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National Electrical Safety Code Committee
Procedures for the Review and Revision of the
National Electrical Safety Code,
American National Standard C2

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National Electrical Safety Code Committee

ANSI Re-Accreditation of NESC Committee
May 6, 1996

Secretariat

The Institute of Electrical and Electronics Engineers, Inc.
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National Electrical Safety Code Committee

Procedures

1. GENERAL. These procedures for the National Electrical Safety Code (NESC) Committee meet the requirements for due process and for the development of consensus for approval of American National Standard C2 as given in Section 1 of the ANSI Procedures for the Development and Coordination of American National Standards.

Herein these procedures, the term Committee is defined as the NESC Main Committee (C2), and the term subcommittee is defined as any of the technical, interpretation, administrative, or supporting subcommittees supporting the NESC Main Committee.

2. ORGANIZATION. The NESC Main Committee (Committee) shall consist of its members and secretariat. The membership shall be sufficiently diverse to assure reasonable balance. No single interest category shall constitute more than one-third of the membership. Each organization, association, agency, Chair or past Chair shall have one vote.

Subcommittees of the Committee shall include at least an Executive Subcommittee, technical subcommittees responsible for specific sections of the NESC, an Interpretations Subcommittee and other subcommittees having responsibilities as delegated by the Committee.

2.1 Secretariat. The Institute of Electrical and Electronics Engineers serves as Secretariat of the Committee.

2.2 Scope. The scope of the Committee is to review and revise the NESC.

3. RESPONSIBILITIES.

3.1 Committee Membership. The Committee shall be responsible for:

- (1) Revising and/or maintaining the NESC;
- (2) Voting on approval of proposed revisions to the NESC;
- (3) Responding to requests for interpretations of the NESC (see Section 14);
- (4) Adopting Committee procedures and revisions thereof;
- (5) Considering and acting on proposals for termination of the Committee (see Section 11);
- (6) The addition or termination of members;
- (7) Other matters requiring committee action as provided in these procedures.

3.2 Secretariat. The Secretariat shall:

- (1) Organize the Committee (see Section 2);
- (2) Apply for Committee accreditation by ANSI and maintain accreditation in accordance with ANSI requirements including submission of the Committee roster;
- (3) Oversee the Committee's compliance with these procedures;
- (4) Maintain a roster of the Committee and its subcommittees;
- (5) Provide a Committee Secretary to perform administrative work including secretarial services, meeting notices and arrangements, preparation and distribution of meeting agendas, minutes, ballots and draft revisions, and maintenance of adequate records;
- (6) Submit revisions of the NESC approved by the Committee, with supporting documentation, for ANSI review and approval as an American National Standard;
- (7) Publish the NESC, revisions, preprints and interpretations;
- (8) Perform other administrative functions as required by these procedures.

3.3 Executive Subcommittee. The Executive Subcommittee shall be responsible for:

- (1) Appointing the chairs and members of other subcommittees;
- (2) Reviewing and evaluating all membership nominations and applications in terms of overall balance structure of the Committee and affected subcommittees.
- (3) Timely processing of unresolved negative ballots which shall be distributed to the appropriate subcommittee for action;
- (4) Appointment of a panel to determine if a hearing shall be held in the event of an appeal of substantive or procedural actions of the Committee or the Secretariat;
- (5) Appointment of an appeals panel in the event that a hearing on a complaint is to be held; and
- (6) Other matters as delegated by the Committee.

4. OFFICERS. From the membership of the committee, a Chair and a Vice-Chair shall be appointed by the Secretariat and confirmed by the Committee for terms of at least one code cycle. Each may be reappointed and may serve until a successor is selected and ready to serve, not to exceed 10 years. If the Vice-Chair is appointed to the Chair, previous service as Vice-Chair shall not be counted in determining service as Chair. The Vice-Chair shall carry out the Chair's duties if the Chair is temporarily unable to do so. Upon appointment, the Chair shall not represent an organization. The Chair shall have a vote on the Committee, the Executive Subcommittee, and likewise, if a member on the Interpretations Subcommittee, but shall not vote on technical subcommittees. The Vice-Chair shall likewise act as an individual member when acting as Chair. The Secretary shall be appointed by the Secretariat.

5. MEMBERSHIP. Members of the Committee shall be organizations, associations, and government agencies which are national in scope, the Chair, and the most recent active past Chair all having a direct and material interest in the activities of the Committee. The addition or termination of members shall be subject to approval by the Committee after the application has been processed in accordance with Section 5.1 or the membership reviewed in accordance with Section 5.2.

Exception: TVA, BPA, and WAPA are "grandfathered" although they are not national in scope, but were members before this rule was changed.

5.1 Application. A request for membership shall be addressed to the Secretariat. Each application shall include a letter of intent which shall indicate the applicant's direct and material interest in the Committee's work, indicate the applicant's commitment to provide representation on the Committee, and designate both a representative and an alternate. The application shall include the representative's and alternate's qualifications (in the form of a resume, curriculum vitae, or detailed summary of NESC-related work history) and a statement that they are willing and able to participate actively.

5.1.1 Recommendation. In recommending appropriate action to the Committee on applications for membership, the Secretariat shall consider the:

- (1) Need for active participation by each interest;
- (2) Potential for dominance by a single interest category;
- (3) Extent of interest expressed by the applicant and the applicant's commitment to provide actively participating representation;
- (4) Proper classification for members.

The Secretariat may recommend to Executive Subcommittee reasonable limits on Committee and Subcommittee size to maintain proper balance of interests.

5.1.2 Combined Interest. The Secretariat may recommend that the applicant seek representation through an organization which is already a member and represents the same or similar interests. Copies of such recommendations shall be furnished to the Committee members.

5.2 Review of Membership and Representation. The Secretariat shall review the membership list annually with respect to the criteria of Section 2 and 5. The Secretariat shall notify the members of the Executive Subcommittee of any case where the balance requirements of Section 2 are not met. Committee members are expected to provide representatives to fulfill attendance, voting, correspondence, and other obligations. When a member's representative is found in default of these obligations, the Secretariat shall take

appropriate action, which may include a request to the member for replacement of the representative. If a member (a) continues in default of its obligations, or (b) ceases to meet the requirements of Section 5, the Secretariat shall make appropriate recommendations to the Committee. A member shall submit the same information requested in Section 5.1 if a change of representative or alternate is necessary.

