

## CALIFORNIA ENERGY COMMISSION

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March 29, 2010

Mr. Douglas Johnson, Senior Director  
Technology Policy & International Affairs  
Consumer Electronics Association  
1919 South Eads Street  
Arlington, VA 22202

**DOCKET**

**09-AAER-1C**

DATE MAR 29 2010

RECD. MAR 30 2010

Dear Mr. Johnson:

I am happy to clarify and respond to questions from the television industry regarding the California Energy Commission's recently adopted television energy efficiency regulations. The Energy Commission appreciates the concerns expressed, and will take them under advisement as it considers future rulemaking activities.

The answers are derived from the Express Terms of those adopted regulations. The questions are below, each followed by the answer in italics.

**Question 1. Are televisions sold to business and organizations covered?**

Industry understands that the Energy Commission interprets the television regulations to include all televisions not greater than 1400 square inches whether they are sold to private consumers for residential use or sold to business and other organizations for non-residential use.

*Answer: Yes. The regulations do not differentiate between televisions based on their intended use.*

**Question 2. Would the following products be considered "Televisions?"**

- A broadcast or post production monitor that shows video, but does not include a broadcast tuner?
- A monitor in an airport that shows television images (such as CNN Airport Network), but does not include a broadcast, cable, or satellite tuner?
- A display in a retail location or other public place that is intended to show information and does not include a tuner?

*Answer: All products meeting the definition of a "Television (TV)" in section 1602(v)<sup>1</sup> are covered by the regulations. The definition includes a "Television Monitor," which is defined as a television without an internal tuner/receiver or playback device. Based on the limited information provided in the question,*

<sup>1</sup> All references to section numbers are to Title 20 of the California Code of Regulations.

*the examples given would meet the definition of a Television and be subject to the regulations.*

**Question 3. Should there be a physical label or digital label on the television?**

Based on section 1607(d)(11)(A), which states, "Each television shall be marked, permanently and legibly on an accessible and conspicuous place on the unit...", industry interprets the energy labeling requirement as a physical labeling requirement.

Answer: *Section 1607(d)(11)(A) requires a physical label.*

**Question 4. Is the rear of the television considered "an accessible and conspicuous place on the unit?"**

Industry understands that the back of the unit is a reasonable place that meets the requirement for the on-mode power consumption label.

Answer: *Energy Commission staff agree that the rear side of a television is likely "an accessible and conspicuous place on the unit" within the meaning of Section 1607(d)(11)(A).*

**Question 5. Is there a requirement to mark the on-mode power consumption on the television in a font "equal in size to the largest font used within the menu screen" per section 1607(d)(11)(A)&(B)?**

Industry understands that this may be a transcription error from a previous draft which referred to digital labeling. It is industry's understanding that Energy Commission will accept the use of a "reasonable sized" font on the rear of the television for compliance with this requirement.

Answer: *Yes, however the "largest font" requirement applies only to a physical label under Section 1607(d)(11)(A).*

**Question 6. Are televisions in the hospitality industry and consumer televisions with Download Acquisition Mode (DAM) covered by the standby power requirement?**

Some televisions used in the hospitality industry and some consumer televisions must communicate with a central server. Industry understands that section 1605.3(V)(3)(B), which states, "A television shall enter TV standby-passive mode when turned off by remote or integrated button/switch," would not apply to televisions in the hospitality industry and consumer televisions with DAM which require an active standby mode.



Answer: Televisions, as defined and having a screen area not greater than 1,400 square inches are subject to the adopted regulations. Section 1605.3(v)(3)(B) does not prohibit the use of DAM/active-standby mode, but it does require that the mode a television enters at least when initially "turned off" by a user be passive-standby mode. The television may subsequently enter another mode. Further, unlike the ENERGY STAR® version of passive-standby mode, the adopted regulations do not limit the ability to communicate in this mode, other than to limit the power consumption to 1 watt.

**Question 7.** In section 1604(V)(3)(B)(1), for televisions with a "Forced Menu", is the "Home" mode subject to the maximum on-mode power usage of Table V-2?

Industry understands that for a television with a forced menu, the "Home" mode or the manufacturer's recommended mode for home use is used for measuring the on mode power subject to the maximum on-mode power usage in Table V-2 of the regulations.

Answer: For televisions with a "home" mode, it is this mode that is subject to the maximum on-mode power usage in Table V-2. However, if a manufacturer uses a forced menu and does not include a "home" mode or recommended mode for home use, then the most consumptive mode is subject to the standard.

**Question 8.** For automatic power down, is monitoring separately for loss of audio required as the "and/or" language in Section 1605.3(V)(3)(A) seems to imply?

Industry understands that televisions may monitor for the loss of either video or audio or both.

Answer: Televisions may monitor for loss of either video or audio, or both.

**Question 9.** Is it allowable for consumers to turn off automatic power down?

Industry believes that televisions must be shipped with automatic power down enabled, but that consumers should have the right to disable this feature to ensure satisfaction with the television.

