

## DOCKETED

<b>Docket Number:</b>	17-AAER-14
<b>Project Title:</b>	Appliance Efficiency Standards Certification Rulemaking for Residential Air Filters, Residential Pool Pump and Motor Combinations, and Replacement Residential Pool Pump Motors
<b>TN #:</b>	219142
<b>Document Title:</b>	Notice of Proposed Action Appliance Efficiency Certification Rulemaking for Air Filters and Pool Pump Motors
<b>Description:</b>	Notice of Proposed Action (NOPA) for appliance efficiency certification rulemaking for air filters and pool pump motors
<b>Filer:</b>	Patrick Saxton
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
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## **NOTICE OF PROPOSED ACTION**

Residential Air Filters, Residential Pool Pump and Motor Combinations, and  
Replacement Residential Pool Pump Motors

California Energy Commission  
Docket No. 17-AAER-14  
June 16, 2017

The California Energy Commission seeks to modify existing appliance efficiency regulations to delay the date by which residential air filters must comply with testing, certification, and marking requirements, and to allow certification of permanent magnet synchronous motors used in residential pool pump and motor combinations or used as replacement residential pool pump motors.

### **NOTICE THAT A PUBLIC HEARING IS SCHEDULED:**

The date set for the adoption of regulations at a public hearing is as follows:

Energy Commission Business Meeting  
**August 9, 2017**  
10:00 a.m. (Pacific Time)

California Energy Commission  
1516 9th Street  
Sacramento, CA 95814  
Rosenfeld Hearing Room  
(Wheelchair accessible)

Audio for the adoption hearing will be broadcast over the internet. Details regarding the Energy Commission's webcast can be found at [www.energy.ca.gov/webcast](http://www.energy.ca.gov/webcast).

If you have a disability and require assistance to participate in these hearings, please contact Poneh Jones at (916) 654-4425 at least 5 days in advance.

### **ORAL AND WRITTEN STATEMENTS**

Interested persons may present oral and written statements, arguments, or contentions regarding the proposed regulations at the hearing, or may submit written comments to the Energy Commission for consideration on or prior to 5:00 pm on July 31, 2017. The Energy Commission appreciates receiving written comments at the earliest possible date.

Please submit comments to the Energy Commission using the Energy Commission's e-commenting feature by going to the Energy Commission's 2017 Appliance Efficiency Rulemaking webpage <http://energy.ca.gov/appliances/2017-AAER-14/rulemaking> and

clicking on the “Submit e-comment” link. A full name, e-mail address, comment title, and either a comment or an attached document (.doc, .docx, or .pdf format) is mandatory. After a challenge-response test used by the system to ensure that responses are generated by a human user and not a computer, click on the “Agree & Submit Your Comment” button to submit the comment to the Energy Commission’s Docket Unit.

Please note that written comments, attachments, and associated contact information included within the written comments and attachments (e.g., your address, phone, email, etc.) become part of the viewable public record.

You are encouraged to use the electronic filing system, described above, to submit comments. If you are unable to submit electronically, a paper copy of your comments may be sent to:

Docket Unit  
California Energy Commission  
Docket No. 2017-AAER-14  
1516 9th Street, MS-4  
Sacramento, CA 95814

Or e-mailing them to: [DOCKET@energy.ca.gov](mailto:DOCKET@energy.ca.gov)  
Or faxing them to Dockets at (916) 654-4354

## **PUBLIC ADVISER**

The Energy Commission’s Public Adviser’s Office is available to assist any person who wishes to participate in this proceeding. For assistance from the Public Adviser’s Office, please call (916) 654-4489 or toll-free in California at (800) 822-6228 or contact [publicadviser@energy.ca.gov](mailto:publicadviser@energy.ca.gov).

**STATUTORY AUTHORITY AND REFERENCE** – Government Code section 11346.5(a)(2) and California Code of Regulations, title 1, section 14.

Authority: Public Resources Code sections 25213, 25218(e) and 25402(c).

Reference: Public Resources Code sections 25216.5(d) and 25402(c).

**INFORMATIVE DIGEST** – Government Code section 11346.5(a)(3).

**Existing laws and regulations related directly to the proposed action and effect of the proposed rulemaking** – Government Code section 11346.5(a)(3)(A).