5.3 Observers. Individuals and organizations having an interest in the Committee may request listing as observers. Observers shall be advised of the Committee activities, may attend meetings and may submit comments for consideration. Observers shall have no vote on the committee or any subcommittee, and may not hold a subcommittee chair or secretarial post.

5.4 Categories of Interests. All appropriate interests that might be directly and materially affected by the activity of the Committee shall have the opportunity for fair and equitable participation without dominance by any single interest. Each member shall propose its own interest category as appropriate and in accordance with the Committee's established categories.

The categories of interest shall be as follows:
(Refer to Appendix for definitions of categories)

CPS	Communications-Private Sector
EPR	Electric Supply-Private Sector
EPU	Electric Supply/Communications-Public Sector
OU	Other Utilities
EE	Employees
M	Manufacturers
CO	Complex Operators
I	Insurance Representatives
CG	Consumer and Government
PA	Professional Associations
CEE	Consulting, Engineering and Erectors
OE	Observers
EM	Emeritus (subcommittees only)

5.5 Membership Roster. The Secretariat shall maintain a current and accurate Committee roster and shall distribute it to the members and their Committee representatives at least annually, and otherwise on request. The roster shall include the following:

- (1) Title of the Committee and its designation;
- (2) Scope of the Committee;
- (3) Secretariat - name of organization, name of Secretary and address(es);
- (4) Officers - Chair and Vice-Chair;
- (5) Members - name of organization or agency, its representative and alternate, address and business affiliations; or name, address and business affiliation of individual member(s).
- (6) Classification of each member;
- (7) Tally of classifications - total of voting members and subtotals for each interest category;
- (8) For each subcommittee - title, chair, secretary, names, addresses and telephone numbers of all members, and interest category.

6. **SUBCOMMITTEES**. When one or more subcommittees of the Committee are formed to expedite the work of the Committee, their formation (and later disbandment) requires approval by a majority vote of the Committee and appropriate public notice. Publication in the Committee's published standard or preprints or in ANSI'S STANDARDS ACTION shall constitute appropriate public notice.

The scope and duties delegated to the subcommittee shall be approved at the time it is formed, and subsequent changes in scope or duties shall also require approval. An appropriate balance of subcommittee

interests shall be considered. No single category listed in the appendix shall constitute more than 1/3 of the membership of the subcommittee.

The scope and duties delegated to the subcommittee by the Committee shall clearly state whether:

- (1) The subcommittee is responsible for the definitive content of the NESC and for responding to views and objections thereon. As such, the subcommittee is responsible for the resolution of comments resulting from letter ballots on the approval of the proposed revisions of the NESC, as delegated by the Committee.
- (2) The subcommittee is responsible for assisting the Committee (e.g., drafting all or a portion of the NESC, drafting responses to comments, drafting positions on international standards, or other purely advisory functions); or
- (3) The subcommittee is responsible for interpretation of requirements in response to inquiries on the NESC; or
- (4) The subcommittee is responsible for actions delegated to it by the Committee.
- (5) Subcommittee recommendations and actions, except for the Interpretations Subcommittee, require approval by a majority of the subcommittee members by a letter ballot. If vote is taken at a meeting, it must be confirmed by a letter ballot. Each subcommittee member shall vote in accordance with the voting positions in Section 8.1.
- (6) Subcommittees shall maintain a membership roster in accordance with 5.5(8).

6.1 Chair and Members of Subcommittees

6.1.1. Technical Subcommittees shall follow the categories of interest of the Committee (see Section 5.4) but may include associations and organizations that are of regional scope, as well as qualified self employed consultants. An organization or association may participate on the subcommittees without being represented on the Main Committee, Representation from each organization or association on the Main Committee is not required on each of the subcommittees. A special category, Emeritus, shall be included. (Refer to Appendix for definition of Emeritus).

Members having Emeritus status and applying to acquire categorization in CEE as a consultant, shall provide currently dated documentation as outlined in Section 5.1, including information as to professional activities engaged in since entering the Emeritus status.

6.1.2 Executive Subcommittee. The Chair and Vice-Chair of the Committee shall be ex-officio Chair and Vice-Chair, respectively, of the Executive Subcommittee. These two ex-officio members shall select at least five additional members whose areas of interest shall be such as to achieve the most practical balance of the total membership of the Executive Subcommittee. The Committee shall confirm appointments.

6.1.3 Coordination Subcommittee (Subcommittee 1). A Coordination Subcommittee shall be composed of the chairs of all other technical subcommittees as principal members, and the secretaries of all other technical subcommittees as alternates and the Main Committee chair and the Interpretations Subcommittee chair as principals. The Chair of the Coordination Subcommittee is selected from the existing Principal members, upon recommendation by the Secretariat, shall be appointed by majority vote of the members of the Executive Subcommittee. Principals and alternates of subcommittees shall vote the consensus of their subcommittee during SC1 deliberation. A subcommittee secretary who is an emeritus member can vote in the absence of the principal member.

6.1.4 Other Subcommittees. The chairs and members of other subcommittees shall be appointed by majority vote of the members of the Executive Subcommittee upon recommendation by the Secretariat. The Secretariat shall consider the criteria outlined under Section 5.1.1 when making these recommendations.

6.1.5 Category of Interest. The category of interest of each representative and alternate of a Subcommittee who is sponsored by an organization shall be the same as that of the sponsor. An Emeritus member shall have the Emeritus category of interest. Other individual members shall propose their category of interest.

6.2 Subcommittee Assignments. Subcommittee assignments with regard to the NESC are as follows:

- SC1- Coordination - Sections 1, 2 and 3; Coordination between technical subcommittees;
- SC2- Grounding Methods - Section 9;
- SC3- Electric Supply Stations - Sections 10-19;
- SC4- Overhead Lines - Clearances - Section 20-23;
- SC5- Overhead Lines - Strength and Loading - Sections 24-27
- SC7- Underground Lines - Sections 30-39;
- SC8- Work Rules - Sections 40-43.

