

From: The Air Conditioning Association of New England (ACA/NE)

To: Joann Bodemer  
Joanne Bissetta

CC: Commissioner Elisabeth Mahony

Re: Testimony to the DOER town hall meeting of 1/27/2025

Date: 2/17/2025

The Air Conditioning Association of New England would like to provide written testimony that we believe would be a great improvement to the Massachusetts Decarbonization and Energy Efficiency programs.

The comments below apply to residential dwellings and small commercial spaces where residential HVAC units are used as it pertains to Heat Pump Installations.

For too long, HVAC contractors have been operating under uncertain guidelines that result in uncertain outcomes.

We believe that the adoption of our recommendations would pave the way to more jobs being done right, to a greater decarbonization rate and greater energy efficiency, while providing an independent verifiable alternative.

**There is a fundamental flaw on how we handle the design and installation of Heat Pumps.**

The Massachusetts Energy Efficiency and Decarbonization Plan is a good example of what is wrong and what is lacking. While we have some contractors that are responsible and knowledgeable, there are many others that could do a better job if they had clear guidelines. And, in spite of that, Massachusetts has achieved significant goals.

Simply put, **we lack enforcement of existing standards.**

We have two types of standards when it comes to the installation of Heating and Air Conditioning systems: Minimum Standards and Quality Installation Standards. Minimum Standards are designed to ensure the safety of people and to protect the integrity of buildings. These are the Building Codes that are adopted by each State and sometimes by Cities and Counties throughout the nation. **If a Contractor adhered to the requirements of such Codes, Consumers would be fairly well served.**

Massachusetts has not officially regulated or enforced these rules, even though some

Cities and Towns have taken a stab at it. Other jurisdictions don't feel like taking up such endeavors without the mandate from above. In either case, this uncertainty puts an undue burden on building inspectors and leaves consumers adrift and sometimes with systems that do not deliver the intended results. In these incidents, consumers lose as they have few recourses. These contractors are free to repeat the process without the fear of consequences. They have no license to lose and consumers have no place to file a complaint. It is an unregulated area, except as stated above.

We should note that the International Energy Conservation Code as well as the International Mechanical Code state that HVAC work requires a permit. The Board of Building Regulations and Standards (BBRS), the Agency that regulates and enforces these codes, has yet to take an official stand. Unfortunately this leaves consumers, inspectors, and contractors without a clear direction.

Adopting an ANSI quality standard would solve so many quality issues while having the potential to save a lot of ratepayers/taxpayer's money. These organizations would be responsible to monitor the installation process from beginning to end and also verify system performance at the completion of the installation. They would also make sure that the job was designed properly. Upon successful installation and successful performance verification, they would issue a Certificate of Compliance. This Certificate could be used as proof of compliance and the requirement to qualify for rebates, if the Commonwealth so chose. As the industry adopts the smart connected tools needed to issue such certificates, making them a baseline requirement may be premature. An initial step would be to recognize such certificates as a means to streamline documentation and prioritize program access.

**Quality Installation Standards are ANSI standards** (American National Standards Institute). *"ANSI is not itself a standards developing organization. Rather, the Institute provides a framework for fair standards development and quality conformity assessment systems and continually works to safeguard their integrity."*

**Here is what we suggest: consider giving HVAC contractors who adopt both of the above standards on a voluntary basis, access to any program that involves ratepayer and/or taxpayer money, free of any other burden or fees. A Certificate of Compliance by an ANSI Accredited Developer (ASD), would trump all other requirements and would mean automatic access to financing, rebates and/or credits. Permits and inspections are part of both standards.**

A well-intended set of rules does not provide sufficient safeguards to keep out the bad players, as shown by recent experiences, like Next Step Living. An ANSI quality Standard holds everyone accountable and the local building inspector insures good

workmanship and that all applicable permits have been filed. We should note that Next Step Living adhered to the Mass Save prerequisites on the installation side but did not adhere to the design requirements of the building code (ACCA Manual J, ACCA Manual D and ACCA Manual S). We are currently seeing a similar behavior, where heat pumps are being installed fairly well but are being oversized, thus consuming more power and placing an unnecessary burden on the grid. Well intentioned and untrained people will not likely be able to discern the intricacies of the Codes.

HVAC Contractors have been kept away from having a seat at the table during planning stages as if they were part of the problem. These are the people that have been doing this type of work for many years and the people with the knowledge. There are plenty of good HVAC Contractors around.

**Enforcing the build codes and adopting a nationally recognized ANSI standard would ensure that everyone knows up front what the expectations are. Accountability would be an automatic outcome.**

ACA/NE stands ready and willing to help in any capacity the State sees appropriate.

Respectfully,

The Air Conditioning Association of New England (ACA/NE) Board of Directors

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