

(b) (1) Except as provided in subsection (d) of this section, a builder of any new building that is completed after July 1, 1982 shall certify under oath or affirmation to the electric company designated to provide electric service to the building that the building meets the latest edition of the BOCA Energy Code. However, if the building was designed while the immediately preceding edition of the BOCA Energy Code was in effect and the building was constructed in accordance with the then preceding edition of the BOCA Code, the builder may so certify in order to satisfy the requirements of this subsection.

(2) If the builder is a corporation, the certificate shall be submitted under oath or affirmation by an officer of the corporation.

(3) If it is later determined that the building did not conform to the energy conservation standards to which the builder has certified or that a false waiver was provided to the electric company by the builder, the electric company may not be held liable for that noncompliance.

(4) The certification required under this subsection shall be made on a form that is provided by the Department of [Economic] HOUSING and Community Development and filed by the builder in person or by certified mail (return receipt) with the electric company. The form shall contain a statement to the effect that any action brought by the first purchaser against the builder under subsection (f) of this section may be brought within 3 years of the date on which the builder provided the first purchaser with a copy of the certificate or the waiver under paragraph (e)(1) of this section.

(5) Certificates filed with an electric company under this subsection and waivers filed under subsection (d) of this section shall be made available to the public and the company shall provide a copy of any certificate or waiver that it has on file to any person on request within a reasonable time not to exceed 5 working days. The company may charge a reasonable fee for any copy of a certificate or waiver that it provides. The electric company is not required to retain a certificate or a waiver filed with the electric company under this section beyond 3 years from the date the certificate or waiver was filed with the electric company.

(d) (1) Subject to the provisions of this subsection, the Department of [Economic] HOUSING and Community Development may grant a waiver from the requirements of subsection (c)(1) of this section for any building:

(i) To which a significant commitment had been made to its design or construction prior to January 1, 1982; and

(ii) For which imposition of energy