



Ann Bailey, Chief
ENERGY STAR Labeling Branch
US Environmental Protection Agency
1301 L Street, NW
Washington, DC

October 1, 2010

Dear Ann Bailey,

Thank you for the opportunity to comment on the proposed changes to the ENERGY STAR Partner Commitments.

Clarification

It is our understanding that:

- There are no changes to the CFL, Integral LED Lamp, and SSL Luminaire specifications
- There are no changes to the CFL test and verification process at this time
- Other lighting categories are now subject to the revised testing and verification process, utilizing a testing facility approved by ENERGY STAR

If any of these assumptions are incorrect, we request clarification.

Providing Information to EPA

Further, we have two comments that both refer to section 9, "Providing Information to EPA."

- 9.3: Partner must submit unit shipment data for each calendar year to EPA or an EPA-authorized third party, preferably in electronic format, no later than March 1 of the following year.

Currently, CFL data are submitted through the lighting industry's trade association, NEMA. We assume that NEMA is an EPA-authorized third party and will be able to continue providing the same data-consolidation service for other lighting products and would like confirmation that this is the case.

The last statement in section 9 states:

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Submitted unit shipment data will be used by EPA only for program evaluation purposes and will be closely controlled. Any information used will be masked by EPA so as to protect the confidentiality of the Partner;

We are very concerned about the term “closely controlled.” The term “closely controlled” is not specific and does not provide any details to understand how the data will be handled, nor to assure that this highly confidential information will be managed properly.

EPA should state clearly that the unit shipment data submitted will be classified as Confidential Business Information (CBI) and that as such, management of CBI will follow EPA’s guidelines for handling CBI. This set of guidelines should then be referenced within the document so that Partners can review them prior to signing the agreement.

Thank you again for this opportunity to comment, and we look forward to seeing these issues addressed in the final version of the Partner Commitments.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer R. Dolin".

Jennifer Dolin, LEED AP
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