6.2.1 Working Groups or Task Forces. Working Groups or Task Forces may be appointed by the Committee or any of the Subcommittees. For coordination, the Chair and Secretary of the Committee and all Subcommittees shall be informed of their formation. If requested, the Executive Subcommittee shall resolve conflicts. Working Groups or Task Forces do not require a balance of interests and are open to any interested party, including those who are not members of any NESC committee or subcommittee.

6.3 Approval of the NESC. On majority vote of subcommittee members, conducted in accordance with 6(5), the contents of NESC revisions proposed by a subcommittee shall be referred to the Committee for approval.

7 MEETINGS. Committee meetings shall be held, as decided by the Committee, the Chair, the Secretariat, or by petition of five or more members, to conduct business, such as making assignments, receiving reports of work, considering draft revisions of the NESC, resolving differences among subcommittees, and considering views and objections from any source. Meetings of subcommittees may be held as decided by the Secretariat, members, or chairs of the subcommittees.

7.1 Open Meetings. Meetings of the Committee or subcommittees shall be open to all members and others having direct and material interest. At least four weeks' notice of regularly scheduled meetings shall be given by the Secretariat in any one or more of (1) ANSI's STANDARDS ACTION, (2) the published NESC, (3) the Committee's published preprints. The notice shall describe the purpose of the meeting, and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest. The Secretariat may optionally maintain a permanent mailing list of other interests.

7.2 Quorum. A majority (51%) of the members of the Committee shall constitute a quorum for conducting business at a meeting. In the absence of a quorum, actions may be proposed which require confirmation by letter ballot. Only voting members shall be counted in determining if a quorum exists.

8. VOTING BY THE COMMITTEE.

8.1 Vote. Each member shall vote on one of the following positions:

- (1) Affirmative;
- (2) Affirmative, with comment;
- (3) Negative, with reasons (the reasons for a negative vote shall be given and if possible should include specific wording or actions which would resolve the objection);
- (4) Abstain, with reasons (for example, "lack of interest", "lack of expertise", "lack of time" or "other").

Members not returning ballots are considered "no return."

8.1.1 Vote of Alternate. An alternate's vote is counted only if the principal representative fails to vote.

8.1.2 Single Vote. No organization shall have more than one vote and no individual shall represent more than one organization.

8.1.3 Voting Period. The voting period for letter ballots on approval of the NESC shall end six weeks from the date of issue or as soon as all ballots are returned, whichever comes earlier. An extension may be granted at the Chair's option, when warranted. Voting on all other matters shall be limited to 30 days.

A follow-up letter requesting immediate return of the ballot shall be sent, as appropriate, to members and alternate members whose votes have not been received within 10 working days before the ballot closes.

8.2 Actions Requiring Approval by a Majority. The following actions require approval by a majority of the members of the Committee either at a meeting or by letter ballot:

- (1) Confirmation of officers appointed by the Secretariat;
- (2) Formation of a subcommittee, including its procedures, scope, and duties;
- (3) Disbandment of subcommittees;
- (4) Addition of new Committee members and assignment of their interest categories; and
- (5) Confirmation and termination of Committee members.

Other actions requiring a Committee vote may be approved by a majority of the members present at a meeting, including:

- (6) Approval of minutes
- (7) Authorization of a letter ballot.

8.3 Actions Requiring Approval by Two-Thirds of Those Voting. The following actions require a letter ballot or equivalent formal recorded vote with approval by at least a majority of the membership and at least two-thirds of those voting, excluding abstentions:

- (1) Adoption of Committee procedures, categories of interests, or revisions thereof;
- (2) Approval of change of Committee scope;
- (3) Approval of termination of the Committee.

8.4 Action Requiring Approval by Three-Quarters of the Membership. The following action requires a letter ballot or equivalent formal recorded vote with approval by at least three-quarters of the membership:

- (1) Reaffirmation of the NESC;
- (2) Withdrawal of the NESC;
- (3) Approval of a revision or addendum to part or all of the NESC.

8.5 Authorization of Letter Ballots. A letter ballot may be authorized by any of the following:

- (1) Majority vote of those present at a Committee meeting;
- (2) The Chair;
- (3) The Executive Subcommittee;
- (4) The Secretariat;
- (5) Petition of five or more members of the Committee.

8.6 Other Review. Proposals for reaffirmation, revision, or withdrawal of the NESC shall be transmitted to ANSI for listing in Standards Action for comment.

The Secretariat shall determine whether listing of proposed NESC Committee actions shall be concurrent with the final Committee letter ballot and whether announcement in other suitable media is appropriate. Views and objections resulting from the above shall be dealt with in accordance with 8.7. Any substantive change made in the proposed NESC shall be relisted in accordance with 8.6.

8.7 Disposition of Views and Objections. When the balloting has been closed, the Secretary shall forward the ballot tally to the Chair of the Committee. The Chair shall determine whether the expressed views and objections shall be considered by correspondence, at a meeting of the Committee or be forwarded to the chair of the appropriate technical subcommittee together with a statement of what action(s) the subcommittee is expected to take.

Prompt consideration shall be given to the expressed views and objections of all participants, including those commenting on the listing in Standards Action. A concerted effort to resolve all expressed objections shall be made, and each objector shall be advised of the disposition of the objection and the reasons therefor.

Substantive changes required to resolve objections, and unresolved objections, shall be reported to the Committee members in order to afford all members an opportunity to respond to them or to reaffirm or change their votes within four weeks.

8.8 Report of Final Result. The final result of the voting shall be reported, by interest categories, to the Secretariat and to the Committee.

9. SUBMITTAL OF THE NESC. Upon completion of the procedures for voting, disposition of views and objections, and appeals, the proposed NESC shall be submitted to ANSI by the Secretariat. If the Secretariat does not submit the proposal to ANSI within 45 days, any member(s) of the Committee may make the submittal.

