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12-BSTD-1

DATE APR 11 2012

RECD. APR 11 2012

April 11, 2012

California Energy Commission (CEC)

Re: March 12, 2012 45-day Language Hearing for Nonresidential Buildings - 2013 Building Energy Efficiency Standards (AHRI Comments on §140.4(e)4; Docket # 12-BSTD-1)

Dear CEC Staff:

The Air-Conditioning, Heating and Refrigeration Institute (AHRI) is the trade association representing manufacturers of heating, cooling, water heating, and commercial refrigeration equipment. Over 300 members strong, AHRI is an internationally recognized advocate for the industry, and develops standards for and certifies the performance of many of the products manufactured by our members. In North America, the annual output of the HVACR industry is worth more than \$20 billion. In the United States alone, our members employ approximately 130,000 people, and support some 800,000 dealers, contractors, and technicians.

We have some concerns on the code language that was proposed at the hearing on March 12, 2012. Specifically, we feel that the proposed language in §140.4(e)4B (drive mechanism) should not be considered for the current rulemaking cycle. We believe that the timing of the proposed changes in §140.4(e)4B is inappropriate for this rulemaking cycle due to the fact that these changes are recent and were not raised at the last CEC nonresidential staff workshop on October 13, 2011. Additionally, stakeholders were not given sufficient opportunity to comment on the proposed changes during the pre-rulemaking process. The language that was added to §140.4(e)4B in the 45-day draft is underlined below:

Drive mechanism. Economizer and return dampers shall have a direct drive modulating actuator with either gear driven interconnections or tiebar and crossover side interconnections. The gear or linkage interconnections shall be located out of the airstream.

Although the intent of the added language may have been to specify air leakage requirements for dampers, we feel that adding this language is unnecessary since §140.4(e)4.C (damper reliability testing) and §140.4(e)4.D (damper leakage) already specify the damper requirements. The revised proposal adds additional prescriptive requirements that are unnecessary. Therefore, we recommend that the language underlined above be removed from the 45-day draft.

We appreciate this opportunity to submit comments and urge that CEC reconsider the proposed code language in §140.4(e)4B based on the issues that have been raised in this letter. If you have any questions or wish to discuss this further, please do not hesitate to call me at (703) 600-0383.

Sincerely,

A handwritten signature in black ink, appearing to be 'AR' with a flourish underneath.

Aniruddh Roy
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