

November 20, 2007

Mr. Andrew Fanara
U.S. EPA Energy Star
Washington, DC 20460

Ms. Robin Clark
ICF Consulting
Fairfax, VA

Subject: EPA Draft of Tier 2 Energy Star Program for External Power Supplies

Mr. Fanara and Ms. Clark:

The Association of Home Appliance Manufacturers represents manufacturers who produce and market appliances that utilize external power supplies. We have a few comments on the pending Tier 2 EPA Energy Star Program for External Power Supplies.

Last week, EPA and ICF held a 2+-hour web workshop on this subject and utilized new material not previously seen by the participants. It should be noted that the participants in the EPA Workshop only received the requested documents yesterday and comments are due today. Under openness and transparency rulemaking procedures, this seems like a very short time frame to adequately allow companies to review these important documents.

We question whether now is the appropriate time for EPA Energy Star to be increasing the levels of a program for External Power Supplies. The original EPS program has been in existence only 3 years; there have been significant changes in the state regulations; in December 2006, the U.S. Department of Energy declared that External Power Supplies and Battery Chargers are NAECA covered products and therefore will be subject to a determination ruling in August 2008 to determine whether federal energy standards will be issued. And, finally, the legislative proposals in Congress awaiting action in the Energy Bill of 2007 contain provisions for regulations of External Power Supplies. With all this activity taking place, it would seem to be inappropriate to introduce another layer of actions, even if voluntary, on this product category.

We will not comment on the specific levels chosen for the Tier 2 levels. However, we do wish to ask EPA to reconsider one area. Many of the External Power Supplies (EPS), in order to perform their intended function, must rectify the current from AC to DC. This is usually accomplished by diodes and is essentially a fixed loss. This makes up an increasingly larger share of the overall energy usage of the EPS in lower voltage and wattage ranges. We would suggest that EPA review these categories of products and adjust the levels so that manufacturers of EPS have the benefit of qualifying for Energy Star on an equal footing as the higher voltage and wattage units. It does not appear that this is true with the proposed levels.

We question the inclusion of power factor as one of the criteria for acceptance of Energy Star participation. Neither EPA, nor its consultants, has validated the potential for energy savings for residential applications of power factors in external power supplies.

We also question the use of Ecos Consulting as a technical resource in this program. We have been increasingly aware that Ecos Consulting has taken on a role of advocating energy efficiency levels in the individual states, the U.S. Department of Energy, the Natural Resources Canada, and in Asia Pacific countries. We question whether it is appropriate for an advocacy organization to be an independent technical consultant. We would doubt that EPA Energy Star or ICF Consulting would use a manufacturer as a consultant, even though many are highly technically competent. The same may be said for organizations that advocate for specific energy efficiency levels.

Lastly, should EPA Energy Star decide to proceed with such a change to the EPS Energy Star levels, we believe that the time mentioned for implementation is insufficient. As this is essentially a component, and not a finished product, the implementation and movement through the supply chain is considerably longer. We urge EPA to consider sufficient time to move existing inventory through retail and to allow manufacturers to implement new packaging and marking requirements. Six months is simply an unacceptable time.

Thank you for the opportunity to comment on the proposed Energy Star Tier 2 EPS levels.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne Morris". The signature is fluid and cursive, with a large initial "W" and "M".

Wayne Morris
Vice President, Division Services

Cc: Ms. Kathleen Hogan, EPA Energy Star