

Comments Via E-mail From Kevin Stewart, Kimball Hill Homes-Dallas

I am concerned about some of the program parameters and proposed deadlines. First of all, and probably most importantly, there appears to be considerable confusion as to when this program will take effect. July 1, '06 starts or final inspections? ...

For builders, this detail is huge. Starts are much more easily managed. Completions, on the other hand, are far more difficult. When building codes change, we are required to institute changes based on permit or start dates. I highly encourage EPA to consider the same for Energy Star. There are too many factors out of our control with respect to closings or completions.

If we were to sell a home in January of 2006 under the auspice of the current Energy Star program and the buyer delayed the start of their home due to design changes, interior selections, etc, or bad weather hit the Metroplex, or city permits get held up and prevent us from starting the home, we may not finish the home until after July 1. What if that home does not qualify under the "new" Energy Star '06 program? Now we are liable to this customer for marketing something we could not deliver. If the new program was based on start date or permit issue date, it wouldn't matter if things got delayed.

Second, I understand this new rating software is just that, new. I am told that there has not been a single version of the current software that has not encountered some kind of hiccup after release. Which is perfectly normal in the software business. I'm not throwing stones at REMRate. But if the software doesn't come out until September, assuming there are no hiccups, raters will have to re-model every plan for every home builder customer they have, get the results and recommendations back to us in time for us to consider the cost ramifications, submit our application to the local utility by November 15..... hold on, I'm running out of breath. You get the point? Bottom line, I don't think your time line is realistic. Too much, too fast.

All of this stuff will cost money. If we have to switch to vinyl windows, super efficient water heaters, Energy Star rated appliances and light fixtures, I hope y'all got a supply of purchasing agents in hiding to replace all of us that are fixing to get killed by our bosses.