Existing law (Public Resources Code section 25402(c)) requires the Energy Commission to reduce the inefficient consumption of energy by prescribing standards for minimum level of operating efficiency and other cost-effective measures, such as

energy consumption labeling requirements, for appliances that require a significant amount of energy to operate on a statewide basis.

The Appliance Efficiency Regulations (California Code of Regulations, title 20, sections 1601-1609) contain definitions, test procedures, efficiency standards, marking, and certification requirements for state- and federally-regulated appliances. Appliance manufacturers are required to certify to the Energy Commission that their products meet all applicable state and federal regulations pertaining to energy efficiency before their products can be included in the Energy Commission's database of approved appliances to be sold or offered for sale within California.

### **Residential Air Filters**

Existing law requires testing, marking, and certification of residential air filters for use in forced-air heating or forced-air cooling equipment, also referred to as Heating, Ventilation, and Air Conditioning (HVAC) equipment, which are sold or offered for sale in California. Specifically, California Code of Regulations, title 20, section 1604(c)(4) provides the test methods for air filters and requires that manufacturers test small, medium, and large size air filters for each grade. California Code of Regulations, title 20, section 1606, Table X, subsection C, requires manufacturers to certify air filters sold or offered for sale in California by reporting the following data into the Energy Commission's database: air filter sizes tested, minimum efficiency reporting value, test procedure used to determine air filter efficiency performance, face velocity utilized for the test procedure, initial resistance at air flow rate of values 1 through 5, final resistance, and dust holding capacity at the maximum rated airflow rate. Lastly, California Code of Regulations, title 20, section 1607(d)(12) states that each unit of air filter manufactured on or after July 1, 2016, shall be marked permanently and legibly with the information specified in Sections 1607(d)(12)(A)-(B).

The Energy Commission has adopted emergency regulations to change the date by which residential air filters sold or offered for sale in California must comply with the testing, marking, and certification requirements from July 1, 2016, to April 1, 2019. Specifically, the Energy Commission's emergency regulatory action amended California Code of Regulations, title 20, section 1607(d)(12) to state that each unit of residential air filters manufactured on or after April 1, 2019, shall be marked, permanently and legibly with the information specified in Sections 1607(d)(12)(A)-(B). In addition, through the emergency regulatory action, the Energy Commission amended California Code of Regulations, title 20, section 1606, Table X, subsection C, to limit its effect so that only those residential air filters manufactured on or after April 1, 2019, as opposed to all residential air filters, that are sold or offered for sale in California, must be certified to the Energy Commission.

The emergency regulations delayed the date when residential air filters must comply with the existing regulations to provide the Energy Commission time to collaborate with stakeholders to study, address, and resolve manufacturers' concerns with the existing testing requirements in California Code of Regulations, title 20, section 1604(c)(4). The

emergency regulations have allowed manufacturers to continue to supply residential air filters to the California market while the Energy Commission evaluates whether the testing requirements for residential air filters lack specificity and if it is necessary to develop and adopt regulations to address the concerns with the testing requirements. The emergency regulations will expire on September 26, 2017.

The Energy Commission has initiated this rulemaking to make the emergency regulations permanent pursuant to Government Code section 11346.1(e). The proposed regulations would delay the date by which residential air filters that are sold or offered for sale in California must comply with the testing, marking, and certification requirements in the Appliance Efficiency Regulations. Like the emergency regulations, the proposed regulations would delay the date when residential air filters must comply with the existing regulations from July 1, 2016, to April 1, 2019.

