

Comments Via E-mail from Daran Wastchak, D.R. Wastchak

One point which I did not specifically address in my letter, but which does also concern me, is the move to a hard date of July 1, 2006 after which no homes can be labeled as Energy Star that do not meet the new requirements. This seems contrary to the grandfather exception that we discussed in Washington, and that I thought existed prior to the latest 7-27-05 draft, which more or less allowed no new communities to start as Energy Star under the old requirements after July 1, 2006 and allowed no homes to be labeled as Energy Star under the old requirements after January 1, 2007.

I believe that if we were to stick to the original plan of no new communities allowed after July 1, 2006 and no home labeled after January 1, 2007, we would be OK in Phoenix. However, it seems that Steve Saunders and Kelly Parker have articulated sound reasons why the date for implementation should be completely pushed back to January 1, 2007.

Some of their arguments I had not heard or considered yet, but can not help but agree with.