9.1 Information Submitted. The information supplied to ANSI shall include:

- (1) Title and designation of the proposed NESC;
- (2) Indication of the type of action requested (that is, reaffirmation, revision or withdrawal of the NESC);
- (3) Two copies of the final proposed NESC;
- (4) A declaration that the accredited procedures were followed;
- (5) A declaration that the proposed NESC is within the accredited scope of the Committee;
- (6) A declaration that there are no identified significant conflicts with another known American National Standard;
- (7) A declaration that other known national standards have been examined with regard to harmonization and duplication of content;
- (8) A declaration that all appeal actions related to approval of the proposed NESC have been completed;
- (9) A summary of the voting and unreturned ballots in each interest category;
- (10) Identification of all unresolved views and objections, names of the objector(s), and a report of attempts toward resolution;
- (11) A roster of the Committee and applicable subcommittees at the time of the Committee ballot.

10. REVISION OF THE NATIONAL ELECTRICAL SAFETY CODE.

10.1 Preparation of proposals for Amendment.

10.1.1 A change proposal may be prepared by any;

- (1) Substantially interested person;
- (2) Interested organization;
- (3) NESC subcommittee
- (4) Member of the NESC Committee or its subcommittees.

10.1.2 Change proposals shall be submitted to: Secretary, National Electrical Safety Code Committee using the change proposal form via the IEEE NESC website.

10.1.3 Each separate topic shall begin on a separate change proposal form. The change proposal shall consist of:

- (1) A statement, in NESC rule form, of the exact change, rewording or new material proposed;
- (2) The name of the submitter (organization or individual as applicable);

- (3) Supporting comments, giving the reasons why the NESC should be so revised.
- (4) The Secretary shall determine if the change proposal is in the proper format and contains all information necessary to make it acceptable for processing. If it is incomplete or otherwise fails to meet the requirements for processing the Secretary shall return it to the submitter for completion or revision.

10.2 Secretariat Action. The Secretariat shall:

- (1) Acknowledge receipt of proposals for revision. (If the submitter does not receive an acknowledgment within 30 days of mailing his/her proposal, the submitter should contact the Secretariat);
- (2) Distribute to each member of the appropriate NESC subcommittee all of the proposals received, arranged in a coordinated sequence.

10.3 Subcommittee Recommendation. The NESC subcommittee responsible shall consider each proposal and take one or more of the following steps:

- (1) Endorse the proposal as received;
- (2) Prepare a proposed revision or addition for the NESC (this may be a coordination of several comments, or a subcommittee consensus on a modification of a proposal);
- (3) Refer the proposal to a technical working group for detailed consideration;
- (4) Request coordination with other NESC Subcommittees;
- (5) Recommend rejection of the proposal for stated reasons.

For each item, a subcommittee voting statement shall be prepared, accompanied by all members' statements concerning their votes (cogent reasons are required for negative and abstention votes). Steps (3) and (4) are intended to result, eventually, in a proposal of category (2).

Action under steps (3) or (4) shall be completed and reported to the subcommittee before the beginning of the public review period if the item is to be included in the upcoming revision.

10.4 Preprint of Proposals. The Secretariat shall organize and publish a preprint of proposed C2 revisions including:

- (1) The original proposal as received from the submitter;
- (2) The recommendation of the subcommittee with respect to the proposal (including a voting statement and subcommittee members' statements);
- (3) Copies of submittal forms for comments.
- (4) The category of each subcommittee member shall be listed along with his/her affiliation.
- (5) Each Main and Executive Committee member identified by category.

The preprint shall be distributed to all members of NESC subcommittees and the representatives of the organizations comprising the NESC Committee. Copies shall be available for sale to other interested parties. Notice of availability of the preprint shall be submitted to ANSI for publication in ANSI Standards Action. The preprint shall carry information on how to submit comments on the proposals and the final date for such submissions.

10.5 Final Processing of Proposed Revisions and Comments.

10.5.1 Following the public review period, the Secretariat shall organize and distribute for subcommittee consideration all comments received.

10.5.2 The preprint and the comments received shall be reconsidered by the subcommittees. No new change proposals may be considered. Substantive changes in the ballot draft from the recommendations in the preprint shall be appropriately noted.

- (1) The subcommittee may recommend adoption or rejection of the proposal by majority vote;
- (2) When extended technical consideration or resolution of differing or conflicting points of view is necessary, the subcommittee shall refer the problem to a working group of the subcommittee for proposed resolution. If expeditious consideration is not possible, the subject shall be held on the docket.

Each working group shall provide, to its parent subcommittee, recommendations on matters considered as a result of subcommittee referrals under items 10.5.2(1) and 10.5.2(2).

Each subcommittee shall prepare a report showing its proposed revisions and all items to be held on the docket together with a plan for their disposition.

10.5.3 The Secretary shall provide commentors with copies of reports of actions taken on the rules affected by their comments, and shall make all such reports available for examination upon request.

10.6 Final Approval.

10.6.1 Based upon the subcommittee reports, the Secretariat shall prepare a draft revision of the NESC and distribute copies to:

- (1) The NESC Committee for approval by a six-week letter ballot;
- (2) The American National Standards Institute Board of Standards Review for concurrent 60-day public review.

10.6.2 Comments received in response to the letter ballot and public review shall be considered by the Executive Subcommittee. Since new technical changes are not allowed during this time, (see section 10.5.2) any new technical change that is suggested shall be sent by the Executive Subcommittee to the appropriate cognizant technical subcommittee for consideration for the next revision cycle. The Executive Subcommittee shall be responsible for the timely processing of unresolved comments. Those items on which consensus cannot be reached shall be considered by the appropriate cognizant technical subcommittee during the next revision cycle. Unless a consensus for revision is established, as defined in Section 8.4, the requirements of the current edition shall carry over to the proposed edition.

10.6.3 ANSI Approval. When resolution of comments received in response to letter ballot and public review has been completed, the proposed new edition of the NESC shall be submitted to ANSI for approval. The edition shall list the category of each Main, Executive and subcommittee member along with his/her affiliation.

The information supplied to ANSI shall be in accordance with 9.1.

11. TERMINATION OF COMMITTEE. A proposal to terminate the Committee shall be processed in accordance with the same procedures as for the withdrawal of a standard.

12. COMMUNICATIONS. Correspondence within the Committee by Committee officers should be on "Committee Correspondence" letterhead furnished by the Secretariat.

