

Email received on December 20, 2010 from Don Plunkett.

Thank you for your diligent work in refining the Energy Star program specifications.

One challenge is to not exclude smaller lighting manufacturers, many which are locally based **women and minority owned** businesses, from remaining a viable competitive and innovative force. The move from voluntary compliance to mandated testing by third party laboratories unfairly burdens smaller companies that do not have the financial or human resources of larger national and multinational firms. This is also referred to as "Technical Barriers to Trade," or TBT.

Also of significance, national and multinational firms by their very nature procure product from distances and even from overseas, resulting in a much wider carbon footprint than smaller localized firms due to increased transportation-related energy consumption. It is for this same reason that LEED awards additional points for local materials procurement.

Additionally, third party testing does not guarantee that manufacturers of Energy Star labeled products will consistently adhere to the Energy Star specifications of the sample fixtures submitted to the testing laboratories any more than voluntary compliance will. **However, it will unfairly eliminate many of these women, minority, and/or small businesses from our otherwise open market.** It will also unduly increase imports, undermining local manufacturing bases and again, increasing the carbon footprint and greenhouse gases due to the added transportation costs.

Your excellent newer Energy Star specifications and standards, coupled with your previous **voluntary compliance** guidelines, achieves both the advantages of standardization and the time tested benefits of fair competition and innovation that is open to all, small and large, public corporation as well as women and/or minority owned.

Thank you,

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Don Plunkett, Ph.D. (President)

UNITED LIGHTING INC.

Manufacturers of Commercial Indoor & Outdoor Lighting