Answer: Yes. The regulations require that televisions be sold or offered for sale with automatic entry of standby-passive or standby-active mode enabled. (See Section 1605.3(v)(3)). The regulations do not prohibit consumers from disabling this feature.



**Question 10.** Is the effective date for including on-mode power consumption in any publication, website, document, or retail display that is used for offering a television for sale effective for televisions manufactured on or after July 1, 2010, as stated in Section 1607(d)(11)(B)?

Industry understands that this may be a transcription error and this requirement is intended to be effective for televisions manufactured on or after January 1, 2011.

*Answer:* Yes, there was a transcription error and the intended date for this requirement is January 1, 2011. Although the regulatory text as adopted includes this July date, the Energy Commission intended throughout this proceeding that the various initial compliance dates be the same throughout the regulations, as reflected in, among other instances, the draft regulations staff sent to CEA on June 26, 2009. Staff is taking steps to remedy this transcription error through the Office of Administrative Law ("OAL") before the regulations are published by the Secretary of State. If this non-substantial error cannot be corrected at the administrative level, the Energy Commission and its staff will take additional steps to remedy the error, as well as exercise appropriate enforcement discretion to ensure that the correct and consistent intent of the regulations is followed should instances of non-compliance with this aspect of the regulations be brought to the Energy Commission's attention.

**Question 11.** Industry is concerned about the accuracy requirement for measurement of power factor in Section 1604(v)(3)(A). Will the Energy Commission require power factor measurements to be accurate to one hundredth of one percent as stated in section 1604(v)(3)(A)?

Industry suggests language similar to that for a power meter in the U.S. EPA's Energy Star specification, modified as follows: "The power factor instrument shall have a resolution of 0.001 or better and shall be made with an uncertainty of less than or equal to 0.01 at the 95 percent confidence level. All power factor measurements shall be rounded to the second decimal place."

*Answer:* Yes. Power factor is derived from the ratio of two power measurements. To obtain a percentage value accurate to one hundredth of one percent, four significant digits in the underlying values are required. This means that power measurements must be accurate to a tenth of a watt (e.g., 123.4 W) in order to meet the power factor accuracy requirements. Confidence levels are not specified in the adopted regulations.



**Question 12. How should power factor be measured for televisions with automatic brightness control (ABC) in section 1604(v)(3)(A)?**

Industry believes power factor measurement for ABC televisions should be made at 300 lux (or with ABC disabled). The on-mode power consumption for televisions with ABC is required to be measured at 0 lux and at 300 lux (or with ABC disabled). Measurement of power factor at each lux value will differ.

*Answer: The adopted regulations do not specify whether power factor must be measured at 0 or 300 lux; both tests are "on mode" power tests and industry may use either test to measure power factor.*

**Question 13. For televisions with a forced menu, will the Energy Commission require the measurement and reporting of "the most energy consumptive mode available in the forced menu" as required in Section 1604(v)(3)(B)(1) and section 1606, Table X?**

Industry believes these requirements may have been included in error from the previous draft to calculate the 80 percent power requirements from "home" to "retail" modes. As this requirement was replaced by a 65 percent luminance requirement, industry does not believe it is necessary to measure and report data for the most consumptive mode in the forced menu. It should be noted that multiple power figures for a single television could introduce confusion in the marketplace.

*Answer: Yes. This important data provided by industry will allow the Energy Commission to track the relationship between home mode brightness/power and retail brightness/power in the future. The Commission will consider industry's concern when deciding which columns of data will be available on its publicly searchable database.*

**Question 14. For section 1605.3, Table V-2, does the new definition of a television only apply to the requirements in the Table that become effective on January 1, 2011?**

Industry believes this is the case. The requirements that became effective on January 1, 2006, used a different definition of a television that excluded combination televisions, component televisions, televisions with POD, etc. However, Table V-2 appears to apply the new definition of a television to all requirements in the Table.

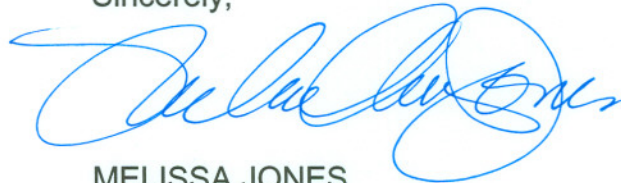
*Answer: The definition of "Television (TV) set" was changed in the 2008 Appliance Efficiency Rulemaking, Phase I, Part B (Docket Number 08-AAER-1B), and such definition is currently effective. That definition does not contain the exclusion for combination televisions, component televisions, televisions*

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*with POD, etc. The new definition of "Television (TV)" contained in the adopted regulations will become effective upon the effective date of the regulations.*

Thank you for coordinating these questions from industry. Hopefully, the answers to these questions will help to avoid confusion and misinformation within the industry regarding the adopted television regulations. Harinder Singh and Ken Rider are available for any follow-up questions, if needed.

Sincerely,



MELISSA JONES  
Executive Director

cc: Senator Padilla  
Listserver for Appliance Efficiency Regulations Pertaining to Television  
Efficiency, Docket # 09-AAER-1C