12.1 Formal Internal Communication. If correspondence between subcommittees or between working groups of different subcommittees involves issues or decisions (i.e., non-routine matters) affecting other subcommittees: copies shall be sent to all affected subcommittee chairs, to the Committee officers and to the Secretariat.

12.2 External Communication. All Committee correspondence to external parties shall be through the Secretariat. Inquiries relating to the Committee should be directed to the Secretariat and members should so inform individuals who raise such questions. All replies to inquiries shall be made through the Secretariat.

13. TENTATIVE INTERIM AMENDMENTS.

13.1 Authorization. A Tentative Interim Amendment to the National Electrical Safety Code may be proposed if the Tentative Interim Amendment is of a nature requiring prompt action.

13.2 Preparation. A Tentative Interim Amendment shall be prepared in accordance with 10.1.3. In addition, the supporting comments shall explain the nature of the proposed change necessitating prompt action.

13.3 Determination of Acceptance. A proposed Tentative Interim Amendment shall be submitted to the Secretary of the NESC Committee, who shall determine if it is in the proper format and contains all information necessary to make it acceptable for processing. If the Tentative Interim Amendment is incomplete or otherwise fails to meet the requirements for processing the Secretary shall return it to the submitter for completion or revision. A Tentative Interim Amendment properly completed shall be forwarded by the Secretary, for determination of conformance with 13.1 to an Interim Amendments Subcommittee.

13.3.1 Interim Amendment Subcommittee. An Interim Amendment Subcommittee (IASC) shall consist of the Chair, Vice Chair and Secretary of the NESC Committee, plus at least two members (preferably the Chair and Secretary) of the Technical Subcommittee, having cognizance over the rule affected. Emeritus members shall have a vote on the IASC.

13.4 PROCESSING.

13.4.1 The Interim Amendments Subcommittee may recommend substantive or editorial changes to the proposed Tentative Interim Amendment. If this is done, the submitter's agreement with the changes shall be requested.

13.4.2 A majority affirmative vote of the Interim Amendments Subcommittee shall be required for approval and further processing of a proposed Tentative Interim Amendment.

13.4.3 Upon attainment of a majority vote by the Interim Amendments Subcommittee, the proposed Tentative Interim Amendment shall be submitted to letter ballot of the cognizant Technical Subcommittee.

13.4.4 Proposed Tentative Interim Amendments submitted to letter ballot of a Technical Subcommittee shall simultaneously be submitted for public review by publication in ANSI Standards Action.

13.4.5 An affirmative vote by at least three-quarters of the members of the Technical Subcommittee shall be required for approval and further processing of a proposed Tentative Interim Amendment.

13.4.6 If approved by the Technical Subcommittee, the Tentative Interim Amendment shall be submitted to a letter ballot of the NESC Committee.

13.4.7 Copies of comments resulting from public review shall be attached to the letter ballot of the NESC Committee.

13.4.8 An affirmative vote by at least three-quarters of the members of the NESC Committee shall be required for approval.

13.4.9 If the number of affirmative votes in the main Committee is less than three-quarters of the members, negative votes shall be submitted together with the supporting comments, to the cognizant Technical Subcommittee for review.

13.4.10 The members of the Technical Subcommittee shall attempt to resolve negative votes.

13.4.11 If, after review by the Technical Subcommittee, any negative votes remain unresolved, the comments submitted in support of those votes shall be circulated to all members of the NESC Committee who shall be given an opportunity to change their original votes.

13.4.12 If, after an attempt has been made to resolve negative votes the number of affirmative votes of the NESC Committee is less than three-quarters of the members of the Committee, the Tentative Interim Amendment shall be rejected.

13.5 APPROVAL OF SUBSTANTIVE CHANGES.

13.5.1 If it is necessary to make substantive changes to a proposed Tentative Interim Amendment in order to resolve negative comments, the submitter's agreement to the changes shall be requested.

13.5.2 If the submitter agrees to the changes made in order to resolve negative votes the revised Tentative Interim Amendment shall be circulated to the members of the Technical Subcommittee, who shall be given an opportunity to change their original votes.

13.5.3 If the proposed changes are disapproved by the submitter or by more than one-quarter of the members of the cognizant Technical Subcommittee the proposed Tentative Interim Amendment shall be rejected. Recirculation to the members of the NESC Committee is not required.

13.5.4 If the proposed changes are approved by the submitter and by at least three-quarters of the members of the cognizant Technical Subcommittee, the revised Tentative Interim Amendment shall be circulated to the members of the NESC Committee, who shall be given an opportunity to change their original votes.

13.6 Final Approval. If, after complete review of negative comments, three-quarters of the NESC Committee continue to support the Tentative Interim Amendment, it shall be released.

13.7 Notification of Submitter. The Submitter shall be notified of the results of action taken on the proposed Tentative Interim Amendment. If the proposal is rejected at any step of the processing, the reasons for the rejection shall be forwarded to the submitter.

13.9 Status of Tentative Interim Amendments. An approved Tentative Interim Amendment shall have the same status as if it has been approved as a change to the existing edition of the code until approval of the next edition.

13.9 Publication of Tentative Interim Amendment. The Secretariat shall announce approval of the Tentative Interim Amendment by publication in ANSI's Standards Action and shall include with any subsequent distribution of the National Electrical Safety Code to which the Tentative Interim Amendment applies the text of the Tentative Interim Amendment in a manner judged to accomplish the desired objective most feasibly. The tentative character of the Tentative Interim Amendment shall be clearly indicated in the publication and in the public announcement.

13.10 Subsequent Processing of Tentative Interim Amendments. The Technical Subcommittee concerned shall process the subject matter of any Tentative Interim Amendment through normal Technical Subcommittee procedures (see Section 10) for the next edition of the National Electrical Safety Code.

14. INTERPRETATIONS OF THE NATIONAL ELECTRICAL SAFETY CODE.

14.1 General. The National Electrical Safety Code Committee shall maintain an Interpretations Subcommittee which shall have sole and exclusive authority to provide official interpretations of the text of any edition of the National Electrical Safety Code (NESC).

