



# American Council for an Energy-Efficient Economy

WASHINGTON, DC

July 13, 2007

Richard Karney  
Energy Star Program Manager  
U.S. Department of Energy  
1000 Independence Ave. SW EE2J  
Washington, DC 20585

Dear Rich,

We are writing on behalf of ACEEE to provide further comments on your pending decision to set a new Energy Star specification for residential refrigerators. As you know, we signed onto CEE's May 29, 2007 comments supporting a new spec of 20% energy savings relative to minimum standards, effective April 1, 2008. We were not able to attend the June 4, 2007 DOE meeting to discuss the spec but have reviewed the official meeting notes. It appears that all parties agree on the specification level, but there is disagreement on the effective date, with some parties (e.g. CEE and one manufacturer) supporting April 1, 2008, and other parties (several other manufacturers) supporting April 1, 2009.

Based on our review of the meeting notes and other information available to us, we continue to support the April 1, 2008 effective date. We take this stand for several reasons:

1. The market share of Energy Star equipment is well above 30%, particularly for side-by-side units. In order to keep differentiating the best equipment, the specification needs to be updated as soon as possible – April 1, 2008. Delaying the effective date for a year undercuts the Energy Star message that only the best equipment is recognized.
2. To enable the most effective promotion efforts, it is useful to coordinate the Energy Star specification with federal tax incentives. A bill has been reported out of the House Ways and Means Committee that establishes tax incentives in 2008 for refrigerators exceeding the federal standard by 20%. The Senate Finance Committee has reported out a bill that starts refrigerator tax incentives at the 23% energy savings level, but our understanding is that they are likely to add a 20% savings level in future versions. In all likelihood there will be federal tax incentives in 2008 at the 20% savings level. There are no pending proposals to have incentives at the 15% savings level, which is the current Energy Star spec.
3. As of the DOE analysis dated April 27, 2007, there were already 121 different models meeting the 20% savings level. This number will dramatically increase as we move into early 2008, due to the likely availability of federal tax incentives and as manufacturers respond to the new Energy Star spec. This is illustrated by the fact that availability of refrigerators saving 15% increased dramatically between January and December 2001, around the time when the current Energy Star spec took effect.
4. We have been talking to manufacturers for several years about how the Energy Star spec for refrigerators needs to be updated. Manufacturers should have started preparing for this eventuality several years ago. Manufacturers who cannot meet the new spec in 2008

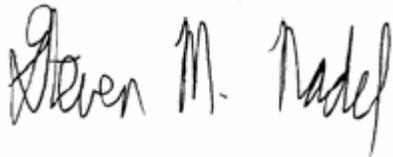
have not planned very well and should not be rewarded by a delay in effective date to 2009.

5. Manufacturer arguments for delays seem to be based on the fact that some manufacturers will not be able to convert a full range of models in time. However, from our review of the record, it appears that all major manufacturers will have at least some qualifying models. Energy Star is not obliged to delay effective dates so all manufacturers can have a full model line. But if DOE sets the date at 2009, it will penalize manufacturers who are fully prepared for the new spec in 2008.

While we strongly support an April 1, 2008 effective date for all product classes, one possible compromise occurs to us. According to DOE's analysis there are many more side-by-side and bottom-mount units already meeting the 20% level than there are top-mount units. Our discussions with manufacturers indicate that the top-mount category presents the biggest challenges in meeting the new levels. We also understand that the current Energy Star market share is much higher for side-by-side units than for top-mounts. Therefore, one possible compromise is to set an April 1, 2008 effective date for side-by-side and bottom-mount units and an April 1, 2009 effective date for top-mount units. We are not endorsing this option, but instead put it on the record so that DOE can consider this option as it reviews the full record (including confidential data DOE may have that we do not).

If you have any questions about these comments, please do not hesitate to contact us.

Sincerely,



Steven M. Nadel  
Executive Director



Jennifer Thorne Amann  
Senior Associate