



June 16, 2011

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Via E-Mail

Amanda Stevens
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 2, Version 3.0

Dear Ms. Stevens:

On behalf of the Association of Home Appliance Manufacturers (AHAM), I would like to provide our comments on the ENERGY STAR Program Requirements Product Specification for Room Air Conditioners, Eligibility Criteria, Draft 2, Version 3.0. Please note that these comments address only the non-smart grid portion of Draft 2—AHAM will later submit comments regarding the smart grid proposals.

The Association of Home Appliance Manufacturers (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 U.S. Environmental Protection Agency (EPA) and Department of Energy (DOE) in their efforts to provide incentives to manufacturers, retailers, and consumers for continual energy efficiency improvement. AHAM thanks EPA for revising the effective date to October 1, 2012, because this date is more feasible given the production timelines for room air conditioners. But EPA should ensure that room air conditioners with electromechanical controls are not exempt from qualification for ENERGY STAR because of the design requirements for the energy saver mode and the filter reminder. Those products can provide consumers with energy savings—the ENERGY STAR specification should not limit consumer choice.

I. Effective Date

EPA proposes that the revised room air conditioner specification shall take effect on October 1, 2012. Consistent with our comments of January 19, 2011, AHAM strongly supports that effective date as it realistically accounts for the production timelines for room air conditioners. AHAM thanks EPA for revising its originally proposed effective date based on stakeholder comment.

II. Definitions

Per stakeholder comment, EPA revised its previously proposed definitions of “room air conditioner” and “reverse cycle” to be identical to the DOE definition and ASHRAE Standard 58 definitions respectively. AHAM supports those changes and thanks EPA for ensuring that the definitions are identical.

AHAM reiterates the importance of maintaining harmonization with DOE at all times. In other words, as DOE definitions change, ENERGY STAR definitions must also change. It is critical that EPA’s requirements are consistent with DOE regulations and test procedures. To achieve consistency, the relevant definitions must be identical to each other at all times. Without such consistency and uniformity there will be significant confusion for manufacturers and for consumers. EPA must have substantial reasons for varying from DOE regulations, and if EPA varies from any DOE requirement, AHAM requests that it provide its reasons for doing so and give stakeholders the opportunity to comment.

III. Qualification Criteria

A. Energy Saver Mode

EPA proposes to require that the “energy saver mode” be the “default operating mode.”

AHAM does not generally object to EPA including criteria for an energy saver mode. But we suggest some clarifications to the proposal and some changes to allow products equipped with electromechanical controls to meet the requirement.

The term “default operating mode” is ambiguous. Possible interpretations of the term include that the product defaults to energy saver mode when: 1) plugged in and turned on for the first time and each subsequent time; or 2) plugged in and turned on for the first time only. It could also allow consumer override of the default function or disallow it. Furthermore, it could allow consumer override on a one-time basis—i.e., the consumer could override it the first time the product is turned on, or at any later time, and that override would remain until the consumer changed it. Or, it could also allow consumer override only on a limited basis—i.e., require the consumer to override the default setting each and every time the unit is powered on.

During the stakeholder webinar on June 2, 2011, EPA stated that its intent was that the product would default to energy saver mode out of the box and each time the product is turned on. EPA also stated that the consumer could override the energy saver mode, but that override would not

carry over when the consumer powers the unit off—under EPA’s proposal, the consumer would need to override the mode each and every time the unit is powered on. AHAM does not object to that approach *for products with electronic controls*, but EPA should clearly state its intent so that this criterion is uniformly understood by all partners. For products with electromechanical controls, however, a different approach should be taken, as discussed below.

The energy saver mode requirement as proposed will penalize products with electromechanical controls even if those products 1) meet the energy efficiency qualification criteria; and 2) provide an energy saver mode. Products with electromechanical controls generally provide a mechanical switch that allows the consumer to select or unselect the energy saver mode. But such products cannot guarantee default to the energy saver mode each time the unit is turned on. Moreover, though a manufacturer may be able to ensure shipment of the unit with the switch set to the energy saver mode, the manufacturer cannot guarantee that the switch will not inadvertently change position during shipping or that it will not be altered once the product leaves the warehouse.

There is no reason products with electromechanical controls should be excluded from qualification for ENERGY STAR. Consumer choice in products should not be unnecessarily reduced. Requiring a change to electronic controls will result in only more expensive products with electronic controls being available to consumers seeking an ENERGY STAR qualified product. And it will do nothing to enhance energy savings goals. EPA should not use the ENERGY STAR requirements as a means to push products from the market or limit consumer choice.

Accordingly, AHAM proposes that EPA modify the energy saver requirement so that, for products with electromechanical controls, “default operating mode” means that the product is shipped with the switch for energy saver mode in the “on” position, but does not require that the unit default to energy saver mode each time the product is turned on. This will allow products with electromechanical controls that meet the prescribed energy efficiency levels to qualify for ENERGY STAR, which will motivate manufacturers to design electromechanical products that have increased efficiencies and offer an energy saver mode. If EPA does not make this change to the energy saver mode requirement, energy savings will be lost because manufacturers will have little to no incentive to design products that are more efficient than the federal minimum efficiency levels.

B. Filter Reminder

EPA proposes to require ENERGY STAR qualified room air conditioners to provide visual notification recommending the filter be checked, cleaned, or replaced, as applicable. This requirement is nearly, if not totally, impossible for electromechanical products to meet, which will result in products that meet the energy efficiency criteria not being qualified for ENERGY STAR. This is a missed opportunity for energy savings because, as discussed in part III.A above, manufacturers will have little to no incentive to design products with electromechanical controls that are more efficient than the federal minimum efficiency standards if such products cannot qualify for ENERGY STAR.

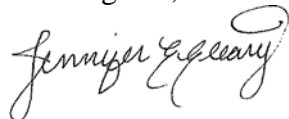
EPA should not use the ENERGY STAR requirements as a means to limit consumer choice or push products from the market, especially when there are other means of achieving increased efficiency for those products. With this filter reminder requirement which requires a change to electronic controls, however, EPA will do just that. And we question whether the energy savings resulting from the filter reminder will really be significant enough to justify excluding products with electromechanical controls from qualification for ENERGY STAR. In fact, it seems that more energy savings could be lost than gained. Accordingly, AHAM suggests that this requirement either be removed from the specification or that products with electromechanical controls be excluded from the requirement.

IV. Sampling Plan Requirements

EPA proposes to cite 10 C.F.R. 429.15, which references 10 C.F.R. 429.11 with regard to sampling plans for qualification to ENERGY STAR. AHAM strongly supports that reference as it harmonizes with DOE's sampling plan requirements for certification.

AHAM appreciates the opportunity to submit these comments on ENERGY STAR's proposal regarding the ENERGY STAR Program Requirements Product Specification for Room Air Conditioners, Eligibility Criteria, Draft 2, Version 3.0. We would be glad to discuss this matter further should you request.

Best Regards,

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

Jennifer Cleary
Director, Regulatory Affairs