It is emphasized that the Subcommittee is only empowered to provide interpretation of the text of the Code in order to clarify the application or exact nature of a requirement of the Code; the Subcommittee cannot issue an Interpretation which changes a requirement, even if the investigations of the Subcommittee lead it to conclude that the requirement is incomplete or in error - *CHANGES OF CODE REQUIREMENTS ARE MADE ONLY THROUGH REGULARLY SCHEDULED AND PUBLICLY-NOTICED CODIFYING ACTIVITY AND VOTE OF THE NESC COMMITTEE OR THROUGH A TENTATIVE INTERIM AMENDMENT.* The Subcommittee may, however, find from its research that the literal printing of the text is not that which was approved by the National Electrical Safety Code Committee and may issue an editorial correction as a part of its Interpretation.

It is recognized that requests are frequently received which are partially or totally requests for information rather than requests for interpretation of the text of the code. It is inappropriate to issue an official Interpretation of the Code in answer to such requests.

Each new edition of the NESC shall:

- (1) Include an outline of the format and information required for an Interpretation Request to be accepted for review;
- (2) Indicate the address of the Secretary of the NESC to whom such requests should be sent.

14.2 Interpretations Subcommittee.

- (a) Organization. The Subcommittee shall be composed of a Main Group and supplementary specialists.
- (b) Appointment of Members. Members of the Interpretations Subcommittee (Members) shall be appointed for terms of five years or less by the Executive Subcommittee of the NESC. Nominations for proposed members of the Interpretations Subcommittee may be made by the Secretariat or by any member of any NESC subcommittee. Such nominations shall be made in writing to the Secretary of the NESC and shall be forwarded by the Secretary, with recommendations, to the Executive Subcommittee for confirmation.

Members may serve until confirmation of a successor and may be reappointed. Members from any category of interest except Observer and Individual Experts (see Appendix) are permitted membership. All members (including Emeritus members) shall have one vote. Upon recommendation by the Secretariat, a Member may be replaced by the Executive Subcommittee before expiration of his/her term because of sustained inactivity on his/her part or other reasonable cause.

- (c) Criteria for Appointment of Members. The membership of the Interpretations Subcommittee shall represent a balance of the various interests participating in Code activity. Each member shall have been an active participant on an NESC subcommittee through at least one, but preferably two, code revision cycles. A new appointee shall be a current member of at least one NESC technical subcommittee.

Members may participate in the Main Group or as supplementary specialists, as desired. At least two Members of the Main Group shall also be members of the NESC Executive Subcommittee, at least two members of the Main Group shall also be members or alternates of Subcommittee 1 on

Coordination; Each subcommittee should be represented in the Main Group by at least one present or past member of its subcommittee.

A Member with experience on more than one NESC subcommittee may be considered to represent more than one subcommittee with respect to the above representation requirements.

- (d) Duties of the Members. The Main Group shall review each Interpretation Request; the supplementary specialists shall review Interpretation Requests in their area(s) of principal interest.

Each Interpretations Subcommittee member shall make a timely, individual written response to requests for interpretation; each response shall be developed to the best of the Member's ability after careful review of the information provided in the Interpretation Request. Each response shall be sent to the other reviewing Members, a copy of each being also sent to the Secretary. Responses shall be based upon:

- (1) The text of the Code;
- (2) Dictionary and NESC definitions of terms;
- (3) Prior Interpretations issued by the Subcommittee;
- (4) Personal knowledge of the development of the NESC language;
- (5) Prior discussions of the Code; and
- (6) Other knowledge (e.g. conditions, equipment, practices, procedures, etc...) that may be useful in clarifying the literal requirements of the Code.

Any members having a personal, pecuniary interest in a matter in question, or being employed by or otherwise affiliated with a participant in a particular question concerning which the Interpretations Request has been made, shall immediately disqualify themselves in writing from consideration of the Interpretations Request.

14.3 Secretary of the Subcommittee.

- (a) Appointment. The Secretariat shall appoint an employee as Secretary to the Subcommittee. The Secretary shall serve as Staff to the Subcommittee and Liaison with other committees; the Secretary shall not be a voting member of the Subcommittee.
- (b) Duties. The Secretary shall review each Interpretation Request (IR) for compliance with the requirements of the Subcommittee. If such requests are found by the Secretary to have been the subject of a previous Interpretation, or are otherwise found not to be in substantial compliance with the published requirements for an Interpretation Request, the Secretary shall refer such requests back to the Requestor with an explanation and, if appropriate, a suggestion that the subject of the Interpretation Requests might be better submitted as change proposals for the next NESC.

Each acceptable IR shall be given an identification number by the Secretary, a copy of each IR shall be sent to each member of the Main Group and the supplementary specialists from the technical subcommittee responsible for the rule in question.

The Secretary may comment on the nature of a request, prior actions of the Subcommittee, information available to codifying subcommittees or other information which may be of use to the Subcommittee in its deliberations; the Secretary may not, however, vote on the response.

The Secretary shall provide to the Requestor with an official interpretation, or other response, when so provided by the Chair of the Subcommittee.

14.4 Chair of the Subcommittee.

- (a) Appointment. The Executive Subcommittee of the NESC shall appoint a Chair of the Interpretations Subcommittee (Chair) for a term of five years from any of the categories except Observers and Individual Experts. The Chair may serve until appointment of a successor or may be reappointed. The Subcommittee may, upon affirmative vote of at least two-thirds of its Members, request replacement of the Chair by the Executive Subcommittee. The Chair is a voting Member of the Subcommittee.
- (b) Duties. The Chair is responsible for assuring that official Interpretations are consensus responses of the Subcommittee.

The Chair shall review the individual responses of Members to each IR and shall prepare a suggested consensus Interpretation for review by the responding Members. A two-thirds response from Interpretation Subcommittee members who are eligible to vote is required for all interpretation request consensus drafts to be developed. The suggested response shall be provided to responding members with an appropriate length of time for their review. This cycle shall be repeated by the Chair until approval by three-quarters of the members who are eligible to vote is reached or it is apparent that this level of approval cannot be obtained. After appropriate review of the suggested response(s) by the Members, the Chair shall provide the Secretary with an official Interpretation to be transmitted to the Requestor. Where the Subcommittee cannot reach a consensus agreement, the Chair shall so report to the Secretary and no interpretation shall be rendered.