### **Residential Pool Pump and Motor Combinations and Replacement Residential Pool Pump Motors**

Existing law establishes definitions, test methods, efficiency standards, and certification and marking requirements for residential pool pump motor combinations and replacement residential pool pump motors that are sold or offered for sale in California. Specifically, California Code of Regulations, title 20, section 1602(g) provides definitions to describe the permissible motor construction types for residential pool pump and motor combinations and replacement residential pool pump motors. California Code of Regulations, title 20, section, 1604(g)(3) sets forth the test method for residential pool pumps. California Code of Regulations, title 20, section 1605.3(g)(5) establishes the motor efficiency standards for residential pool pump and motor combinations and replacement residential pool pump motors. California Code of Regulations, title 20, section 1606, Table X, subsection G, requires that manufacturers certify residential pool pump and motor combinations and replacement residential pool pump motors sold or offered for sale in California by reporting the following data into the Energy Commission's database: motor construction type, motor design, frame, speed, motor capability, unit type, pool pump motor capacity, motor service factor, motor efficiency, nameplate horsepower, pump control speed, and flow power and energy factors for curves A, B and C. Lastly, California Code of Regulations, title 20, sections 1607(a), 1607(b) and 1607(d)(9)(B) include marking requirements for residential pool pump and motor combinations and replacement residential pool pump motors.

The Energy Commission has adopted emergency regulations to allow the certification of permanent magnet synchronous (PMS) motors used in residential pool pump and motor combinations or used as replacement residential pool pump motors that are sold or offered for sale in California. Specifically, the Energy Commission's emergency regulatory action amended California Code of Regulations, title 20, section 1602(g) to define PMS motors. In addition, the Energy Commission amended California Code of Regulations, title 20, section 1606, Table X, subsection G to add PMS motors as a permissible motor construction type for residential pool pump and motor combinations

and replacement residential pool pump motors. The emergency regulations provided consumers access to pump and motor sets that include PMS motors, which are often used for storable pools, and which are less costly and as efficient as other types of compliant pool pump motors. The emergency regulations will expire on September 26, 2017.

The Energy Commission has initiated this rulemaking to make the emergency regulations permanent pursuant to Government Code section 11346.1(e). Like the emergency regulations, the proposed regulations would define PMS motors and add PMS motors as a permissible motor construction type. The proposed regulations would allow manufacturers to certify PMS motors used in residential pool pump and motor combinations or used as replacement residential pool pump motors.

**Difference from existing comparable federal regulation or statute** - Government Code section 11346.5(a)(3)(B).

### **Residential Air Filters**

The Energy Commission has determined that there are no existing, comparable federal regulations or statutes that address the testing, certification, and marking requirements in California Code of Regulations, title 20, section 1606, Table X, subsection C, and section 1607(d)(12), for residential air filters.

### **Residential Pool Pump and Motor Combinations and Replacement Residential Pool Pump Motors**

The Energy Commission has determined that there are no existing, comparable federal regulations or statutes, which are currently effective, that address the definitions and certification requirements in California Code of Regulations, title 20, section 1602(g), and section 1606, Table X, subsection G, for residential pool pump and motor combinations. The U.S. Department of Energy has adopted regulations establishing efficiency standards for pool pump and motor combinations (referred to as dedicated-purpose pool pumps) with a compliance date of July 19, 2021. (82 Fed. Reg. 5650 (January 18, 2017).) Because these federal efficiency standards are not yet effective, they do not preempt or affect current state efficiency standards for residential pool pump and motor combinations, including the existing efficiency standard prohibiting split-phase and capacitor start-induction run type motors. Moreover, federal appliance regulations do not preempt state certification requirements, which is the purpose of this rulemaking – to modify existing regulations to allow the certification of PMS motors used in residential pool pump and motor combinations and used as replacement residential pool pump motors.

The Energy Commission has determined that there are no existing, comparable federal regulations or statutes that address the definitions and certification requirements in California Code of Regulations, title 20, section 1602(g), and section 1606, Table X, subsection G, for replacement residential pool pump motors.

Absent such federal regulation or statute, there is no basis for comparison with and nothing related to the proposed regulations.

**Policy statement overview regarding broad objectives of the regulations and the specific benefits anticipated by the proposed amendments - Government Code section 11346.5(a)(3)(C).**

### **Residential Air Filters**

The broad objective of this rulemaking is to prevent adverse effects to California residents by allowing manufacturers to supply residential air filters to the California market while the Energy Commission undertakes a separate rulemaking to establish regulations that clarify and make specific the testing requirements for residential air filters. To meet this objective, the Energy Commission proposes to delay the date by which residential air filters, sold or offered for sale in California, must comply with testing, marking, and certification requirements in the Appliance Efficiency Regulations from July 1, 2016, to April 1, 2019.

