



November 6, 2017

Via Email: televisions@energystar.gov

Ms. Verena Radulovic
Product Manager
ENERGY STAR for Consumer Electronics
United States Environmental Protection Agency
Office of Air and Radiation
Washington DC, 20460

Dear Ms. Radulovic,

VIZIO, Inc. (“VIZIO”) headquartered in Irvine, California, is one of America’s leading HDTV and consumer electronics company. VIZIO has been, and will continue to be, a leader in energy efficiency in televisions and sound bars for more than a decade. VIZIO appreciates the opportunity to provide comments on the final draft ENERGY STAR® Television Specification Version 8.0 (“8.0 Specification”)¹, and we respectfully request that the Environmental Protection Agency (“EPA”) take these comments into consideration.

Similar to the concerns expressed by the Consumer Technology Association,² VIZIO is deeply concerned that the current 8.0 Specification moves past the realm of encouraging television manufacturers to produce energy efficient products, and instead dictates how those products should actually be designed and used by consumers. The below summarizes some of VIZIO’s concerns regarding the 8.0 Specification and elaborates on how the 8.0 Specification will negatively impact the overall consumer experience.

(1) Concerns Regarding Section 3.2.5 – Preset Picture Setting Menu

Section 3.2.5(ii) requires onscreen information notifying consumers that an energy saving feature is being disabled each time another Preset Picture Setting is selected that does not also have the energy saving feature enabled by default. For consumers who routinely switch between Preset Picture Settings (those consumers who wish to take advantage of the picture settings designed for specific use cases such as gaming, watching movies, etc.), this requirement will detract from their overall user experience and will disrupt their ability to use the product in the manner in which they choose. The 8.0 Specification has several other onscreen notification requirements, all of which culminates into a significantly diminished user experience due to the ever constant onscreen notification. Further, Section 3.2.5(ii) is vague as to what constitutes an energy saving feature. While it lists ABC as an example, it could in theory include a myriad of other energy saving features, including features not yet developed, making compliance with this requirement part of the actual design process of the manufacturer.

Section 3.2.5(iii) requires that for Preset Picture Settings with energy savings features enabled by default, the energy saving feature shall default back to being enabled whenever the user selects that preset

¹ Note that any capitalized terms that are not expressly defined in this letter shall have the definition attributable to them under the 8.0 Specification.

² <https://www.soundandvision.com/content/cta-energy-star-spec-puts-tvs-under-epa-control>



picture setting. This requirement directly dictates how consumers use and watch their televisions in their own homes. If a consumer decides to specifically turn off an energy saving feature they should not be forced to repeatedly turn off the same feature each time they opt to switch back to that preset picture mode. Consumers should be free to make decisions for themselves as to what energy saving features they want, or don't want, without government interference.

Section 3.2.5(iv) specifically eliminates a manufacturer's ability to showcase or highlight different present picture settings other than the default picture setting. Manufacturers offer multiple preset picture settings to account for a variety of consumer use cases, and should be free to highlight those different preset picture settings in order to inform consumers about their choices. Consumers should be informed of the choices available to them so that they can elect for themselves which preset picture setting works best for them. By not allowing manufacturers to showcase or highlight these different preset picture settings, the EPA is reducing consumer knowledge, inhibiting consumer choice, and disincentivizing manufactures from developing new technology.

(2) Concerns Regarding Section 3.2.7 – Special Functions

Section 3.2.7 unnecessarily requires manufacturers to provide onscreen notification to consumers any time the activation of a Special Function disables an energy saving feature of the product. This requirement directly impacts the consumers' use of the product and produces a negative user experience. Consumers who choose to turn on Special Functions to enhance their viewing experience or use of their television should not be unnecessarily inundated with energy efficiency notifications. Further, as Special Functions is an open-ended term that may apply to yet to be created features, this requirement will play a role in the manufacturing and product design process.

(3) Concerns Regarding Section 3.3 – On Mode Requirements

Section 3.3.1(i) requires that TVs with up to four Preset Picture Settings shall have one or fewer Preset Picture Settings without ABC or any other energy saving feature enabled by default, and TVs with more than four Preset Picture Settings shall have two or fewer Preset Picture Settings without ABC and any other energy saving feature enabled by default. First, having ABC enabled by default on the majority of Preset Picture Settings defeats the intended purpose of having multiple Preset Picture Settings. Each setting is uniquely designed to meet a specific use case for consumers (watching TV, watching movies in dark rooms, playing games, etc.). Enabling ABC on the majority of Preset Picture Settings would essentially make each Preset Picture Setting virtually identical and completely negate the consumers' ability to choose a Preset Picture Setting that is ideal for their specific usage of the television. Second, by extending this requirement to "any other energy saving feature" means that this requirement could apply to features that have not yet been developed and accordingly this section has a direct impact on the manufacturing design process while disincentivising manufactures to further developing technologies which enhance the viewing experience.

(4) Concerns Regarding impact of 8.0 Specification and current Department of Energy Review of Television Energy Efficiency Test Methodology



Currently the Department of Energy (“DOE”) is looking to revise its process for testing televisions for energy consumption and has developed a working group to directly address this topic. The working group is composed of entities such as the DOE, NRDC, television manufactures and others to develop an update to the DOE Test Procedure CEA-2037-A and may possibly recommend exclusion of Game, PC/Computer and Accessibility Picture Presets from the modes to be tested for energy consumption as these are designed with their usage intent in mind. There appear to be inconsistencies between the work being done at the DOE regarding the number of preset picture modes that are required to have ABC turned on by default and this 8.0 Specification. VIZIO believes that in light of the work being done by the DOE, it is premature for the EPA to move forward with the 8.0 Specification at this time.

(5) Concerns regarding the Implementation Deadline

The cover letter for the 8.0 Specification lists an effective date of July 1, 2018. This date does not align with VIZIO’s manufacturing schedule. Products that will be in shelves on July 1, 2018, have already been designed with the current 7.0 specification in mind and cannot be re-designed to meet this deadline. While VIZIO would prefer the 8.0 Specification not go into effect, if it must we respectfully request that the implementation deadline be moved to March 1, 2019.

Based on the above, VIZIO is deeply concerned that if the 8.0 Specification becomes effective, we may have to forego participation in the ENERGY STAR television program in its entirety in order to ensure that we are not jeopardizing the quality of our products and negatively impacting our consumers’ viewing experience. While VIZIO is a proud long-time partner of the ENERGY STAR program, we have to do what is best for our consumers in terms of not only energy efficiency, but also advanced product design including high picture quality, the best possible user experience, user satisfaction and minimizing consumer complaints. The current 8.0 Specification moves past the realm of ensuring televisions are energy efficient products to an area where the EPA is effectively designing our products for us. To this end, VIZIO respectfully requests that the EPA withdraw the current 8.0 Specification and continue to work with the television industry to develop ways to further improve upon the already great strides our industry has made in making our products energy efficient.

Respectfully Submitted,

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Vice President and Co-Founder
VIZIO, Inc.