When transmitting the consensus Interpretation to the Secretary, the Chair shall also provide a copy to each reviewing Member.

14.5 Review of Interpretations. As each new code revision cycle begins, the Secretary shall provide to the members of each NESC subcommittee a copy of each Interpretation Request received and Interpretation issued concerning rules in its area of responsibility since the beginning of the last code revision cycle, in order to allow such subcommittee to prepare appropriate Change Proposals for review.

15. APPEALS. Directly and materially affected interests who believe they have been or will be adversely affected by the NESC shall have the right to appeal substantive or procedural actions of the Committee or the Secretariat.

15.1 Complaint. The appellant shall file a written complaint with the Secretariat, within 15 days after the date of notification of action, or at any time if the appeal is based upon the failure of the Committee to revise the NESC in accordance with established schedules. The complaint shall state the nature of the objection(s) including any adverse effects, the section(s) of these procedures of the NESC that are at issue, actions that are at issue, and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.

15.2 Response. Within 15 days after receipt of the complaint, the respondent (Chair or Secretary) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

15.3 Hearing. If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the Executive Subcommittee shall appoint a panel of at least three members, naming one as chair, to determine if a hearing should be held. If the appeal has merit, the Secretariat shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least ten working days' notice.

15.4 Appeals Panel. The Appeals Panel shall consist of at least three individuals, appointed by the Executive Subcommittee, who have not been directly involved in the matter in dispute and who will not be materially or directly affected by any decisions made or to be made in the dispute. A majority of the members shall be acceptable to the appellant and a majority shall be acceptable to the respondent. The panel members shall choose a chair from among themselves.

15.5 Conduct of the Hearing. The appellant has the burden of demonstrating adverse effects, improper actions, and efficacy of the requested remedial action. The respondent has the burden of demonstrating that the Committee and the Secretariat took all actions in compliance with these procedures. Each party may adduce other pertinent arguments, and members of the Appeals Panel may address questions to individuals. Robert's Rules of Order (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein.

15.6 Decision. The Appeals Panel shall render its decision in writing within 30 days, stating findings of fact and conclusions, with reasons therefor, based on a preponderance of the evidence.

15.7 Further Appeal. If the appellant gives notice that further appeal to ANSI is intended, a full record of the complaint, response, hearing, and decision shall be submitted by the Secretariat to ANSI.

16. PARLIAMENTARY PROCEDURES. On questions of parliamentary procedure not covered in these procedures, Robert's Rules of Order (latest edition) may be used to expedite due process.

17. PATENT POLICY. NESC shall follow the ANSI Patent Policy as outlined in the ANSI Essential Requirements section 3.1.

Annex A (Normative)

1. **CPS** **Communications-Private Sector.** Organizations and associations that represent all categories of communications in the private sector, such as telephone exchange carriers, long distance carriers, and cable companies. Typical organizations include Alliance of Telecommunications Industry Solutions and National Cable and Telecommunications Association.
2. **EPR** **Electric Supply-Private Sector.** Organizations and associations that represent supply companies that are considered investor-owned electric utilities and have interests in distribution and/or transmission of electric power. This will include but not be limited to such organizations as Edison Electric Institute and Association of Edison Illuminating Companies.
3. **EPU** **Electric Supply and Communications-Public Sector.** Government/Consumer controlled entities dealing with electric and communications generation and delivery. They are primarily concerned with the generating, transmission and distribution of electric power, and to a lesser degree with communication. This will include but not be limited to organizations such as BPA, TVA, WAPA, APPA, NRECA, and RUS.
4. **OU** **Other Utilities.** Organizations and associations that represent "utility-like" companies and organizations that are not utilities in the true sense of the definition. Facilities of such entities either share underground and aerial utility structures or are located in close proximity to them. Examples of organizations are Association of American Railroads, American Gas Association, and organizations associated with traffic signals or public water works.
5. **EE** **Employees.** Organizations that represent the interests of employees who work with supply and communication facilities that are covered by this Code. Examples are International Brotherhood of Electrical Workers and the Communications Workers of America.
6. **M** **Manufacturers.** Included are organizations that represent the interests of companies that manufacture supply and communications equipment. Examples are National Electrical Manufacturers Association and Electronic Industry Association.
7. **CO** **Complex Operators.** Organizations and associations which represent large industrial complex operators or independent power producers that either generate, purchase, and/or sell electric power. Examples of large industrial complex operators are DuPont and General Motors.
8. **I** **Insurance Representatives.** Insurance companies that underwrite a significant amount of work involving Code activities that have an interest in participating actively in the rulemaking process.
9. **CG** **Consumer and Government.** Comprised of groups that may or may not have regulatory responsibilities, but in general represent the interest of the general public. Included are organizations such as the National Association of Regulatory Utility Commissioners (NARUC), Department of Transportation, Department of Labor. Government organizations that are directly concerned with the construction and maintenance of power and/or communications facilities, such as RUS, TVA, WAPA and BPA are *not* included in this category.
10. **PS** **Professional Societies.** Recognized professional societies with national affiliations are included within this group. Typical associations include IEEE, American Society of Civil Engineers, National Society of Professional Engineers.
11. **CEE** **Consulting, Engineering and Erectors.** Consists of companies and individuals that perform consulting and engineering services for the electric supply and communication industries, and organizations and associations which represent such entities. See 5.1 for processing application to this category.
12. **IM** **Individual Members.** Consists only of chair and most recent past chair, who are voting members as stated in Section 2.
13. **O** **Observers.** See Section 5.3.

NOTE: At the Committee level, only organizations and associations can be members.

14. **EM Emeritus.** (applies to subcommittees only). Committee and subcommittee members who have been active for at least two Code cycles and, normally due to retirement, are no longer sponsored by an organization or association member. There is no limit on the length of time one may serve in this category providing his/her activity is sustained and attendance at meetings is satisfactory.

NOTE: At the Committee level, only the Chair and/or most recent past Chair can be Emeritus members.

