated with expansion of AFCI requirements, CMP 2 sends a strong signal that it believes in AFCI protection and that the first priority is to get the type of AFCI technology right and then, based on application and performance lessons learned, consider expansion of the requirement. We believe this is a sound engineering and standards approach.

We share the belief that AFCIs represent a significant advance in fire protection. We support the ultimate goal of universal requirements of AFCIs. However, we believe that CMP 2 is correct in proceeding methodically ensuring that the technology is fully proven before extending the required application.

4. Statement of the precise relief requested:

In the event that CMP 2 and the TCC affirm the floor action and accept Comment 2-91, we request that the Standards Council overturn that action.

We do intend to appear at the Council Hearing on July 14th.

PASS & SEYMOUR/LEGRAND
Respectfully submitted,



Jack Wells
Vice President – Corporate Development

Maynard, Mary

04-7-1-a-2 P.3

From: Ray Weber [majrweber@hotmail.com]
Sent: Tuesday, June 22, 2004 10:57 AM
To: mmaynard@NFPA.org
Subject: RE: Appeal on NFPA 70 C2-91

Mary, I remain steadfast on my previous vote and sustantiation. But I do not have the capability to attend the Standards Council meeting.

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>From: mmaynard@NFPA.org
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>Subject: Appeal on NFPA 70 C2-91
>Date: Thu, 17 Jun 2004 10:26:26 -0400
>
>TO: Members, NEC-P02
>
>I am transmitting to you herewith an Appeal from J. Inks, NAHB, on NFPA 70.
>This Appeal will be addressed at the July 14-16, 2004 Standards Council
>Meeting.
>
>Mary Maynard
>Codes and Standards Administration
>
><< InksAppeal.pdf >>