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May 1, 2014

Via E-Mail

Katharine Kaplan  
U.S. Environmental Protection Agency  
ENERGY STAR Appliance Program  
appliances@energystar.gov

Re: ENERGY STAR Program Requirements  
Product Specification for Room Air Conditioners, Eligibility Criteria, Draft Version 3.1

Dear Ms. Kaplan:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I would like to provide our comments on the ENERGY STAR Product Specification for Room Air Conditioners, Eligibility Criteria, Draft Version 3.1.

AHAM represents manufacturers of major, portable and floor care home appliances, and suppliers to the industry. AHAM's membership includes over 150 companies throughout the world. In the U.S., AHAM members employ tens of thousands of people and produce more than 95% of the household appliances shipped for sale. The factory shipment value of these products is more than \$30 billion annually. The home appliance industry, through its products and innovation, is essential to U.S. consumer lifestyle, health, safety and convenience. Through its technology, employees and productivity, the industry contributes significantly to U.S. jobs and economic security. Home appliances also are a success story in terms of energy efficiency and environmental protection. New appliances often represent the most effective choice a consumer can make to reduce home energy use and costs.

AHAM supports EPA and the Department of Energy (DOE) in their efforts to provide incentives to manufacturers, retailers, and consumers for continual energy efficiency improvement, as long as product performance can be maintained for the consumer. We appreciate EPA and DOE's collaborative efforts to harmonize their requirements by translating the ENERGY STAR eligibility criteria for room air conditioners. But, in this case, as discussed below, AHAM believes the change is unnecessary and likely will cause consumer confusion. In addition, AHAM opposes a specification revision for room air conditioners—instead, EPA should sunset the ENERGY STAR program for this product category. Without a future specification, there is certainly no need to crosswalk the existing ENERGY STAR EER levels.

EPA proposes to translate its existing version 3.0 energy efficiency ratio (EER) requirements into equivalent combined energy efficiency ratio (CEER) requirements. EPA makes this proposal because, as of June 1, 2014, revised DOE standards will be based on CEER standards levels and certification to DOE must be made using CEER. Those standards will represent a significant achievement in terms of energy efficiency for room air conditioners. And, with existing technology, AHAM does not believe there are significant energy savings to be realized for room air conditioners beyond the upcoming DOE standards. This is supported by the fact that EPA's framework document focused on potential non-energy related requirements instead of revisions to the efficiency levels themselves. Accordingly, AHAM supports a sunset of the room air conditioner ENERGY STAR program and opposes a specification revision. Without a revised specification, there is certainly no need to crosswalk the existing specification which would become moot when DOE's standards are mandatory.

Even if EPA were to continue with a specification revision over AHAM's objections, it is not necessary for EPA to translate its EER criteria to CEER levels. The Federal Trade Commission (FTC) has informed AHAM that, until FTC is able to amend its regulations to permit manufacturers to include CEER on the EnergyGuide label, manufacturers must continue to report EER on the label. This can be done without any additional burden using updated Appendix F, the test procedure that will be mandatory to demonstrate compliance with DOE's CEER standards, because that test procedure still requires measurement and calculation of EER. There is not a difference in measured energy between the existing test procedure and the amended test procedure in terms of the EER measurement. Accordingly, were EPA to move forward with its proposal, CEER would appear on the qualified products list (QPL), but EER would appear on the consumer-facing EnergyGuide label. Because consumers use the QPL and the EnergyGuide label to shop, we strongly discourage this result which could be confusing to consumers.<sup>1</sup> We suggest that EPA investigate this issue further, perhaps through consumer research, and we would be glad to discuss potential approaches with EPA.

In addition, due to the nature of any crosswalk, the translation from EER to CEER is only an approximation—it is, necessarily, based on averages and assumptions. Thus, AHAM is concerned that products that in fact meet the ENERGY STAR requirements, will not be eligible or will no longer be eligible. This is particularly true because manufacturers have already begun placing EER and CEER on their nameplates because DOE has permitted early compliance with amended test procedures so long as the manufacturer also demonstrates compliance with the corresponding amended standard. It is possible that the CEER reported on a nameplate (which could be a conservative value) might not meet EPA's translated criteria even though the product may be an existing ENERGY STAR product as qualified per the EER criteria. We understand that EPA is not proposing that such products be disqualified, but there could be inconsistencies apparent to the consumer because the reported CEER may differ from EPA's CEER criteria.

AHAM does not believe it is inconsistent with DOE's regulations or the Energy Policy and Conservation Act (EPCA), as amended, to continue to permit manufacturers to certify products as eligible for ENERGY STAR using EER because EER is derived from the test procedure that

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<sup>1</sup> Although CEER will be on the DOE CCMS database, that database, as EPA has acknowledged, is not widely used by consumers.

will be mandatory as of June 1. And, because it is consistent with what FTC is requiring, AHAM believes that the best approach is to continue to permit manufacturers to qualify for ENERGY STAR based on EER for a short period of time.

For all of these reasons, AHAM strongly urges EPA to abandon its translation proposal and to instead focus its energies on sunsetting the ENERGY STAR program for room air conditioners and developing an ENERGY STAR program for portable air conditioners.

AHAM appreciates the opportunity to submit comments on the ENERGY STAR Product Specification for Room Air Conditioners, Eligibility Criteria, Draft Version 3.1 and would be glad to further discuss these matters should you so request.

Best Regards,

A handwritten signature in cursive script that reads "Jennifer Cleary".

Jennifer Cleary  
Director, Regulatory Affairs