

January 8, 2010

Bryan Berringer
US Environmental Protection Agency
Ariel Rios Building 6202J
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Mr. Berringer:

The Consortium for Energy Efficiency (CEE) respectfully submits the following comments in response to the *Enhanced Program Plan for ENERGY STAR Products* released by the Environmental Protection Agency (EPA) and the Department of Energy (DOE) on December 4, 2009. The following comments were developed by the CEE ENERGY STAR Subcommittee and were informed by the relevant CEE Program Committees.

General Comments

CEE is the binational organization of energy efficiency program administrators and a staunch supporter of the ENERGY STAR Program. CEE members are responsible for ratepayer-funded efficiency programs in 38 U.S. states and 8 Canadian provinces. In 2009, CEE members directed over \$6 billion of energy efficiency program budgets in the two countries. In short, CEE represents the groups that are actively working to make ENERGY STAR the relevant platform for energy efficiency across North America.

CEE highly values the role ENERGY STAR plays in differentiating energy efficient products and services that the CEE membership supports locally throughout the US and Canada. CEE thanks EPA and DOE for developing the *Enhanced Program Plan for ENERGY STAR products* (EPP) as we believe it demonstrates the administration's commitment to enhancing the transparency, integrity, and energy savings potential of the Program. We look forward to working closely with both agencies in the coming year to implement the framework presented in the EPP. Initial

comments on specific items contained in the EPP that are of particular importance to CEE members are below.

Frequent Revisions to Existing Specifications

CEE would like to underscore the value and importance of maintaining up-to-date specifications to ensure ENERGY STAR consistently represents top performing products. We applaud efforts to collect product shipment data on an annual basis to determine which specifications warrant updating and request this data be collected at the state level and aggregated into a format that may be shared with CEE members and other stakeholders. With regard to the minimum timeframes (two years for rapidly-evolving products and three years for longer-lived products) CEE would like further explanation of the basis for these thresholds and a comprehensive summary of how each of the currently-labeled products would be categorized.

Test Procedure Enhancements

Accurate and credible test procedures are the foundation of both ENERGY STAR and local efficiency programs. Ensuring these test procedures are representative of real-world energy use while providing the ability to assess the relative efficiency of competing products would have great value to CEE member programs and the cause of energy efficiency. This may require taking regional climate differences into account within certain test procedures (e.g. HVAC). We appreciate the administration's effort to clearly define a lead agency for enhancing this important function, and look forward to working with both EPA and DOE to identify the procedures in greatest need of enhancement. Some members have noted that in light of pending climate legislation, an additional test procedure element that considered fuel conversion rates (i.e. source efficiency) may prove beneficial to consumers.

Expansion to New Products

CEE supports rapid expansion to new products that have significant energy savings individually or collectively and would benefit from an endorsement label. The three focus areas in the EPP (miscellaneous plug load, enterprise products, and commercial food service) are consistent with CEE member priorities. As explained in previous CEE comments to EPA and DOE, we continue to believe pool pumps and packaged terminal air conditioners (PTACs) also remain attractive candidates for ENERGY STAR. We recognize the significant effort involved in development and maintenance of ENERGY STAR product categories. Given the tremendous leverage of the

Program, we hope the federal government would allocate the associated resources to responsibly execute the identified opportunities.

Quality Installation Programs

CEE supports efforts to address quality installation and maintenance and believe our joint efforts on Quality HVAC Installation programs will serve as a valuable model for future efforts. We are committed to working with EPA and DOE as they assess which existing product categories merit a quality installation program. As stated in previous comments, windows and water heaters are products where installation and/or design affect energy use. Another consideration EPA and DOE may choose to address in the Annual Program Plan is the degree to which ENERGY STAR Quality Installation programs will address safety and indoor air quality. In the event a comprehensive installation program with verification isn't feasible for a particular measure, a less-involved alternative to consider is providing credible guidance that educates market players on the significance of installation. Both these approaches can serve our mutual objectives of ensuring consistent, credible, and safe outcomes.

Enhanced Verification and Prequalification of Labeled Products

Taking preemptive steps to protect the integrity of ENERGY STAR and help ensure consumers receive the expected savings is a laudable element of an Enhanced Program Plan. Enhanced verification and prequalification also provide local program administrators with increased confidence in achieving expected energy savings. We recognize that efforts to collect actual test data from accredited labs before products may be labeled ENERGY STAR will impose significant cost and have marketing implications for many product manufacturers. We support reasonable requirements that balance program costs and maintaining the value of the Program's integrity. We also support reasonable phase in periods particularly when specific industry's have insufficient testing and certification infrastructure.

“Top Tier/Super Star”

CEE members are enthusiastic about the announcement of a possible “top tier” or “super star” program that is nested within ENERGY STAR. Recent pilots hosted by CEE members have tested

the concept of marketing super efficiency using the *Save More with ENERGY STAR* concept. Further, CEE tiered specifications have been promoted in the market by members for fifteen years. We ask that the agencies consult with CEE and other stakeholders before finalizing a research plan. CEE is willing to share lessons learned, would entertain requests to assist in market research and testing, as well as participate in the formulation of strategies to promote higher efficiency. We offer this all in the spirit of helping to responsibly nest a category of higher performance within this important Program.

Thank you for your consideration of these comments. Please contact CEE Senior Program Manager John Taylor at (617) 532-0944, or Deputy Director Ed Wisniewski at (617) 337-9261 with any questions.

Sincerely,

A handwritten signature in black ink that reads "Marc J. Hoffman". The signature is written in a cursive style with a large, prominent 'M' and 'H'.

Marc Hoffman

Executive Director

CC: Kathleen Hogan, DOE

Ann Bailey, EPA