The Energy Commission adopted the existing regulations for residential air filters on May 13, 2015. The regulations require that residential air filters manufactured on or after July 1, 2016, comply with testing, marking, and certification requirements, but do not set a specific efficiency or design standard for residential air filters. The existing regulations seek to address the lack of marking specifications on replacement residential air filters which may result in installing improper filters in HVAC equipment, wasting energy, and damaging equipment prematurely. The purpose of the regulations is to provide information to consumers regarding an air filter's ratings for metrics such as filter efficiency by particle size or initial resistance to airflow. This information allows consumers to better compare the rated performance of replacement air filters and to match a replacement air filter with the specific design requirements of the consumers' HVAC equipment.

In September 2016, Energy Commission staff learned that manufacturers of residential air filters faced barriers to compliance with the testing, marking, and certification requirements for residential air filters. The existing regulations were meant to provide manufacturers flexibility when conducting the required tests. However, Energy Commission staff recently determined that the regulations should be more specific with respect to identification and selection of a manufacturer's air filters to be tested and with respect to the application of the resulting test results to a manufacturer's air filters which are in the same product family but of a different size. The lack of an industry standard or accurate methodology to extrapolate test results to different filter sizes has made it difficult for manufacturers to comply with the existing regulations. If manufacturers use a dissimilar manner to choose air filters for testing or if they apply the test data to other air filters in a dissimilar manner, then marking information would not be comparable, as intended by the regulations. This will not be helpful to consumers, will introduce additional confusion to the market, and will contravene the

purpose of the regulations.

Prior to the adoption of the emergency regulations that delay the compliance date of the existing regulations, most manufacturers of air filters had to choose either to supply the California market with non-compliant residential air filters or to remove all residential air filters manufactured on or after July 1, 2016, from the California market. Manufacturers that supplied non-compliant residential air filters to the California market could have been subject to penalties through an enforcement action by the Energy Commission. If manufacturers removed residential air filters manufactured on or after July 1, 2016, from the California market, there would have been an insufficient supply to meet the needs of consumers for replacement residential air filters.

The specific benefits from the proposed regulations are threefold. First, the proposed regulations will benefit California residents by preventing a shortage of residential air filters which are necessary to reduce energy use and expense, protect HVAC equipment, and remove particulate pollutants to help maintain acceptable indoor air quality. Second, the proposed regulations provide the Energy Commission adequate time to develop and adopt regulations in a separate rulemaking to provide clarity to the existing regulations. Third, the proposed regulations will benefit manufacturers by allowing them to sell residential air filters in California and avoid enforcement actions.

### **Residential Pool Pump and Motor Combinations and Replacement Residential Pool Pump Motors**

The broad objective of this rulemaking is to prevent adverse effects to California residents by allowing manufacturers to supply PMS motors used in residential pool pump and motor combinations and as replacement residential pool pump motors to the California market. To achieve this objective, the Energy Commission proposes to permit the certification of PMS motors by allowing manufacturers to select the PMS motor construction type when submitting data to the Energy Commission.

The Energy Commission adopted the existing regulations on December 15, 2004, which require residential pool pump motors manufactured on or after January 1, 2006 and sold or offered for sale in California to comply with testing, efficiency, marking, and certification requirements in the Appliance Efficiency Regulations. The regulations set design standards for residential pool pump and motor combinations and residential replacement pool pump motors. The design standards prohibit the sale or offer for sale of two types of inefficient residential pool pump motors – split phase and capacitor start-induction run type motors – to encourage the use of more efficient residential pool pump motors. The Energy Commission monitors compliance with the design standards by requiring manufacturers to certify the motor construction type by choosing from a list of five motor construction types. Prior to the adoption of the emergency regulations, PMS motors were not included in this list of permissible motor construction types and therefore could not be sold or offered for sale in California



In November 2015, the Energy Commission staff learned that manufacturers were unable to certify PMS motors. In February 2017, manufacturers communicated to Energy Commission staff that PMS motors are supplied with the vast majority of pump and motor sets for storable pools, and exclusively with storable pools that cost between \$149 and \$500; PMS motors sold separately as replacement residential pool pump motors cost between \$29 and \$69. Customers prefer this pump and motor set for storable pools because of its low cost, and it is the most affordable option for low-income customers.

