



Information Technology Industry Council

Leading Policy for the Innovation Economy

ITI Comments on the ENERGY STAR Partner Commitments for Computers, Computer Servers, Displays, and Imaging Equipment

October 1, 2010

ITI appreciates the opportunity to provide comments on the draft Partner Commitments for Computers, Computer Servers, Displays, and Imaging Equipment. We hope that the U.S. Environmental Protection Agency (EPA) will take into consideration the following points before issuing final Program Requirements in mid-October. The first set of points is general and applies to the Partner Commitments for all four above-mentioned products. The second set refers to the partner commitment for computers, displays, and imaging equipment.

- **Changes to Product Specifications and Test Methods:** While we understand EPA's effort to bring partnership agreements in line with the new enhanced testing and verification requirements, we are concerned that some of the changes proposed to product specifications and test methods may have unintended consequences or increase the uncertainty associated with our understanding of the technical specification rather than increasing clarity. We intend to do a more thorough review so we can provide substantive comments to the technical changes by the October 15, 2010 deadline. If there are substantive changes to the technical specification, the short time period under which these changes have been proposed and may be enforced is out of the norm of past practice and the recommended time frames outlined in the program (9 months from final to effective).
- **Verifying Ongoing Product Qualification:** Much of the proposed language in this section is open-ended. The details and requirements of the verification testing should be referenced or explained in the Partner Commitments section. We are concerned that the proposed language, such as, "Comply with tests that EPA/DOE may conduct at its discretion on products that are referred to as ENERGY STAR qualified" would provide a blank check to require considerable additional testing without proper stakeholder consultation. As we understand, this refers to the surveillance or verification program. We recommend simply stating that partners comply in a timely manner with ENERGY STAR's verification program.
- **Obtaining Qualification via a Certification Body:** ITI assumes that the newly drafted Partner Commitment will take effect quickly after the close of the public comment period on October 1, 2010. However, the previously released "Conditions and Criteria for Recognition of Certification Bodies (CB) for the ENERGY STAR program" and "Conditions and Criteria for Recognition of Laboratories for the ENERGY STAR program" do not require the use of Certification Bodies until after December 31, 2010. Currently, there are no qualified Certification Bodies listed on the EPA ENERGY STAR website. We believe that the Partner Commitment draft should clarify that qualification and verification via Certification Bodies will not take effect until at least January 1, 2011, to be consistent with the Conditions and Criteria, and, hopefully, CB availability. Additionally, EPA should consider implementation of the requirements only when at least 10 certification bodies have been qualified to insure that pricing for services is competitive. As noted in previous industry comments, the availability and training of certification bodies and certified labs on these complex product lines is a limiting factor to comply with the enhanced qualification program. We hope you will consider the complexity of the product category and availability of trained certified entities in addressing the schedule.
- **Training and Consumer Education:** In partner agreements for all four above-mentioned products, the proposed addition to the partner agreement instructs partners to: "Include a link to www.energystar.gov/powermanagement from product web pages, product specifications, and related content pages." While this appears to be a small modification, this would require a significant effort on the part of industry to include this in all manufacturer documentation, including individual web pages, product specifications, and marketing collateral. We recommend EPA modify the proposed language to

encourage manufacturers to include the link where appropriate and avoid making this a mandatory requirement.

- **Power Supply Unit Testing:** We recommend that a certificate of compliance from an ENERGY STAR approved PSU testing facility be accepted in lieu of lab testing with the rest of the system for ENERGY STAR qualification to the power supply specifications.
- **Mutual Data Acceptance:** An additional issue not identified in the partner commitments or technical specifications is mutual data acceptance agreements with regional ENERGY STAR programs such as Europe and Japan. Currently, ENERGY STAR labeled product is accepted and shipped worldwide, regardless of its qualification listing site. As the industry is not able to segregate ENERGY STAR product by region, we recommend EPA reestablish mutual data acceptance agreements and regionally agreeable convergence schedule to maintain the international status of the ENERGY STAR brand.

COMPUTERS

- **Display of the logo for 5 Seconds (Section 5.1.1):** We are concerned that the requirement to display the ENERGY STAR logo for five seconds at boot-up is unreasonable, given the time it already takes Microsoft Windows to boot up. Also, these five seconds consume 50 percent of the allowable boot time given to manufacturers.
- **Verifying Ongoing Product Qualification (Section 8):** We are concerned with the following open-ended language: *“Comply with tests that EPA/DOE may conduct at its discretion on products that are referred to as ENERGY STAR qualified.”*
- **Providing Information to EPA (Section 9.2.):** Section 9.2 notes that Partner must provide unit shipment data segmented by meaningful product characteristics (e.g., type, capacity, presence of additional functions) as prescribed by EPA. In Version 5.0, EPA encouraged the ENERGY STAR partner to comply with this section, but in draft Version 5.2, this appears to no longer be voluntary. This could be a significant change, if ITI is not a third party approved for submitting the data. EPA should also add language that accommodates and bounds specific shipment data manufactures are capable of providing (versus what EPA requests on data gathering templates). Manufacturers can work with EPA and provide the data recording templates that reflect what can be provided.