Emeritus members function in an advisory capacity on technical subcommittees. Members in this category do not cast a vote but may provide comments. They are considered full members and also enjoy the same status as voting members including the right to serve as subcommittee chair or secretary, and serve on or chair working groups and task forces. This category preserves continuity within the subcommittees as members retire and are replaced, and provides a valuable source of information for lesser experienced members.

Persons who are members of this category may apply to organizations in any category for sponsorship, with the exception that no Emeritus candidate shall sponsor him or herself. Following one Code cycle, an Emeritus member, believed likely to contribute significantly to the Code, may sponsor him or herself in the Consulting, Engineering and Erectors category, **Qualification for membership is the same as for other candidates applying for membership in this category. See 5.1 for membership application to the CEE category.**

There is no limit to the membership of this category, but participation at Code writing meetings is a condition for maintaining membership. Emeritus members shall be subject to the same membership approval process by the Executive Subcommittee outlined in Section 6.1.4.

**Accredited Standards Committee Agreement
between the IEEE Standards Association and
the National Electrical Safety Code Committee**

ANSI Operating Procedures, ANSI Executive Standards Council, recommend a written agreement between a Secretariat and a consensus body addressing the following operational items. The IEEE and the National Electrical Safety Code Committee have incorporated the following clarifications regarding the respective roles and responsibilities of the Secretariat and the NESC into the NESC procedures as a Normative Annex.

- 1. The nature of the accreditation and under what circumstances the secretariat and the consensus body can separate. If they separate, include the status of the accreditation.**

The Secretariat and consensus body, the NESC Committee, jointly hold the accreditation of the NESC Committee. Any change in the Secretariat-Consensus Body Relationship within an ANSI-Accredited Standards Committee shall be in accordance with ANSI Operating Procedures, ANSI Executive Standards Council, Annex A.

- 2. The specifics of any co-secretariat arrangements.**

The IEEE is the sole secretariat to the NESC Committee; there is no co-secretariat arrangement.

- 3. The procedures by which an ASC is terminated.**

NESC Procedures, Clause 8.3, Actions Requiring Approval by Two-Thirds of Those Voting, state that a letter ballot or equivalent formal recorded vote, with approval by at least a majority of the membership and at least two-thirds of those voting, excluding abstentions, shall be required for a vote of approval of termination of the Committee.

- 4. Responsibility for revisions to the ASC procedures, title and scope.**

NESC Procedures, Clause 8.3, Actions Requiring Approval by Two-Thirds of Those Voting, state that a letter ballot or equivalent formal recorded vote, with approval by at least a majority of the membership and at least two-thirds of those voting, excluding abstentions, shall be required for a vote of approval of:

- *Adoption of Committee procedures, categories of interests, or revisions thereof;*
- *Approval of change of Committee scope;*
- *Approval of termination of the Committee.*

- 5. Responsibility for and decisions regarding the publishing of the standards, revisions, and addenda (see clauses 4.2 and 4.3 of the ANSI Procedures);**

The NESC has historically been published on 1 August of the year preceding its effective date; i.e., 1 August 2006 for the NESC 2007 Edition. This publication date has usually occurred within one month of ANSI approval. The IEEE and the NESC Committee intend for this publication schedule to remain the same, indefinitely.

- 6. Who holds the copyright on Contributions, drafts and approved American National Standards, and determines any royalty or exploitation rights arrangements or licensing arrangements.**

The IEEE is granted, as a condition for participation, an irrevocable license for all Contributions to the NESC, and is the copyright owner of any NESC draft or approved American National Standard.

The following applies to all Contributions submitted to the National Electrical Safety Code:

The term “Contributions” shall include, but not be limited to, recorded verbal submissions, written text, graphics, illustrations and any other copyrightable material which are submitted as a contribution to the National Electrical Safety Code project, including all comments, drafts and editorial modifications. This does not grant any rights to the IEEE in ideas, patents, trademarks, concepts, methods, processes and procedures embodied in the Contributions.

The right granted for use of a participant’s Contributions is non-exclusive, unconditional, irrevocable, perpetual, world-wide, and royalty-free. The IEEE is allowed to use the Contributions, in whole or in part, in any form, format or media now known or hereinafter developed, in connection with the Work Product or any standards related products and services. The IEEE is the exclusive owner of the copyright in the Work Product, and can create, use and distribute derivative works based on the Work Product. The IEEE is the exclusive owner of any derivative works based on the Work Product. Additionally, the IEEE may freely sublicense or assign the Work Product and derivative works to any third party in connection with the use, distribution or publication of standards related products and services.

- 7. Whether the Secretariat or consensus body will or will not, and to what extent, provide indemnification in connection with potential liabilities arising out of their standards development process and any approved American National Standards resulting therefrom.**

The IEEE does not provide indemnification to the membership of the NESC Committee. IEEE Bylaw I300.3 affords the opportunity for indemnification only for duly authorized volunteers for duly authorized IEEE activities (i.e., an activity that follows IEEE policies and procedures, including those for the development of standards). As such, IEEE indemnification does not extend to NESC activities.

- 8. Who determines the scheduling of consensus body meetings (i.e., frequency and location) and the review/revision cycle of American National Standards.**

The Chair, the Executive Subcommittee, the Secretariat, or a petition of five or more members of the Committee may call a special meeting of the NESC.

The NESC Committee, in conjunction with the Secretariat, shall consider the review/revision cycle of the National Electrical Safety Code, if necessary. The NESC Committee shall vote by either letter ballot or equivalent formal recorded vote on any changes to the revision cycle, with approval required by at least three-quarters of the membership.

- 9. How the ASC’s activities will be funded.**

If funding activities are necessary, the activities will be covered in a separate business agreement between the IEEE and the ASC.

- 10. The conditions under which an ASC accepts proprietary standards for consensus approval (i.e. copyright, maintenance, funding, etc.).**

This is not applicable to the NESC Committee. The NESC Committee only develops one standard, the National Electrical Safety Code. It does not accept other standards for consensus approval as NESC standards.

- 11. Dispute resolution (i.e., utilize a neutral mediator or forum, such as ANSI; meetings between the secretariat and members of the consensus body; etc.).**

If a dispute arises, a special meeting between the secretariat and members of the consensus body may be called to provide resolution.