The storable pool pump industry uses two filtering technologies – cartridge filter and sand filter. The cartridge filter technology uses the PMS motor technology exclusively while the sand filter technology uses the capacitor-start/capacitor-run (CSCR) motor type. The PMS motor is as efficient as other compliant pool pump motors, such as the CSCR motors, when designed for the same capacity (size) pool. CSCR motors can be certified to the Energy Commission while PMS motors could not. This was not the intent of the regulations, which is to encourage the use of efficient residential pool pump motors. If the PMS motor is not included in this list of permissible motor construction types, manufacturers can choose not to sell small storable pools in California, to the disadvantage of lower-income consumers.

The specific benefits of the proposed regulations include providing California residents, especially low-income residents, access to more affordable and equally efficient PSM motors used for storable pools. The regulations will benefit manufacturers by allowing them to comply with the regulations and to sell and offer for sale PMS motors in California.

**Inconsistency or incompatibility with existing state regulations - Government Code section 11346.5(a)(3)(D).**

The proposed regulations are not inconsistent or incompatible with existing state regulations. There are no other state regulations that address the definitions and certification requirements in California Code of Regulations, title 20, section 1602(g), and section 1606, Table X, subsection G, for residential pool pump and motor combinations and replacement residential pool pump motors.

There are regulations in the California Code of Regulations, title 24, part 6 (Building Energy Efficiency Standards) that apply to the installation of residential air filters in newly constructed residential buildings. The proposed regulations that address the testing, certification, and marking requirements in California Code of Regulations, title 20, section 1606, Table X, subsection C, and section 1607(d)(12), for residential air filters apply to the sale or offer for sale of residential air filters in California. These proposed regulations are intended to harmonize with and complement the regulations in Title 24, part 6. Title 24, part 6 covers only air filters installed in newly constructed residential buildings, whereas, the Title 20 regulations cover all residential air filters sold or offered for sale in the state. For consumers who have HVAC equipment and air filters installed pursuant to Title 24, part 6, the air filter marking required by Title 20 will

allow the consumer to better match replacement air filters with their originally installed air filter. Therefore, the proposed regulations are neither inconsistent nor incompatible with the regulations in Title 24 or any other existing state regulations. The regulations merely delay the date by which residential air filters must comply with the Appliance Efficiency Regulations.

**DOCUMENTS INCORPORATED BY REFERENCE** – California Code of Regulations, title 1, section 20(c)(3).

The following documents are incorporated by reference: None.

**MANDATED BY FEDERAL LAW OR REGULATIONS** – Government Code section 11346.2(c).

None.

**OTHER STATUTORY REQUIREMENTS** – Government Code section 11346.5(a)(4).

None.

**LOCAL MANDATE DETERMINATION** – Government Code section 11346.5(a)(5).

The proposed regulations will not impose a mandate on local agencies or school districts.

**FISCAL IMPACTS** – Government Code section 11346.5(a)(6).

Cost or Savings to Any State Agencies. The Energy Commission does not anticipate any costs or savings to any state agency as a result of the proposed regulations.

Cost to Local Agencies or School Districts Requiring Reimbursement. The proposed regulations will not impose on local agencies or school districts any costs for which Government Code sections 17500-17630 require reimbursement.

Other Nondiscretionary Cost or Savings Imposed Upon Local Agencies. The proposed regulations will not result in other nondiscretionary cost or savings to local agencies.

Cost or Savings in Federal Funding to the State. The proposed regulations will not result in any cost or savings in federal funding to the state.

**HOUSING COSTS** – Government Code section 11346.5(a)(12).

The proposed regulations will not have an effect on housing costs.

**INITIAL DETERMINATION RE SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE –** Government Code sections 11346.3(a), 11346.5(a)(7), and 11346.5(a)(8).

The Energy Commission has determined that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states because the proposed regulations merely delay the date by which all manufacturers must comply with testing, certification, and marking requirements for residential air filters and allow manufacturers to certify and sell their pool pumps powered by PMS motors in California.

**COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS –** Government Code section 11346.5(a)(9).

For residential air filters, the proposed regulations only delay the date by which residential air filters for use in forced-air heating or forced-air cooling equipment must comply with the Appliance Efficiency Regulations. There will be no costs as a result of this delay. The existing regulations require the testing, certification, and marking of residential air filters. The costs and benefits associated with these requirements were fully analyzed in the original rulemaking.<sup>1</sup> The delay in compliance date would not result in any additional costs or savings; it would merely delay when those costs or savings would occur.

For residential pool pump and motor combinations and replacement residential pool pump motors, the proposed regulations will provide California consumers access to residential pool pumps powered by PMS motors. Manufacturers of residential pool pumps powered by PMS motors will be able to certify their products to the Energy Commission. Retailers and distributors will be able to sell and offer for sale these products. There will not be any costs to small businesses or individuals due to the allowance to sell additional types of pool products. The three companies that manufacture the majority of the PMS motors used in residential pool pump and motor combinations and used as replacement residential pool pump motors may each incur testing costs up to \$12,500 (up to \$2,500 per PMS motor) for products not previously certified to the Energy Commission. However, these testing costs apply to all compliant pool pump motor types and are the result of the underlying pool pump motor efficiency standards established in a 2004 rulemaking, not these proposed regulations. There will be no new costs as a result of allowing an additional pool pump motor type to comply with the existing regulations.

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<sup>1</sup> Singh, Harinder, Ken Rider, 2015. Staff Analysis of HVAC Air Filters, Dimming Fluorescent Ballasts, and Heat Pump Water Chilling Packages, California Energy Commission. Publication Number: CEC-400-2015-007, pp. 20-24, available at: [http://docketpublic.energy.ca.gov/PublicDocuments/15-AAER-01/TN203717\\_20150220T141247\\_Staff\\_Analysis\\_of\\_HVAC\\_Air\\_Filters\\_Dimming\\_Fluorescent\\_Ballasts.pdf](http://docketpublic.energy.ca.gov/PublicDocuments/15-AAER-01/TN203717_20150220T141247_Staff_Analysis_of_HVAC_Air_Filters_Dimming_Fluorescent_Ballasts.pdf).

**STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT –**  
Government Code section 11346.5(a)(10).

Creation or elimination of jobs within the state:

No new jobs will be created and no existing jobs will be eliminated by the proposed regulations. For residential air filters, the proposed regulations only delay the compliance date of an existing regulation. For residential pool pump and motor combinations and replacement residential pool pump motors, the affected retailers, distributors, and manufacturers have indicated that they do not anticipate any jobs to be created or eliminated due to the proposed regulations.

Creation of new businesses or the elimination of existing businesses within the state:

No new businesses will be created and no existing businesses will be eliminated by the proposed regulations. For residential air filters, the proposed regulations only delay the compliance date of an existing regulation. For residential pool pump and motor combinations and replacement residential pool pump motors, manufacturers and retailers currently sell a variety of pool products and the proposed regulations would allow for the sale of an additional type of residential pool pump motor. The proposed regulations do not affect existing compliant products.

Expansion of businesses currently doing business within the state:

The Energy Commission estimates that no new businesses will be created and no existing businesses will expand due to the proposed regulations. For residential air filters, the proposed regulations only delay the compliance date of an existing regulation. For residential pool pump and motor combinations and replacement residential pool pump motors, manufacturers and retailers currently sell a variety of pool products and the proposed regulations would allow for the sale of an additional type of residential pool pump motor. The proposed regulations do not affect existing compliant products.

Benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment:

The proposed regulations will benefit California residents by allowing access to residential air filters which are necessary to reduce energy use and expense, protect HVAC equipment, and remove particulate pollutants to help maintain acceptable indoor air quality. In addition, the proposed regulations will benefit California residents, especially low-income residents, by allowing access to pump and motor sets that include PMS motors, which are often used for storable pools, and which are less costly and are as efficient as other types of pool pump motors designed for the same capacity (size) pool. The Energy Commission does not anticipate any benefits to worker safety as a result of the proposed regulations because this regulatory action will not impact working conditions or worker safety. The proposed regulations do not

result in new benefits to the state's environment but improve the implementation of existing regulations which reduce energy consumption, and therefore lower emissions of air pollutants, including greenhouse gases.

