



May 18, 2009

Katharine Kaplan
ENERGY STAR® Marketing Manager
U.S. Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, DC 20460

Dear Katharine:

On behalf of the Consortium for Energy Efficiency (CEE), I am submitting the following comments on the ENERGY STAR television specification. These comments were developed based on the CEE Consumer Electronics Committee's discussion of the Draft 1 Version 3.1 ENERGY STAR Television specification distributed on April 16, 2009. Thank you for the chance to provide input on this version. The organizations listed at the end of this letter have chosen to indicate their strong individual support for these comments.

Market Penetration

CEE strongly supports EPA's effort to develop a television specification that results in an overall qualification rate of approximately 25 percent when it becomes effective (planned for May 2010). At this qualification rate, the ENERGY STAR label provides meaningful differentiation of energy efficient products and has generally been shown to garner measurable energy savings. It also increases the likelihood that CEE member energy efficiency organizations will be able to offer programs in support of ENERGY STAR qualified televisions.

Based on the information presented at the April 24 stakeholder meeting and in subsequent stakeholder meetings by telephone, CEE understands that ENERGY STAR is encountering difficulty in determining now what products will be in the market in May 2010. This presents challenges in setting specification requirements that will definitively capture the most efficient 25 percent of products at that time. CEE supports ENERGY STAR's ongoing efforts to gather additional data regarding product availability next spring.

It appears that if more data about future product availability is not made available, ENERGY STAR will need to make an estimate based on its knowledge of the market and stakeholder input. CEE recognizes that making estimates is often complicated, and is especially so given the fast-moving nature of the electronics industry and the current economic situation. In making this estimate, CEE encourages EPA to carefully evaluate the implications to the ENERGY STAR brand. Is brand integrity more properly protected if EPA's estimates result in a specification that captures too many models or too few models? From an efficiency program perspective, the ENERGY STAR Program is most useful when it serves as an effective differentiator of products. Therefore (keeping in mind the rapid uptake of ENERGY STAR Version 3.0, recent trends in the marketplace,

and manufacturers' recent representations in marketing materials and at trade shows like the International Consumer Electronics Show regarding increasing energy efficiency and decreasing energy consumption), if the television specification must stray from the 25% target, CEE would rather see it err on the side of initially qualifying too few products rather than too many.

To address the complexity described above, CEE recommends that EPA initiate a scheduled review of the television specification that matches the industry's product development timeline (e.g., on an annual basis). This review would determine whether a revision is needed to correct an overly or underly optimistic forecast of product efficiency, and if so, allow EPA to pursue a revision on a rapid timeline. While this approach may require additional effort from all stakeholders, it would help ensure that the key tenets of the ENERGY STAR brand are being met within this extremely dynamic product.

Qualification Rate by Screen Size

CEE is pleased to see the proposal in the Draft 1 Version 3.1 specification to remove the additional power allowance granted under Version 3.0 for larger screen televisions (resulting in a straight line specification).

However, CEE notes that with this specific straight line proposal televisions with screen sizes of 23 diagonal inches or less qualify at an extremely high rate. For example, nearly 100 percent of 15 inch televisions would qualify. The result is that the ENERGY STAR label would not provide meaningful differentiation for products of these screen sizes. At the same time, televisions in the middle size range (25-50 inches) qualify at a very low rate. Given these circumstances, a consumer could reasonably conclude that ENERGY STAR applies to only small televisions, which is not the intent of the specification. As such, CEE recommends that ENERGY STAR revisit the Draft 1 proposal to provide additional differentiation for televisions with small screen sizes.

Luminance

CEE understands ENERGY STAR's concerns about a possible loss in energy savings if consumers increase the brightness settings on overly dim ENERGY STAR qualified televisions. However, we have not seen any data demonstrating that 1) qualified televisions are too dim, 2) consumers are turning up the brightness settings, or 3) these modifications result in increased television energy use. Therefore, we strongly recommend additional research is conducted before any action is taken.

CEE recognizes ENERGY STAR's hesitance to conduct a lengthy research study that could jeopardize the specification development timeline, and we believe there may be short-term research methods to shed further light on this issue. One approach would be to add several questions to an omnibus research study already in progress. Another would be to conduct a web-based study on this specific topic. It is CEE's understanding that these studies can be turned around very quickly (one month) at relatively low cost. In considering its options for assessing this potential concern, we recommend ENERGY

STAR engage with manufacturers and retailers, as they may have access to information on the three data points articulated above.

The research CEE is recommending is critical because ENERGY STAR's most recent proposal for managing this potential problem (limiting the power consumption of the brightest setting to a maximum of 20% greater than the home setting) could actually result in increased energy use. At recent stakeholder meetings, manufacturers and retailers communicated that brightness at retail is a paramount concern. Manufacturers indicated that they may opt to use the maximum amount of power allowed to qualify for ENERGY STAR in order to achieve the brightest possible pre-set setting at retail. Substantial energy savings could be lost if manufacturers produce products that *just* meet the ENERGY STAR level rather than seek to achieve the highest efficiency level possible. Therefore, we urge ENERGY STAR to implement a measure of this type only after it determines that the potential problem is a real one and that the solution would fully address it.

Future Performance Levels

In CEE's April 3 comments, we expressed concerns about the implications of setting future performance levels for ENERGY STAR specifications. CEE notes that in Draft 1, EPA has proposed specific levels to be effective in 2012. While we appreciate EPA's intention and its indication that the levels and timing will be reviewed in advance to determine if they are appropriate, we would like to reiterate our concern with this approach. As noted above, CEE recommends that EPA conduct a scheduled review of the television specification that matches the industry's product development timeline (e.g., on an annual basis). Given the difficulty stakeholders are having in determining the state of the market just one year from now, a scheduled periodic review seems to be the most prudent course for maintaining the relevance of ENERGY STAR in the market and securing energy savings. We also encourage ENERGY STAR to assess the program-wide implications this practice has for the ENERGY STAR brand.

CEE appreciates the numerous opportunities EPA has provided to discuss the most pressing issues associated with the specification revision. Thank you again for the opportunity to comment on this important specification. CEE looks forward to continuing to work with EPA and television industry stakeholders in the upcoming months.

Sincerely,



Marc Hoffman
Executive Director

Supporting Organizations

Avista Utilities

BC Hydro

Cape Light Compact

Efficiency Vermont

Energy Trust of Oregon

Midwest Energy Efficiency Alliance

New York State Energy Research and Development Authority

Northeast Energy Efficiency Partnerships

NSTAR

Ontario Power Authority

PacifiCorp

Snohomish County Public Utility District

United Illuminating Company

Wisconsin Focus on Energy

Xcel Energy