IMAGING EQUIPMENT

ITI is supportive of EPA’s need to modify the partnership commitments because of the new qualification and verification testing requirements. However, we do not think the general eligibility and testing rules should be modified at this time. EPA has essentially rewritten the imaging rules by making definition, rules, and testing requirement changes. EPA is also proposing testing, such as those related to DFEs. Making any changes, no matter how apparently innocuous, with so little time to properly consider and evaluate them presents difficulties. ITI requests that EPA retain the exact V1.1 eligibility and testing rules, unless it is obvious these are a problem for the new qualification and verification testing processes. ITI does not think any fundamental changes in test procedures, limits, or other vital criteria warrant changes at this time. Those types of changes should be addressed in the next formal update of the imaging rules.

We request EPA to include a note in the new rules clearly stating that EPA does not intend limit the scope of products or change the basic interpretation and use of the eligibility and testing requirements as defined in V1.1. If V1.2 interpretation questions arise, EPA will use the actual practices of V1.1 to judge the outcome for V1.2.

- **Using the ENERGY STAR Name and Marks (Section 3)** – This section indicates that ENERGY STAR is reducing the ENERGY STAR Logo location requirements from 3 requirements (top/front product, retail packaging and product web site) and reduced that to the choice of 3 requirements (top/front product label, electronic message or retail packaging). ITI is supportive of this labeling change, which will allow Manufacturers greater choice in associating the Energy Star Logo with qualified products.

- **Verifying Ongoing Product Qualification (Section 6 and 7)** – The details and requirements of the verification testing should be referenced or explained in the Partner Commitments section. The proposed language would provide a blank check to the CB to perform as much testing as they see fit.
- **Providing Information to EPA (Section 8)** – Section 8.1 notes that “Partner shall exclude shipments to organizations that rebrand and resell shipments.” It is unclear if this statement would include sales to the Copier Dealer Market. ITI requests that OEM shipment details include sales to Copier Dealers.

In section 8.3, the current statement is not explicit that the reference to an EPA-authorized third party could refer to an organization like ITI that would combine and report data from several Partners, or if EPA is considering, for example, having Partners send data to an EPA contractor for data analysis. Partners want to retain the options of combining their data and reporting to the EPA so as not to reveal individual company performance.

- **Training and Consumer Education (Section 11)** – As noted in the general comments above, this section represents a substantial new effort in the information required to communicate to users for compliance. This section should be returned to the original language in V1.1. New Language should be added at the next specification revision.
 - 11.1 – Language is vague, cannot be verified, and will confuse users
 - 11.1.3 – Links cannot be supplied to paper inserts.
 - 11.2 – This would require OEMs to give an advertisement to a different EPA program. This is inappropriate for user education of Imaging Equipment.
 - 11.3 – ITI is concerned that EPA mandates what is and is not in the user education sheet/document.

DISPLAYS

- **Verifying Ongoing Product Qualification (Section 7):** As noted in previous sections, we are concerned with the following open-ended language: *“Comply with tests that EPA/DOE may conduct at its discretion on products that are referred to as ENERGY STAR qualified.”*
- **Providing Information to EPA (Section 8):** As noted above, partner must provide unit shipment data segmented by meaningful product characteristics (e.g., type, capacity, presence of additional functions) as prescribed by EPA. In Version 5.0, EPA encouraged the ENERGY STAR partner to comply with this section, but in draft Version 5.1, this appears to no longer be voluntary. This could be a significant change, if ITI is not a third party approved for submitting the data. EPA should also add language that accommodates and bounds specific shipment data manufactures are capable of providing (versus what EPA requests on data gathering templates). Manufacturers can work with EPA and provide the data recording templates that reflect what can be provided.
- **Training and Consumer Education (Section 11.2):** The proposed addition to the partner agreement instructs partners to: *“Include a link to www.energystar.gov/powermanagement from product web pages, product specifications, and related content pages.”* While this appears to be a small modification, this would require a significant effort on the part of industry to include this in all manufacturer documentation, including individual web pages, product specifications, and marketing collateral. We recommend EPA modify the proposed language to encourage manufacturers to include the link where appropriate and avoid making this a mandatory requirement.