

Dear Mehernaz and Katherine,

Sanyo would like to enter into the record in these proceedings the following comment:
It pertains to the passage on page 11 Draft 2 version 3 for proposed TV Program Requirements (**the bolded typeface**):

"Note: The guidance provided in this Draft 2 Version 3.0 TV products specification on implementation of Draft IEC 62087 is similar to the guidance provided in the Draft 1 specification. However, per stakeholder request, EPA has clarified that if applicable, manufacturers should make picture level adjustments as specified in section 11.3.6 prior to testing On Mode power consumption. For products shipped with a forced menu where the customer must select upon initial start up the mode in which the product will operate, IEC 11.3.6 states that these models be tested in standard mode. To further consistent messaging to consumers about how to set their TVs for home use, EPA proposes that the forced menu option provide two choices: home vs retail. If retail is selected, the TV will prompt the user each time they turn on the product to confirm they wish to keep the product in this setting. If home is selected upon initial set-up, the user will not be prompted when next turning on the set. Information relaying that the product qualifies for ENERGY STAR in the home setting and that this is the setting in which power savings will be achieved will be included with the product in its packaging and posted on product listing on the partner's website, where information about the model is listed. EPA has also provided guidance on how to test TVs with Automatic Brightness Control enabled as the default, so that their power consumption can be determined per the equation provided in Section 3.A.2 of this Draft 2 specification. Additionally, per stakeholder request, testing to determine ENERGY STAR qualification will only need to be conducted using the dynamic broadcast-content video signal referenced in IEC 62087. Therefore, EPA has removed reference to the Internet content video signal in this Draft 2 specification."

We feel that a "forced menu" is appropriate to provide customers the option to select between the EnergyStar-compliant mode and an alternative mode on the initial setup display if the default shipping mode is 'retail' and not 'home', and that the EnergyStar mode is to be preferred and recommended, however given an initial customer selection on startup, and given that the same options are available anytime on a permanent basis from the menu, the initial customer selection of a non-EnergyStar-compliant mode should not result in additional and repeating prompts reflecting the need to select from the same options everytime the TV is turned on. The reasons for this opinion are at least the following:

1. That customer's preferences should be given some credence.
2. That similar attempts to force customer's choice on other matters of preference have resulted in numerous customer's complaints.
3. That sales associates would face the hardship of having to deal with the selection prompt on every TV in their display room everyday after turning on the sets.
4. That if there is a repeating forced menu prompt in the retail setting, sales associates might become irritated and just choose the home setting in the retail environment (so as not to be prompted again and again). Those manufacturers that are Energy Star partners and compliant would then be at a disadvantage in their display brightness level compared against non EnergyStar-compliant non-partner manufacturers. The consumer will then be more likely to purchase the brighter non-compliant product.
5. That repeated prompting after the customer has made a decision might be regarded as "nagging".
6. That international standards organizations recommend that the quantity of user-interface screens be minimized.
7. That this feature may become counterproductive for the EnergyStar initiative in that it might draw customer ire and irritation resulting in a loss of sympathy for the endeavor.
8. That this feature has been recommended in a Note - and therefore may be assumed as conjectural and amenable to non-inclusion in the final specification.

Regards,

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