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Kathleen Vokes  
US Environmental Protection Agency  
ENERGY STAR for Set-top Boxes  
1310 L Street, NW  
Washington, DC 20005

Dear Ms. Vokes;

Because set-top boxes are the third most purchased group of consumer electronics and because the device is a highly visible centerpiece in most American homes, we believe that this partnership is important not only to the growth of the Energy Star program, but also to the advancement of corporate environmental stewardship.

Thank you for inviting all stakeholders to discuss this emerging partnership and for taking our ideas and concerns into consideration when writing future standards.

Attached in this document are EPB's comments on the proposed Tier 3 specifications. In particular, we have commented in the areas of remote software updates, testing requirements, sleep mode, "fail safe" partnerships, tiered partnerships, utility program integration, continuing conversation, and smart grid compliant devices.

I enjoyed meeting with you and industry representatives and hope to meet with you again in the future.

Sincerely,

Elizabeth Iris Crenshaw, *LEED® AP Operations + Maintenance*  
Strategic Research  
EPB

### **I. Remote Software Updates**

At the March 19<sup>th</sup> meeting, the idea of sending software updates to set-top boxes to keep in them in compliance was discussed. This is an intriguing concept because the boxes would be able to update without having to be taken from customer homes, and as efficiency technologies (such as sleep mode) improve, customers with existing boxes would be able to reap the benefits of these advancements. We understand that software updates have limitations, and therefore cannot by themselves make a box compliant, but there may be a way to integrate software updates into the partnership agreement as a "bonus" category, an "above and beyond" action that could win a participating company special recognition.

### **II. Testing Requirements**

As it currently stands, service providers are not required to physically test set-top boxes. We believe that this is a positive choice on behalf of the EPA because requiring service providers to test boxes would be redundant and could hinder the growth of the program, as some providers may be intimidated by such a condition. We ask that this provision be placed in the new standard and that testing responsibility remain entirely with the manufacturer.

### **III. Sleep Mode**

Sleep mode capability is a promising means of reducing energy consumption. However, as was pointed out in the meeting, sleep mode currently is undesirable to customers because of the long wait time of two minutes to power on. We encourage the EPA to follow this technology, and, as it improves, give it a larger role in the partnership.

### **IV. "Fail safe" Partnerships**

It is understandable that some would-be partners are cautious about entering a partnership in which they must commit to certain purchases for the foreseeable future. However, the idea that exceptions can be made for those who do not meet a voluntary standard is troubling. We understand that the EPA wants to grow this partnership to include cable operators, but if cable is not willing to commit to the program with the same fortitude as current partners, we question whether or not their partnership should be treated with the same recognition as those who would not enter a "fail safe" partnership. There should be a way to compromise, meaning that either partnerships are tiered or that a "fail safe" option is very limited, as to not encourage non-compliance while still reaping the benefits of being a partner.

### **V. Tiered Partnerships**

There appear to be two extremes within this partnership category. On one end, there are the service providers who are deeply committed to the partnership, distributing 100% Energy Star certified set-top boxes. On the other end, there are service providers who are arguing for even lower standards of compliance, countering that they are unable to meet even a 50% commitment. With respect to the managers making these business decisions, the problem seems not to be the impossibility of meeting the requirement, but rather with the ranking of

environmental stewardship in the list of corporate priorities. Company managers must make decisions that are right for their individual situations. With that said, companies who make the extra effort to meet and exceed current requirements should reap the benefits of making that decision. We want this program to grow. Set-top boxes are an important component to overall efficiency in consumer electronics. A compromise could be reached in which companies unwilling to meet current standards could gradually work their way up a tiered system (example: 25%, 50%, 75%, and 100% compliant boxes purchased ranking system). A participant mentioned that a "LEED like system" could solve the issue, referring to the USGBC's Leadership in Energy and Environmental Design ranking system. While we do not believe that such a system would be appropriate for this partnership, as the EPA already offers partnership types that cover many of the would-be categories that were suggested at the meeting, LEED's certification ranking system may still offer a solution. LEED certifies buildings based on a system in which the more points projects earn, the more prestigious the certification award. LEED uses plaques that are plain certified, silver, gold or platinum. The EPA may want to consider applying such a system to the Energy Star program in general, but especially in the case of set-top boxes, clarification could be achieved. Such a system would allow for the partnership to grow. Energy Star would be adding new companies with customers new to the Energy Star label and who are at the very least becoming more efficient than they otherwise would be. And, a "gold" or "platinum" designation would reward companies who make energy efficiency a top business priority. Such a system would also encourage competition, with each company vying to be perceived as being increasingly "green".

#### **VI. Utility Program Integration**

Representatives of West Coast and Northeast electric and gas utilities came to the meeting with hopes of finding a way to work with service providers and manufacturers to reap the benefits of set-top box energy savings. One problem the utilities face is that they cannot incent the customer to buy an Energy Star certified set top box, as 99% of the time, a set top box is assigned to customers by a service provider. Utilities could find a way to incent Service Providers in their area to become Energy Star partners by giving them some sort of value for purchasing energy efficient set-top boxes for customer distribution. EPA may want to consider working with these utilities on such an incentive to help the partnership grow.

#### **VII. Continuing Conversation**

There is no substitute for meeting face to face and having in-person discussions. It was suggested that the EPA continue these meetings every 16 months or so. It would be appreciated if the EPA would consider such a meeting schedule, as it seemed that those who attended received value from the conversations.

#### **VIII. Smart Grid Compliant Devices**

At a previous meeting, utilities PG&E and Southern California Edison expressed the urgency for not only energy efficient consumer electronics, but also smart grid compliant devices. As both utility and communications provider, EPB seconds this urgency. Unfortunately, the representative from the Consumer Electronics Association did not share this sentiment, stating that his industry does not believe that there is a need for such an attribute and that customers do not want utilities to manage their electronics. We disagree. We believe that while not all customers will want utilities to manage their electronics, all customers with smart grid infrastructure should have the option. There is clearly an educational component missing in the consumer electronics industry about the Smart Grid, its capabilities, and how utilities intend to interact with customers using those capabilities, but there is an opportunity for Energy Star to encourage cooperation. Smart Grid compliant consumer electronics would add an entirely new level of energy efficiency capability in these products. If customers were to choose for their electronics to be controlled, the savings would be significant – bringing Energy Star closer to its goals and giving Americans increased control over their energy consumption. Energy Star could encourage the development of Smart Grid compliant electronics by either creating an entirely new partnership category or by integrating the compliance into current partnerships. The Smart Grid is still in the early stages of its development, but certain utilities – like the West Coast companies and EPB, have already started building out the necessary infrastructure. By the time most Americans have the infrastructure, it would be key to Energy Star's conservation goals to have labeled products on the market that could easily signal the opportunity for increased, smart grid enabled, energy savings. Appliance manufacturers Whirlpool and GE have already started piloting smart grid communication capable appliances. Consumer Electronics have that same opportunity. We ask that Energy Star consider the increased energy savings the Smart Grid makes possible when writing new standards for partnerships. Such an incentive could make the transition from conventional products, devices incapable of increased savings once bought, to "smart " devices faster – a great benefit to the American people.