**BUSINESS REPORT** – Government Code sections 11346.5(a)(11) and 11346.3(d).

The proposed regulations will not impose any new reporting requirements.

**EFFECT ON SMALL BUSINESS** – California Code of Regulations, title 1, sections 4(a) and (b).

The Energy Commission has determined that the proposed regulations pertaining to residential air filters will affect small business because some retailers of residential air filters are small businesses and they will be required to comply with the proposed regulations. The proposed regulations will allow retailers to continue selling and offering for sale residential air filters. The regulations do not uniquely affect small businesses and will not yield any costs or savings to small businesses.

The Energy Commission has determined that the proposed regulations regarding residential pool pump and motor combinations and replacement residential pool pump motors will affect small business because many retailers of pool supply products are small businesses and they will be required to comply with the proposed regulations. The proposed regulations will allow retailers to sell and offer for sale an additional type of residential pool pump motor. The regulations do not uniquely affect small businesses and will not yield any costs or savings to small businesses.

**ALTERNATIVES STATEMENT** – Government Code section 11346.5(a)(13).

The Energy Commission must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

**CONTACT PERSON** – Government Code section 11346.5(a)(14).

Inquiries concerning all aspects of the rulemaking process, including the substance of the proposed regulations or any other information upon which the rulemaking is based, should be directed to Patrick Saxton at [Patrick.Saxton@energy.ca.gov](mailto:Patrick.Saxton@energy.ca.gov) or (916) 654-4274. The designated backup contact person is Sean Steffensen who can be reached at [Sean.Steffensen@energy.ca.gov](mailto:Sean.Steffensen@energy.ca.gov) or (916) 651-2908.

**COPIES OF THE INITIAL STATEMENT OF REASONS AND THE TEXT – Government Code section 11346.5(a)(16).**

The Energy Commission has prepared an initial statement of reasons for the proposed regulations. To obtain a copy of the initial statement of reasons, the express terms of the proposed regulations, or any other rulemaking document please visit the Energy Commission's website at: <http://energy.ca.gov/appliances/2017-AAER-14/rulemaking> or contact Angelica Romo-Ramos at [Angelica.Romo@energy.ca.gov](mailto:Angelica.Romo@energy.ca.gov) or at (916) 654-4147. Additionally, all rulemaking documents can be obtained from the Docket Office at the above address or by calling (916) 654-5076.

**AVAILABILITY OF SUBSTANTIAL CHANGES TO ORIGINAL PROPOSAL FOR AT LEAST 15 DAYS PRIOR TO AGENCY ADOPTION/REPEAL/AMENDMENT OF RESULTING REGULATIONS – Government Code section 11346.5(a)(18).**

Participants should be aware that any of the proposed regulations could be substantively changed as a result of public comment, staff recommendation, or recommendations from Commissioners. Moreover, changes to the proposed regulations not indicated in the express terms could be considered if they improve the clarity or effectiveness of the regulations. If the Energy Commission considers changes to the proposed regulations pursuant to Government Code section 11346.8, a full copy of the text will be available for review at least 15 days prior to the date on which the Energy Commission adopts or amends the resulting regulations.

**COPY OF THE FINAL STATEMENT OF REASONS – Government Code section 11346.5(a)(19).**

At the conclusion of the rulemaking, persons may obtain a copy of the final statement of reasons once it has been prepared by visiting the Energy Commission's website at: <http://energy.ca.gov/appliances/2017-AAER-14/rulemaking> or contacting Angelica Romo-Ramos at [Angelica.Romo@energy.ca.gov](mailto:Angelica.Romo@energy.ca.gov) or at (916) 654-4147.

**INTERNET ACCESS – Government Code sections 11346.4(a)(6) and 11346.5(a)(20).**

The Energy Commission maintains a website in order to facilitate public access to documents prepared and considered as part of this rulemaking proceeding. Documents prepared by the Energy Commission for this rulemaking, including this Notice of Proposed Action, the Express Terms, and the Initial Statement of Reasons, as well as other documents in the rulemaking file have been posted at: <http://energy.ca.gov/appliances/2017-AAER-14/rulemaking>.