

November 25, 2009

Ms. Katharine Kaplan
Energy Star Program Manager
U.S. Environmental Protection Agency
Washington, DC 20460

Dear Ms. Kaplan,

Heating, Airconditioning & Refrigeration Distributors International (HARDI) is a trade association representing over 80% of the wholesale distribution market for heating, ventilation, air-conditioning, and refrigeration (HVACR) products through over 400 distributor member companies across the United States. HARDI members market and distribute heating, refrigeration, and air-conditioning equipment and supplies, sheet metal, controls, filters, and related items, including programmable thermostats. Major customer classes include installation and service/replacement contractors in the residential and light commercial building markets, and commercial/industrial maintenance staffs.

HARDI commends the ENERGY STAR program for reviewing its decision to suspend the label for programmable thermostats, but we have significant concerns with the newly proposed specifications outlined during the recent webinar program. On behalf of our membership, HARDI wishes to provide the following comments regarding ENERGY STAR's Draft 1 of the Version 2.0 Programmable Thermostat Specification for Energy Star:

Product Availability

Our distributor members do not currently have access to any programmable thermostat that meets the proposed specifications. In fact, in our discussions with thermostat manufacturers on this subject, most companies would not be able to produce a product that would meet the proposed specifications for at least 18 months, resulting in a gap in product labeling that will confuse consumers, erode their confidence in the ENERGY STAR brand, and negatively impact many HVACR distributors' businesses.

ENERGY STAR Brand Integrity

Nearly every HARDI distributor member currently stocks and sells ENERGY STAR labeled programmable thermostats today. These advanced thermostats are frequently packaged with HVAC system replacements, especially when legacy systems are being replaced by ENERGY STAR or greater new HVAC systems. Preventing the industry from providing an ENERGY STAR labeled product for the most seen and recognized aspect of any HVAC system threatens to erode consumers' perceived value of the multi-thousand dollar ENERGY STAR HVAC system they just installed. Further, the current plan to eliminate the label on current products at the end

of this year will lead to the same products having the label one day and not the next without readily available and viable alternatives to offer in their place. Consumers will be confused and we risk installation contractors getting accustomed to installing non-ENERGY STAR thermostats.

Product Affordability

What little we know about the few products that would meet the proposed specification indicates that they are significantly more expensive than today's ENERGY STAR thermostats, costing as much as \$300 before installation. Our industry is already struggling to convince home and business owners to replace 20-year old HVAC legacy systems in this economic climate, and that is with various incentives often available for ENERGY STAR or greater products. Suspending the ENERGY STAR label for programmable thermostats, or limiting it to only the rarest and most expensive products, undermines our members' and our entire industry's efforts everyday to promote energy-saving HVAC products.

HARDI Recommendations

HARDI urges ENERGY STAR to strongly consider the positions and technical expertise of the many thermostat manufacturers that participated in your webinar, and work with them to develop a specification that meets the needs of consumers and the HVAC industry. HARDI respectfully requests that ENERGY STAR modify the proposed ENERGY STAR programmable thermostat specification, so it results in products which are currently available in the market for consumers of all income levels to purchase for saving energy. In addition, a longer term specification that has many of the additional features that ENERGY STAR has proposed can continue to be crafted.

Finally HARDI requests that any changes to the ENERGY STAR specifications for programmable thermostats are implemented in a reasonable timeframe with full consideration given to the investments made by the industry to market, stock, support, and sell ENERGY STAR products. The current plan to suspend the label for thousands of products at the end of this year, with no viable replacement available, risks eroding the value of distributor inventories overnight with little time to prepare or adjust. HARDI strongly urges ENERGY STAR to maintain the ENERGY STAR label for today's products until such time when more affordable and accessible products exist.

Sincerely,



Talbot H. Gee
Vice President