

To: Energy Star's Enhanced Verification and Testing Program

Date: April 30, 2010

Dell appreciates the opportunity to express our position on the on the Enhanced Verification and Testing Program topic. As a signatory to the Energy Star marketing agreement and a participant in many Energy Star programs we acknowledge the responsibility Dell and the Energy Star program bears with respect to integrity of the brand.

Dell's Position:

Dell is concerned that the Energy Star program has abandoned the stakeholder process on the Enhanced Verification and Testing Program topic. Specifically, the stakeholder process utilized for developing Energy Star standards has not been employed. The drafts process normally employed by the standards development process is not available to provide comment, and the presentations to industry provided insufficient information for cogent or complete comment. The May target for a "Final" draft would indicate the requirements are available; however the May schedule for final draft leaves no time for revision. The recent OIG and GAO reports have often been quoted as supporting conclusions for changes to the testing or self certification process, however the OIG report identified: *"During our product testing, we did not find any evidence that the self-certification process EPA uses allows for products that do not meet the specifications to enter the program."*

Dell has been, is, and will continue to be supportive of actions and changes that improve the program integrity, and address the findings of the OIG and GAO reports directly. Dell stands ready to support the Energy Star program in the development of processes and requirements that address the findings of both reports within the stakeholder process we participate in on standards development. We recommend the Energy Star program consider returning to and utilizing the stakeholder process for development of the Enhanced Testing and Verification process for the Energy Star program.

Dell is supportive of the Energy Star program developing "approved" laboratory requirements to provide results for registering Energy Star products. Approved laboratory environments may require a third party certification of that environment and Dell recommends NVLAP and ISO 17025.

Executive Overview

One of the goals of ENERGY STAR is to improve the availability of energy efficient products by defining requirements and promoting recognition. Additionally, another goal is to identify these more efficient products to promote market adoption. The proposed enhanced testing and verification process, works against both of these goals.

Continuation of qualification in "approved" manufacturers' laboratory facilities (with or without accreditation and/or witness) provides the optimal opportunity for the industry to facilitate the program achieving both purposes, while limiting the cost burden to consumers.

Impact to the Industry and to Customers

Proposed third party qualification testing and enhanced verification activities could be prohibitively expensive for manufacturers for several reasons. Systems or equipment used to perform compliance testing may not be resold as new. Each test can take a day or more to complete when including set-up time, so if multiple tests are required (for categories and configurations) extensive time and resources are required to perform the test. In most cases, for IT equipment, set-up will require experienced hardware

and software technicians. Excluding computers, displays and printers for the moment; many of the server, storage and UPS systems are bulky or large systems sometimes transported in racks, and in the case some systems are stand alone. Some systems are also very heavy (UPS systems) and the expense of transport to a laboratory for measurement would also be very expensive and carbon intensive.

These products are very expensive compared to most consumer electronics or IT equipment intended for individual or small office use.

The proposed third party qualification process is significantly more expensive, than the current process. And, there is no indication that results from manufacturers are or have been fraudulent. Third party testing process may not be possible for some IT systems due to the set up and support requirements for the third party labs. The additional expense of this process will reduce registrations of systems with the Energy Star program due to cost. Also addressed in the OIG report; *“Although almost all of the ENERGY STAR products in our test sample met, and in most cases exceeded, the program’s performance standards, many of the non-ENERGY STAR products tested comparably to, and in some cases better than, the ENERGY STAR products.”* Dell will continue to offer products with superior performance, energy efficiency and environmental features. The cost associated with implementing third party qualification for Energy Star may impede the ubiquitous availability of the Energy Star offering across Dell products.

Dell is concerned that the proposed modifications could:

- 1) Increase expense and ultimately cost of Energy Star branded products to consumers
- 2) Extend lead time for Energy Star compliant offerings
- 3) Reduce system registrations and availability for Energy Star systems
- 4) Increase transport costs for product testing and carbon intensity

At the same time the changes proposed do not improve the compliance rate as identified in a recent EPA Energy Star program press release of 100%.

Approved Laboratory Environments

IT Manufacturers should be allowed to continue the practice of self certification in “approved” in-house laboratories. This is an established process available for product safety and EMC requirements. There are laboratory certification standards that may be used to establish a lab's credentials and they are:

System Manufacturing Test Qualified Laboratory - Programs are in place that audit the laboratory to ISO/IEC 17025. This standard includes requirements for equipment calibration, test environments, training, test processes, test procedures, etc. Test data is accepted by the agencies for inclusion in a CB report that is used in the Declaration of Conformity for the CE mark.

NVLAP (National Voluntary Laboratory Accreditation Program) - NVLAP accredits public and private laboratories based on evaluation of their technical qualifications and competence to carry out specific tests or calibrations. This certification is used for EMC and safety testing on many products.

Dell Recommendations

- 1) Return to the stakeholder process used for standards development for this topic.
- 2) Develop requirements for Energy Star “approved” laboratory environments.

- 3) Identify specifics from the OIG and GAO reports that the Energy Star program wants corrected and engage the industry for solutions.

Conclusion

Dell supports our partner; the Energy Star program. We consider the Energy Star program a superior example of government/industry cooperation, industry advocate, and colleague, in advancing the state of the art for energy efficiency.

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